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Our Ref

Your Ref

Date: 27th October 2021

Dear Councillor

,
Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote, on **Thursday, 04 November 2021** at **18:00** to transact the business set out on the attached agenda.

Yours faithfully,

Chief Executive

To:-

Labour Group

Councillor Gee (Chair), Councillor Dunn (Vice-Chair) and Councillors Bambrick, Heath, Mulgrew, Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

Conservative Group

Councillors Ackroyd, Atkin, Bridgen, Brown, Churchill, Corbin, Ford, Haines, Hewlett, Lemmon, Muller, Patten, Redfern, Smith and Watson.

Independent Group

Councillors Angliss, Dawson, Fitzpatrick, MacPherson and Roberts.

Non-Grouped

Councillor Wheelton



AGENDA
Open to Public and Press

- | | | |
|-----------|--|----------------|
| 1 | Apologies | |
| 2 | To confirm the Open Minutes of the Council Meeting held on

16th September 2021 | 5 - 10 |
| 3 | To note any declarations of interest arising from any items on the
Agenda | |
| 4 | To receive any announcements from the Chair, Leader and Head of
Paid Service. | |
| 5 | To receive any questions by members of the public pursuant to
Council Procedure Rule No.10. | |
| 6 | To receive any questions by Members of the Council pursuant to
Council procedure Rule No. 11. | |
| 7 | To consider any notices of motion in order of which they have been
received.

In accordance with Council Procedure Rule No. 12, Councillor
Richards will move the following motion | 11 - 11 |
| 8 | HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD
DEVELOPMENT PLAN | 12 - 17 |
| 9 | AREA FORUM MEETINGS | 18 - 20 |
| 10 | TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO
PARISH COUNCILS | 21 - 23 |
| 11 | MEMBERS ALLOWANCES SCHEME | 24 - 33 |
| 12 | LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN –
ANNUAL REVIEW LETTER 2021 AND LGSCO UPDATE | 34 - 37 |

- 13** To receive and consider the Open Minutes of the following Committees:
- | | |
|---|----------------|
| Planning Committee 2nd March 2021 | 38 - 41 |
| Planning Committee 30th March 2021 | 42 - 45 |
| Planning Committee 27th April 2021 | 46 - 50 |
| Planning Committee 11th May 2021 | 51 - 53 |
| Environmental& Development Services Committee 27th may 2021 | 54 - 58 |
| Housing & Community Services 3rd June 2021 | 59 - 62 |
| Finance and Management Committee 10th June 2021 | 63 - 66 |
| Finance and Management Committee 22nd July 2021 | 67 - 71 |
| Finance and Management Committee 3rd August 2021 | 72 - 73 |
| Housing & Community Services 19th August 2021 | 74 - 76 |
| Finance and Management Committee 26th August 2021 | 77 - 82 |
- 14** To review the compositions of Committees, Sub-Committees and Working Panels.
- 15** To review the compositions of Substitute Panels.

16 To review representation on Outside Bodies.

17 To review Member Champions.

Exclusion of the Public and Press:

18 The Chair may therefore move:-

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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

20 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

21 To receive and consider the Exempt Minutes of the following Committees:

Planning Committee 2nd March 2021

Housing & Community Services 3rd June 2021

Finance and Management Committee 10th June 2021

Finance and Management Committee 22nd July 2021

Finance and Management Committee 3rd August 2021

Housing & Community Services 19th August 2021

Finance and Management Committee 26th August 2021

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Grove Hall, Swadlincote
on Thursday, 16th September 2021
at 6.00pm

PRESENT:

Labour Group

Councillor Gee (Chair) and Councillor Dunn (Vice-Chair) and Councillors Bambrick, Mulgrew, Pearson, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

Conservative Group

Councillors Ackroyd, Atkin, Bridgen, Brown, Ford, Haines, Hewlett, Lemmon, Muller, Patten, Redfern, Smith and Watson.

Independent Group

Councillors Angliss, Dawson, Fitzpatrick, MacPherson and Roberts.

Non-Grouped

Councillor Wheelton

CL/43 **APOLOGIES**

Council was informed that an apology for absence had been received from Councillors Pegg and Heath (Labour Group) and Councillors Churchill and Corbin (Conservative Group).

CL/44 **TO CONFIRM THE OPEN MINUTES OF THE COUNCIL MEETINGS**

The Open Minutes of the Council Meetings held on the 20th May 2021 (CL/1-CL/23) (resubmitted) and 24th June 2021 (CL/24 – CL/40) were approved as a true record.

