

MINUTES of the MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held via Microsoft Teams  
on Wednesday, 15<sup>th</sup> July 2020  
at 6.00pm

**PRESENT:**

**Conservative Group**

Councillor Muller (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Angliss, Mrs Brown, Brady, Mrs Bridgen, Churchill, Corbin, Dawson, Fitzpatrick, Ford, Mrs Haines, Hewlett, MacPherson, Mrs. Patten, Pegg, Dr. Perry, Roberts, Watson and Wheelton.

**Labour Group**

Councillors Bambrick, Dunn, Gee, Mrs Heath, Mulgrew, Dr. Pearson, Rhind, Richards, Shepherd, Singh, Southerd, Mrs. Stuart, Taylor, and Tilley.

CL/01 **APOLOGIES**

Council was informed that no apologies had been received.

CL/02 **MINUTES OF COUNCIL MEETING**

The Open Minutes of the Council Meeting held on the 26<sup>th</sup> February 2020 (CL/113-CL/127 were approved as a true record.

CL/03

**DECLARATIONS OF INTEREST**

Council was informed that no Declarations of Interest had been received.

CL/04 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council informed Members that his last engagement prior to Lockdown was the opening of the former Dilks Garage site in Swadlincote and outlined cancelled events due to Covi-19. The Chairman thanked and gave recognition to all members of staff across the Council for their continued hard work during difficult times. The Chairman thanked Councillors and friends for their support during the Civic year and special thanks were given to Councillor Atkin for deputising and his sense of humour and guidance where needed. Thanks for support were given to the staff in the Chairman's Office and Democratic Services and he wished the absent Democratic Services Officer a swift recovery. The Chairman concluded with shared condolences for

former Councillors John Grant and John Bladen and asked the Council for a moment's silence in remembrance.

CL/05 **ANNOUNCEMENTS FROM THE LEADER**

The Leader echoed the condolences of the Chairman and shared memories of both John Grant and John Bladen. The Leader thanked all members of staff, Senior Officers and Councillors for their continued hard work to support the communities and businesses during the Covid-19 pandemic. It was recognised that the efforts were above and beyond of what was expected and declared the Council a credit to South Derbyshire. The Leader of the Labour Group supported the Leader in this thanks to all. The Leader closed by wishing Karen Sharpe from the ICC, all the best for her future endeavours at Manchester Airport.

CL/06 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive passed on his condolences for the former Councillors John Grant and John Bladen. The Chief Executive informed the Council that work on the former Depot site was due to commence on 17<sup>th</sup> August, building a residential nursing home. The Chief Executive notified Members that the Council was now looking at the Equality, Diversity and Inclusive Policy that would include consultation with partners, stakeholders, employees and our Members. The Chief Executive updated Council how the Bus Park, which had been used as a Covid-19 Assessment Centre and helped schools administer vaccines for pupils whilst schools had been closed, would need to reopen.

CL/07 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/08 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that the following question had been received from Councillor Dr Pearson:

In accordance with Council Procedure Rule 11.2, please find below a question to the Leader of SDDC, Councillor Martyn Ford, for consideration at the meeting of Full Council on 15 July 2020:

The South Derbyshire Local Plan provides a framework for the amount and location of future housing, employment and infrastructure in the District over the period 2011 to 2028. The introduction to the Local Plan states that it will set the basis for deciding individual planning applications and that it will provide certainty for residents as to how and where development is likely to take place over the Plan period.

At the meetings of Planning Committee held on 30 June and 1 July 2020, the Committee received recommendations to grant approval for two developments

that were in conflict with the Local Plan. These were developments for employment and housing in Woodville and for housing in Hilton.

In light of the recommendations presented to the Committee, how much confidence can residents have in the Local Plan?

The Leader responded:

The Hilton Application, despite local representation was not contrary to the Local Plan, the site was within the settlement confines of the village and this did not need to be an allocation in order for it to benefit from the principles of residential development.

The Woodville Application conflicted with a number of policies in the Local Plan, but those policies still allowed for development to proceed where it could be demonstrated that there are no other alternatives; that was considered to be the case. The remaining conflict: a lack of affordable housing was a matter balanced against the other material considerations in favour of the application.