CL/45 **DECLARATIONS OF INTEREST**

Council was informed that no declarations of interest had been received.

CL/46 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council informed Council of the good turnout at the Sunday Civic Service which he attended. The Chairman presented the Chairman of the Finance and Management Committee with a 10 year Health and Safety Award received for the Council.

CL/47 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council updated Members regarding the progress of the Freeport and of the positive impact of the Pension Credit Campaign, approved by Council in January 2021. The Leader of the Council welcomed Councillor Wheelton back to the Chamber.

CL/48 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service thanked the Leader for his involvement with the Freeport.

Members were informed of the economic position in South Derbyshire following the pandemic and the proposed new business coming into the District that had then potential to create many new jobs.

Members were advised that the Woodville Generation Route was on course to complete by the end of October 2021.

.CL/49 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/50 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

In Accordance with Council Procedure Rule No. 12 Councillor Tilley moved the following motion:

“This Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore, calls on the Government to protect the right of communities to object to individual planning applications”.

RESOLVED:

Council called on the Government to protect the right of communities to object to individual planning applications.

CL/51 **TO CONSIDER ANY NOTICES OF MOTION**

Council was informed that no notices of motion had been received.

CL/52 **ANNUAL REPORT 2020-21**

The Chief Executive presented the report to Council, outlining the key points within the report and highlighted the Green Flags awarded to parks within the District. He also commended the continuation of the waste collection service throughout the pandemic.

RESOLVED:

Elected Members approved, for publication, the Annual Report for 2020/21 as attached in Appendix A of the report.

CL/53 **TO RECEIVE AND CONSIDER THE OPEN MINUTES OF THE FOLLOWING COMMITTEE MEETINGS:**

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Overview & Scrutiny	02.09.20	OS/1 – OS/10
Planning	22.09.20	PL/61 – PL75
Finance & Management	08.10.20	FM/66 – FM/75
Overview & Scrutiny	14.10.20	OS/11 – OS/18
Planning	20.10.20	PL/78 – PL/93
Planning	17.11.20	PL/94 – PL/104
Overview & Scrutiny	25.11.20	OS/19 – OS/25
Finance & Management	26.11.20	FM/81 – FM/96
Planning	15.12.20	PL/105 – PL/115
Environmental & Development	04.01.21	EDS/70 – EDS/77
Housing & Community Services	05.01.21	HCS/59 – HCS/66
Finance & Management	07.01.21	FM/100 – FM/112
Planning	12.01.21	PL/116 – PL/122
Overview & Scrutiny	13.01.21	OS/26 – OS/33
Environmental & Development	21.01.21	EDS/78 – EDS/89
Housing & Community Services	28.01.21	HCS/67 – HCS/78
Planning	09.02.21	PL/123 – PL/133
Overview & Scrutiny	10.02.21	OS/34 – OS/40
Finance & Management	11.02.21	FM/115 – FM/128
Environmental & Development	04.03.21	EDS/94 – EDS/102
Housing & Community Services	11.03.21	HCS/81 – HCS/91
Finance & Management	18.03.21	FM/132 – FM/145
Overview & Scrutiny	31.03.21	OS/41 – OS49
Housing & Community Services	20.04.21	HCS/95 – HCS/102
Environmental & Development	21.04.21	EDS/103 – EDS/109
Finance & Management	29.04.21	FM/151 – FM/160

RESOLVED:

That the above Committee Meetings open minutes were received and approved as a true record.

CL/54 **TO REVIEW THE COMPOSITIONS OF COMMITTEES, SUB-COMMITTEES, AND WORKING PANELS**

Members reviewed the composition of Committees, Sub-Committees and Working Panels for 2021-22.

RESOLVED:

Environmental and Development Services Committee

Councillor Tilley to be replaced by Councillor Southerd

Licensing and Appeals Sub-Committee

Councillor Smith to replace Councillor Ackroyd

CL/55 **TO REVIEW THE COMPOSITIONS OF THE SUBSTITUTE PANELS**

Members reviewed the composition of Substitute Panels for 2021-22

RESOLVED:

Environmental and Development Committee

Councillor Southerd to be replaced by Councillor Tilley

Councillor Wheelton appointed as Non-Grouped Representative.

Planning Committee

Councillor Wheelton appointed as Non-Grouped Representative.

Overview & Scrutiny Committee

Councillor Wheelton appointed as Non-Grouped Representative.

CL/56 **TO REVIEW REPRESENTATION ON OUTSIDE BODIES**

Members reviewed the Outside Bodies representation list.

RESOLVED:

Council was informed no amendments were to be made.

CL/57 **TO REVIEW MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/58 TO REVIEW CHAIRS OF AREA FORUMS

Councillor Bridgen advised of the appointment of a Conservative Group Chair to the Linton Area Forum.

RESOLVED:

That Councillor Ackroyd be appointed as Chair to the Linton Area Forum.

CL/59 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.

CL/59 TO CONFIRM THE EXEMPT MINUTES OF THE COUNCIL MEETING

The Exempt Minutes of the Council Meetings held on the 24th June 210 (CL/41 – CL/42) were approved as a true record.

CL/60 EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

CL/61 TO RECEIVE AND CONSIDER THE EXEMPT MINUTES OF THE FOLLOWING COMMITTEE MEETINGS:

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Planning	22.09.20	PL/76 – PL/77
Finance & Management	08.10.20	FM/76 – FM/80
Finance & Management	26.11.20	FM/97 – FM/99
Finance & Management	07.01.21	FM/113 – FM/114
Environmental & Development	21.01.21	EDS/90 – EDS/93
Housing & Community Services	28.01.21	HCS/79 – HCS/80
Planning	09.02.21	PL/134 – PL/135
Finance & Management	11.02.21	FM/129 – FM/131
Housing & Community Services	11.03.21	HCS/92 – HCS/94
Finance & Management	18.03.21	FM/146 – FM/150
Housing & Community Services	20.04.21	HCS/103 – HCS/104
Environmental & Development	21.04.21	EDS/110 – EDS/111
Finance & Management	29.04.21	FM/161 – FM/164

RESOLVED:

That the above Committee Meetings exempt minutes were received and approved as a true record.

The meeting terminated at 18:45 hours.

COUNCILLOR M GEE
CHAIR OF THE DISTRICT COUNCIL

In accordance with Council Procedure Rule No. 12, Councillor Richards will move the following motion:

This Council is eternally indebted to the loyal and committed workforce for all their endeavours throughout the last 18 months. Our staff have continued to deliver the services that is taken for granted prior to the pandemic, as well as the other increased duties that the pandemic has forced upon the council in order to ensure that our residents, and staff are safe throughout. Not only have we, as an authority, maintained our statutory services but we have also distributed over £24million in Covid Business Support Grants, employed Covid Marshalls to ensure our residents safety, engaged into new IT technology as a means of maintaining our service delivery, embraced remote working and continued to deliver a service to our customers and residents under considerable pressures and limited resources.

“Given the commitments, dedication and resilience shown by our workforce this Council agrees that as a means of showing our appreciation and gratitude that only 1 day (or pro rata) of annual leave will be required to be deducted as part of the annual weekly closed down at Christmas 2021 with a similar concession given to those other parts of the workforce who continue to provide vital services throughout the Christmas to New Year period.”

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 8
DATE OF MEETING:	4th NOVEMBER 2021	CATEGORY: RECOMMENDED
REPORT FROM:	ALLISON THOMAS - STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	KAREN BEAVIN karen.beavin@southderbyshire.gov.uk	DOC:
SUBJECT:	HILTON, MARSTON ON DOVE AND HOON NEIGHBOURHOOD DEVELOPMENT PLAN	REF:
WARD(S) AFFECTED:	HILTON, MARSTON ON DOVE AND HOON	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That Council approves that the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (NDP) is 'made' under section 38A(4) of the Planning and Compulsory Purchase Act 2004 in compliance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

2.0 Purpose of Report

2.1 To enable the 'making' of the Hilton, Marston on Dove and Hoon NDP following the referendum held on 16 September 2021.

3.0 Detail

3.1 Further to the Council's approval on 24 June 2021 that the Hilton, Marston on Dove and Hoon NDP proceed to referendum, a referendum was duly held and of those who voted, 93.3% did so in favour of the Hilton, Marston on Dove and Hoon NDP; the turnout was 13.79%.

3.2 A NDP attains the same status as a Local Plan following approval at referendum; at this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3 The decision statement at Appendix 1, required by the Neighbourhood Planning Regulations, sets out the result of the referendum and the requirement for the Council to make the Plan where over 50% of those who voted in the referendum, did so in favour of the Plan.