The Local Plan remained a robust and defensible strategy for the residential, employment and infrastructure needs across the plan period. Notwithstanding this each application must be assessed on its merits at the time it is made and considered under the Statutory Framework to take into account material considerations.

Councillor Pearson raised the following supplementary question: Noting that the Woodville Regeneration Route was contained within election literature for the Conservative Party, noting it would focus on the employment led opportunities that arose and that the application approved by Planning Committee was in direct contradiction to that, his question was why did the Councillors of the planning Committee vote against those pledges made? The Leader responded by reiterating the need for each application to be assessed on its own merits and to be considered under the Statutory Framework which took into account material considerations and noted that faced with an application with viability issues, that would deliver housing, employment and the opportunity for infrastructure regeneration that would help the residents in Woodville, the decision made was as per the officers recommendation to grant approval.

**RESOLVED:**

***Council upheld the decisions made by the Planning Committees held on 30<sup>th</sup> June 2020 and 1<sup>st</sup> July 2020***

CL/09 **PAY POLICY STATEMENT 2020/2021**

The Strategic Director (Corporate Resources) delivered the report to Council and highlighted that the factual statement required approval prior to publication and highlighted that the comparison between the highest paid officer of the Council and the lowest paid officer was a ratio of 1:7 which following research was average when compared to other authorities in Derbyshire .

**RESOLVED:**

**1.1 Council approved for publication the Pay Policy Statement for the financial year 2020/2021.**

**CL/10 LOCAL GOVERNMENT ASSOCIATION - PEER REVIEW REPORT**

The Chief Executive presented the report to Council providing an overview of the report and read out the following extract *“the Corporate Peer Challenge Report states the Council has much to be proud of and is serving its community well with highly regarded services, strong partnership working with a regionally renowned track record for driving growth for the District and its prosperity”*. The Chief Executive asked Members to approve the recommendations within the report in particular the formation of a Member and Officer Working Group.

Members agreed that this was an excellent report and that taking part in the Peer Review was a great experience and asked what would be done regarding the opportunity to improve on political leadership to drive forward a well performing Council. The Chief Executive informed Members that the Council had embraced this recommendation positively with representation at the District Council Network, more representation at the East Midland Council along with invitations for the Chief Executive to be a Director for the LEP for Place and Economic Regeneration of Derbyshire and Nottinghamshire and Director for People and Skills. The Chief Executive hoped that the formation of the Working Group would encourage Leading Members from both groups to step up to this platform and be visible about all the good things achieved by this Council now and in the future.

**RESOLVED:**

**1.1 The Council welcomed and endorsed the Key Recommendations set out in the Corporate Peer Challenge report as set out in Appendix 1 of the report.**

**1.2 The Council resolved to form a Member/Officer working group to action the Key Recommendations set out in the report.**

**1.3 The Council agreed to be updated with ongoing progress against the Key Recommendations.**

**CL/11 INTRODUCTION OF PAVEMENT LICENCES**

The Senior Licensing Officer presented the report to Council and sought approval of the recommendations.

Councillor Dunn requested clarity about who the licences would apply to. The Senior Licensing Officer confirmed that they would apply mostly to cafes and restaurants within Swadlincote town centre.

**RESOLVED:**

**1.1 Members noted the introduction of pavement licences.**

**1.2 Members approved the delegated authority for Officers to refuse and revoke any application for a pavement license if relevant representations received.**

**1.3 Members approved the proposed fee for a pavement license application**

CL/12 **INDEPENDENT REMUNERATION PANEL**

The Chairman of the Independent Remuneration Panel presented the report to Council highlighting the strong consensus reached by the panel about what was possible, and the clear terms of reference used. The Chairman gave an overview of the findings and decisions made regarding the increases proposed over a 3 year period and thanked all those who took part in the review.

Members of the Council thanked the Panel for the recommendations and the way in which the work was undertaken. The Chairman of the Panel was asked if when reducing the allowance for Civic duties it considered that the Chairman of the Council would be expected to support organisations by purchasing raffle tickets etc. at events and was the responsibility of the Consort also taken into account? The Chairman of the Panel confirmed that all of those points and had been considered and when looking at the workload relating to Civic Duties they had reduced significantly.