4.0 Financial Implications

4.1 None directly arising from this report.

5.0 Corporate Implications

Employment Implications

5.1 None directly arising from this report.

Legal Implications

5.2 There are no other legal, human resources or other corporate implications apart from those covered in the report.

Corporate Plan Implications

5.3 The Neighbourhood Plan contains a number of policies consistent with the Corporate Plan. These include:

- to enhance biodiversity across the District (Our Environment)
- to improve public spaces to create an environment for people to enjoy. (Our Environment)
- Promote health and wellbeing across the District. (Our People)
- To influence the improvement of infrastructure to meet the demands of growth. (Our Future)
- Enable the delivery of housing across all tenures to meet Local Plan targets (our Future)

Risk Impact

5.4 None.

6.0 Community Impact

Consultation

6.1 None directly arising from this report.

Equality and Diversity Impact

6.2 Having a 'made' NDP has allowed the people of Hilton, Marston-on-Dove and Hoon to be directly involved in setting policy for local planning decisions.

Social Value Impact

6.3 The NDP has been prepared by Hilton Parish Council involving volunteers from the local community. This community involvement is encouraged by the 2011 Localism Act.

Environmental Sustainability

6.4 The Plan, once made, will contribute to the sustainable development of the designated area.

7.0 Background Papers

Appendix 1 - Decision Statement

South Derbyshire District Council
Hilton, Marston on Dove and Hoon Neighbourhood Development Plan - Final
Decision Statement

1. Summary

1.1. Following a positive referendum result South Derbyshire District Council is publishing its decision to 'make' the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan, in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, for it to become part of South Derbyshire District Council's Development Plan.

2. Background

2.1. Hilton Parish Council, as the qualifying body, successfully applied for Hilton, Marston on Dove and Hoon parishes to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012), which came into force in April 2012.

2.2. Following the submission of the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The six-week publicity period ended on 19th October 2020.

2.3. South Derbyshire District Council appointed an Independent Examiner, Mr Derek Stebbing B.A. (Hons), Dip. E.P., MRTPI, to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

2.4. The Examiner concluded that the Plan, subject to the modifications proposed in his report, met the basic conditions and should proceed to a referendum. At its meeting on 24 June 2021 the Council agreed that all of the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.

2.5. A referendum was held on 16 September 2021 and a 'yes' vote was returned, with 790 out of 847 persons that voted, voting yes to *“Do you want South Derbyshire District Council to use the Neighbourhood Plan for Hilton, Marston-on-Dove and Hoon to help it decide planning applications in the neighbourhood area?”*

2.6. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended, the Neighbourhood Planning (General) (Amendment) Regulations 2015 and the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 requires that the Council must 'make' the Neighbourhood Plan within 8 weeks if more than half of those voting have voted in favour of the plan.

2.7. The Council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3. Decisions and Reasons

3.1 With the Examiner's recommended modifications, the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

3.2. The referendum held on 16 September 2021 met the requirements of the Localism Act 2011; it was held in the parishes of Hilton, Marston on Dove and Hoon and posed the question:

“Do you want South Derbyshire District Council to use the Neighbourhood Plan for Hilton, Marston-on-Dove and Hoon to help it decide planning applications in the neighbourhood area?”

3.3. The count took place on 16 September 2021 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area. The results of the referendum were:

Question	Number of Votes		
	Yes	No	*
Do you want South Derbyshire District Council to use the Neighbourhood Plan for Hilton, Marston-on-Dove and Hoon to help it decide planning applications in the neighbourhood area?	790	57	

* If the proposal has been carried the word 'Carried' appears against the Question.

* If the proposal has not been carried the word 'Failed' appears against the Question.

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of official mark	
B voting for and against the same question	
C writing or mark by which voter could be identified	
D unmarked or void for uncertainty	1
E rejected in part	
Total	1

Electorate: 6127

Ballot Papers Issued: 848

Turnout: 13.79%

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	4th NOVEMBER 2021	CATEGORY RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	CHRIS SMITH, COMMUNITIES TEAM MANAGER	DOC:
SUBJECT:	AREA FORUM MEETINGS	
WARD(S) AFFECTED:	ALL WARDS	TERMS OF REFERENCE: HCS07

1.0 Recommendation

1.1 That Area Forums be held as virtual non-constituted community meetings, on a trial basis, until the financial year end in April 2022.

2.0 Purpose of the Report

- 2.1 To seek Council approval to two rounds of meetings in November/ December 2021 and March/ April 2022 being undertaken as non-constituted community meetings on a trial basis.
- 2.2 To inform Council of the intention to carry out a review of the meetings after this time to gauge participation levels and feedback from attendees which will inform a further discussion on the future of the meetings beyond this date.

4.0 Detail

- 4.1 The Council's six Area Forums have operated in their current format since the Safer Neighbourhood Forum and Council Area Forum merged into one meeting in 2018.
- 4.2 Prior to Covid19, the Area Forum meetings would take place in community venues three times per year. The meetings are attended by District and Parish Councillors, members of public, interested parties, Community and Voluntary Sector Organisations including the South Derbyshire CVS, Council Officers and the local Police Safer Neighbourhood Teams.
- 4.3 The meetings have a set agenda and are chaired by appointed District Councillors.
- 4.4 Due to the ongoing Covid pandemic, which meant that it was not possible to hold meetings in community venues, the meetings took place via Microsoft Teams in January 2021.
- 4.5 The six virtual meetings were largely successful and although numbers were slightly down on the previous round of face-to-face meetings, they were well attended despite not being extensively advertised.

- 4.6 Due to the Government's ruling earlier this year which stated that constituted Council meetings could not take place virtually, it was agreed to postpone the summer round of meetings as the pandemic meant there was still a risk associated with returning to face-to-face meetings in small community venues.
- 4.7 Although it may now be possible to return to face-to-face public meetings, Covid numbers in the District continue to rise and given the nature of the venues at which these meeting take place it is considered that there is , there is still some risk associated with holding meetings face to face and the Council could not guarantee the safety of participants. There are also clear environmental benefits with holding the meetings virtually.
- 4.8 Whilst the meetings cannot, under current legislation operate as constituted meeting, they could operate as an informal Community meetings subject to no formal voting taking..
- 4.9 Derbyshire Police has confirmed their willingness to attend the meetings virtually, as have South Derbyshire CVS who regularly provide updates at the meeting.
- 4.10 After the two rounds of virtual meetings, it is planned to review the meetings to see how many people have attended and to gauge opinion from attendees on whether they find the virtual meetings are successful.
- 4.11 The meetings will be extensively publicised, using press releases, social media, Parish Councils and other partner organisations to promote the meetings.

5.0 Financial Implications

- 5.1 There are no financial implications with making the meetings virtual on a trial basis.

6.0 Corporate Implications

- 6.1 The meetings will not be able to operate as constituted meetings, formal minutes will not be taken and no voting decisions will be made exclusively by District Councilors.
- 6.2 The existing nominated Chair's will continue in the role until the Full Council meeting in May when new Chair's will be appointed.

Corporate Plan Implications

- 6.3 The Council's Corporate Plan aims to ensure that the local community is fully engaged in what the Council's priorities are and maintaining a well-attended and informative program of community meetings is key to the Council's success

Risk Impact

- 6.4 Holding the meetings virtually removes any potential Covid 19 risks associated with holding meetings face to face.

7.0 Community Impact

7.1 There may be some individuals that are not computer savvy or do not have the required hardware or software to enable them to access the meetings via Microsoft Teams. On the other hand, holding the meetings virtually enables access to the meetings to some people who may be unable or unwilling to travel to some of the remote venues in the dark. This is especially relevant during winter months in inclement weather.

8.0 Conclusions

Holding the meetings virtually will provide environmental benefits and could potentially attract new attendees to the forums. The two rounds of virtual meetings will provide an opportunity to try and increase public participation and the subsequent review will provide information so that a decision can be made on the future format of the meetings.

9.0 Background Papers

Attendance figures	Oct/Nov 2019	Jan/Feb 2020	Jan/Feb 2021
Area 1 Etwall	20	19	13
Area 2 Repton	27	24	19
Area 3 Melbourne	22	23	24
Area 4 Swadlincote	34	37	24
Area 5 Newhall	27	35	21
Area 6 Linton	36	48	21

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 10
DATE OF MEETING:	4th NOVEMBER 2021	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU Ardip.Sandhu@southderbyshire.gov.uk EXT. 5715	DOC:
SUBJECT:	TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS	REF: AC
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Chief Executive be authorised to appoint District Councillors to Foston and Scropton Parish Council in accordance with the procedure set out in Appendix 1 to this report.
- 1.2 The Chief Executive to report any such appointments to the next meeting of Council.