**RESOLVED:**

**1.1 Members considered the recommendations contained in the report of the Independent Remuneration Panel.**

CL/13 **CYCLE OF MEETINGS 2020-21**

The Head of Legal & Democratic Services presented the proposed schedule of meetings for approval.

**RESOLVED:**

***In accordance with Council Procedure Rule No. 1.1 (g) of the Council's Constitution, the cycle of Meetings for 2020/21 as per Appendix A of the report, were approved.***

CL/14 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

**RESOLVED:-**

***That the open minutes of the following Committees were approved as a true record:***

<b><u>Committee</u></b>	<b><u>Date</u></b>	<b><u>Minutes No's</u></b>
Planning Committee	03.09.19	PL/66 – PL/74
Planning Committee	24.09.19	PL/75 – PL/82
Planning Committee	15.10.19	PL/83 – PL/91
Environmental and Development Services	25.11.19	EDS/48- EDS/63
Planning Committee	26.11.19	PL/107 – PL/114
Overview and Scrutiny	27.11.19	OS/29-OS/37
Planning Committee	17.12.19	PL115/ – PL/125
Overview and Scrutiny	15.01.20	OS/38-OS/46
Housing and Community Services	30.01.20	HCS/70-HCS82
Planning Committee	04.02.20	PL/126 – PL/138
Overview and Scrutiny	12.02.20	OS/47-OS/57
Finance and Management	13/02/20	FM/111-FM/127
Planning Committee	25.02.20	PL/139 – PL/148
Environmental and Development Services	05/03/20	EDS/88-EDS/100
Housing and Community Services	12/03/20	HCS/86-HCS/93

CL/15 **REVIEW THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

**RESOLVED:-**

***Council approved the following amendments:***

**Finance and Management Committee**

***Councillor Pegg to be appointed***

**Environmental and Development Services Committee**

***Councillors Ford and Hewlett to be appointed***

**Housing and Community Services Committee**

***Councillor Pegg to replace Councillor Roberts as Chairman and Councillor Corbin to replace Councillor Pegg as Vice-Chairman.***

***Councillors Dawson and Mrs. Patten to replace Councillors Roberts and Mrs. Wheelton.***

**Community and Environment Partnership Grant Scheme.**

***Councillor Pegg to replace Councillor Roberts***

**Core Strategy Working Panel**

***Councillor Ford be appointed***

**Service and Financial Planning Working Group**

***Councillors Dr. Pearson and Richards be appointed***

**Single Status Steering Group**

***Councillor Churchill be appointed***

CL/16 **REVIEW OF COMPOSITION OF SUBSTITUTE PANELS**

**RESOLVED:**

***Council approved the following amendments:***

**Environmental and Development Services Committee.**

***Councillors Pegg and Atkin be appointed***

**Finance and Management Committee**

***Councillor Mrs Wheelton to replace Councillor Pegg***

**Housing and Community Services Committee**

***Councillor Mrs. Wheelton be appointed***

**Single Status Steering Group**

***Councillors Brady and Watson be appointed***

CL/17 **REVIEW OF REPRESENTATION ON OUTSIDE BODIES**

**RESOLVED:**

***Council approved the following amendments:***

**Association of Retained Council Houses Ltd (ARCH)**

***Councillor Pegg to replace Councillor Roberts***

CL/18 **REVIEW OF REPRESENTATION OF MEMBER CHAMPIONS**

***Council was informed no amendments were to be made.***

CL/19 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

***That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.***

**EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11**

***Council was informed no questions had been received.***

**EXEMPT MINUTES**

***Council received and considered the Exempt Minutes of its committees.***

**RESOLVED:-**

***That the Exempt Minutes of the following Committees be approved as a true record:-***

<b><u>Committee</u></b>	<b><u>Date</u></b>	<b><u>Minutes No's</u></b>
Planning	15.10.19	PL92/ - PL/93
Housing and Community Services	30.01.20	HCS/83– HCS/85
Finance and Management	13.02.20	FM/128– FM/133
Environmental and Development Services	05.03.20	EDS/101-EDS/103

The meeting terminated at 8:05 pm.

COUNCILLOR D MULLER

CHAIRMAN OF THE DISTRICT COUNCIL