2.0 Purpose of Report

- 2.1 To ensure Foston and Scropton Parish Council can continue to operate as it is currently unable to as it is inquorate.

3.0 Detail

- 3.1 A Parish Council must be quorate in order to operate. A quorate is one third of its membership, but no less than three.
- 3.2 Section 91(1) of the Local Government Act 1972 provides that the Principal Authority, in this case the Council, can make an Order to appoint a sufficient number of Parish Councillors on a temporary basis to the Parish Council until such time as the vacancies on the Parish Council have been filled by election.
- 3.3 The procedure at Appendix 1 outlines the process to ensure Parish Councils can continue to operate until vacancies are appointed by way of the electoral process. The procedure is only to be used where the Parish Council cannot continue its business until it is quorate.
- 3.4 Following several resignations and a disqualification, Foston and Scropton Parish Council has been inquorate since 20 September 2021.
- 3.6 The procedure at Appendix 1 proposes that all District Ward Members that cover the area of the parish are offered the appointment of temporary Parish Councillor. This

should mean that there are sufficient persons available to ensure that the Parish Council becomes quorate.

- 3.6 Following the appointments, the Parish Council can call and hold a properly constituted meeting to appoint a new Parish Clerk, resolve any urgent matters and start the process of filling the vacancies by way of Casual Vacancies.
- 3.7 All temporary appointments will end either when permanent Parish Councillors are appointed sufficient to make the Parish Council quorate, or after six months beginning from the date of the Order, whichever is the earlier.

5.0 Financial Implications

- 5.1 There are no financial implications arising directly from this report.

6.0 Corporate Implications

- 6.1 To ensure continuation of local democracy.

7.0 Community Implications

- 7.1 To ensure that Parish Councils can continue to operate having become inquorate.

8.0 Background Papers

- 8.1 Procedure for making temporary appointments to Parish Councils.

APPENDIX 1

Procedure for making temporary appointments to Parish Councils

This procedure allows South Derbyshire District Council to make an Order to appoint persons to Parish Councils in accordance with section 91 of the Local Government Act 1972.

1. The Parish Clerk advises the Council that the Parish Council is unable to operate due to being inquorate.
2. Elections verifies the number of seats on the Parish Council.
3. All District Ward Members for the area in which the parish is located will be offered the temporary appointment of Parish Councillor until such time as the vacancies are filled by election.
4. For parishes falling into two different district Wards the District Ward Members applicable to the parish ward(s) where the vacancies have arisen will all be approached.
5. Where the relevant Ward Members are unable to be appointed and the Parish Council remains inquorate the Chief Executive, in consultation with the Leader will consider the way forward which may involve adjacent District Ward Members.
6. All appointments must be made by Order under Section 91(1) of the Local Government Act 1972.
7. A report detailing the action taken will be submitted to the next Council meeting.
8. In accordance with section 91(3) of the Local Government Act 1972 the Chief Executive will forward two copies of the Order to the Secretary of State. A copy for information will also be sent to the Clerk of the Parish Council.
9. The Order will stipulate the names of the appointed persons and the latest date their appointment will expire.

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	4th NOVEMBER 2021	CATEGORY: DELEGATED
REPORT FROM:	MONITORING OFFICER	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU (EXT. 5715) (ardip.sandhu@southderbyshire.gov.uk)	DOC:
SUBJECT:	MEMBERS ALLOWANCES SCHEME	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That Council approve the amended Members Allowances Scheme (at Annex A) to form part of the Council's Constitution.

2.0 Purpose of Report

- 2.1 To consider documents that form part of the Council's Constitution.

3.0 Detail

- 3.1 At a previous Council meeting, Members resolved to amend the members Allowances Scheme.
- 3.2 The document has been updated with the inclusion of paragraph 4 (e), which relates to the position of a Special Responsibility Allowance to the Leader and Deputy Leader of a second Opposition Group.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

- 5.1 The approved documentation will provide a clear and effective resource within the Council's Constitution

6.0 Community Implications

- 6.1 None arising directly from this report.

7.0 Background Papers

None

South Derbyshire District Council

MEMBERS' ALLOWANCES SCHEME

(effective 20th July 2020)

The South Derbyshire District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme:

1. This scheme may be cited as the South Derbyshire District Council Members' Allowances Scheme and shall have effect from 19th January 2017, until the scheme is amended or a new scheme is adopted.
2. In this scheme,

"the Regulations" means the Local Authorities (Members' Allowances)(England) Regulations 2003.

"Member" means a Member of the South Derbyshire District Council who is an elected councillor;

"co-opted Member" means a co-opted Member of the Standards Committee.

"year" means the 12 months ending with 31 March.
3. **Basic Allowance**
 - a. Subject to paragraph 7 (renunciation), for each year a Basic Allowance be paid to each Councillor (see Schedule 1).
 - b. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance payable to him / her in respect of the period for which he / she is suspended or partially suspended may be withheld by the Council.
4. **Special Responsibility Allowances**
 - a. For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority, which are specified in Schedule 1 to this scheme.
 - b. Subject to paragraph 7 (renunciation), the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

- c. Where a Councillor is entitled to more than one such allowance, he/she shall receive the higher or highest allowance.
- d. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowance payable to him / her in respect of the responsibility or duties from which he / she is suspended or partially suspended may be withheld by the Council.
- e. Where a Party is registered with the Electoral Commission, an allowance will be payable to the Leader and Deputy Leader of a second Opposition Group.

5. Travelling and Subsistence Allowances

- a. Subject to paragraph 7, travelling and subsistence allowances shall be payable to each Councillor under the conditions and at the rates specified in Schedule 2 to this Scheme, for the approved duties listed in Schedule 3 to this Scheme.
- b. Where a Member is suspended or partially suspended from his / her responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any travelling and subsistence allowance payable to him / her in respect of the responsibilities or duties from which he / she is suspended or partially suspended may be withheld by the Council.

6. Dependants' Carer's Allowance

- a. Subject to paragraph 7 (renunciation), a Dependants' Carer's allowance shall be paid to those Councillors who incur expenditure on the care of children or other dependants while carrying out any of the approved duties listed in Schedule 3 to this Scheme.
- b. A Councillor claiming this allowance will be reimbursed actual costs up to a maximum of £40 a day.
- c. The reimbursement for care of any dependants while a Member is undertaking an approved duty is not restricted to formal carers – care can be provided by informal carers.
- d. In all cases, regardless of who has provided the care, a receipt from the carer must be produced by the claimant seeking reimbursement.
- e. The childcare element will be paid at and indexed to the relevant national minimum wage applicable to age of the carer and should be for actual expenditure incurred up to a maximum of 12 hours in any one week claimed per Member. Thus, a Member can claim for care for multiple

children but the total number of hours claimed for can be no more than 12 hours in total in any one week.

- f. The elderly and/or disabled dependant care element of the allowance will be paid at a similar rate chargeable by Derbyshire County Council Social Services Department for provision of a Home Care Assistant.
- g. The Dependants' Carers' Allowance will be made available to Members who have an express need for such an allowance. This express need should take the form of a written declaration by a Member, which will then be lodged with the Standards Committee (and the Monitoring Officer as a means of providing further audit).
- h. A Member cannot claim for multiple carers for multiple dependants within the same category of care.

7. Renunciation

A Councillor may by notice in writing given to the Director of Finance and Corporate Services elect to forego any part of his or her entitlement to an allowance under this scheme.

8. Part-year Entitlements

- a. The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to Basic and Special Responsibility Allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- b. If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance, then in relation to each of the periods
 - i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - ii) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year, the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.
- c. Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance as

bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

- d. Where this scheme is amended as mentioned in sub-paragraph (b), and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (b)(i), the entitlement of any such Councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.
- e. Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- f. Where this scheme is amended as mentioned in sub-paragraph (b), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (b)(i) of that paragraph any such special responsibilities as entitle him / her to a Special Responsibility Allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he / she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

- a. Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to sub-paragraph (b), in instalments of one-twelfth of the amount specified in this scheme on the 15th day of each month or the nearest working day to the 15th day.
- b. Where a payment of one-twelfth of the amount specified in this scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 9, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- c. Payments in respect of a Dependants' Carer's Allowance will be based on the reimbursement of actual costs, supported by receipted accounts.
- d. Payments in respect of Travelling and Subsistence Allowances will be based on a claim submitted by the Member concerned.

- e. A claim for a Travelling and Subsistence or Dependents' Carer's Allowance must be made in writing within three months of the date on which the duty in respect of which the entitlement to the allowance arises.

10. Indexing and Backdating of Allowance

The Basic and Special Responsibility Allowances shall be increased with effect from the Annual Council Meeting each year in line with the annual local government pay settlement. The allowances shown in this scheme are those to be applied from 19th January 2017.

11. Application of Scheme

All provisions in this Scheme shall come into effect on 20th January 2020.

Schedule 1

SOUTH DERBYSHIRE DISTRICT COUNCIL

MEMBERS' ALLOWANCES

	£
BASIC ALLOWANCE (paid to each Councillor) (with an increase of £345 yearly until 2022/23)	6,900
SPECIAL RESPONSIBILITY ALLOWANCES	
Leader of the Council	19,653
Deputy Leader of the Council	10,809
Chairmen of Policy Committees (x 3)	9,815
Vice-Chairmen of Policy Committees (x 3)	2,103
Chairman of Planning Committee	9,815
Vice-Chairman of Planning Committee	2,103
Chairman of Overview and Scrutiny Committee	9,815
Vice-Chairman of Overview and Scrutiny Committee	2,103
Chairman of Licensing and Appeals Committee	4,865
Chairman of Audit Sub-Committee	4,865
Leader of Opposition	9,249
Deputy Leader of Opposition	4,630
Independent Persons of Standards Committee (x 2)	1,750

Schedule 2

Travel and Subsistence claims

Claims for travel and subsistence should be submitted monthly and no later than 3 months after the expense has been incurred.

Subsistence rates

Breakfast Allowance £4.77

More than 4 hours away from normal place of residence before 11.00am

Lunch Allowance £6.57

More than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00pm

Tea Allowance £2.59

More than 4 hours away from normal place of residence including the period 3.00pm to 6.00pm

Evening Meal Allowance £8.13

More than 4 hours away from normal place of residence ending after 7.00pm

It is not possible to claim both the tea and evening meal allowance. Reimbursement will be for actual expenditure incurred to a maximum limit on production of receipts.

Subsistence Allowance for attending approved duties within the Authority is not payable.

Where Members are required to stay away from their residence on Council business, they may claim the full cost of accommodation and any applicable subsistence allowances, where these are not included in the accommodation cost. Where hotels are used the most economical option should be chosen and must first be approved by the Chief Executive and/or Director of Finance and Corporate Services. Receipts should be provided for the reimbursement of any claims.

Travel allowances may be paid for the approved duties detailed in Schedule 3.

In-authority travel

In-authority travel for Members is mainly journeys from home to the Civic Offices for approved duties. The District is irregular in shape with the administrative centre being in Swadlincote close to the southern boundary. The distance between Swadlincote and neighbouring authorities in the vicinity of the Civic Offices is only a few miles.

Members qualify for office based on a number of criteria and may not reside in the District. In this situation only part of each journey to the Civic Offices is made in the District. Whilst the remaining part is covered by out-of-district travel there needs to be a reasonable limit. In-authority travel for the purposes of travel between home and Swadlincote for approved duties is limited to a 20 mile radius from the Civic Offices.

Members' mileage rates are based on the current HMRC mileage rates, as follows:-

Vehicle Type	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

Out-of-authority travel

Members travelling out of the District on approved duties are expected to travel by the most cost-effective methods that meet the needs of their travel requirements. In particular, Members who have to travel by train to out of authority meetings are expected to travel standard class unless exceptional circumstances require otherwise. In such a situation, travel by first class would need to be given prior approval by the Chief Executive and/or Director of Finance and Corporate Services.

If other types of journeys need to be taken by Members on out of authority business and the rates recommended are not practical, then these modes of travel must first be approved by the Chief Executive and/or Strategic Director (Corporate Services) and receipts should be provided for the reimbursement of any claims.

Subsistence for attending approved duties out of the Authority is payable at the current rates if not pre-booked by the Authority.

Schedule 3

Approved Duties for the Purposes of Travelling and Subsistence and Dependants' Carer's Allowances

Approved Duties Within Categories Specified by the Local Authorities (Members' Allowances) (England) Regulations 2003

- (a) The attendance at a meeting of the authority or of any committee or subcommittee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that -
 - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the executive (Cabinet) or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) The performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996;
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees. (See below)

Other Approved Duties

Travelling and Subsistence Allowances may be paid for the following approved duties, which shall not include 'case work' on behalf of constituents or work in relation to individual preparation for formal meetings:-

- attendance at a meeting of the Authority
- attendance at a meeting of a Committee or Sub-Committee of the Authority
- attendance at a meeting of some other body to which the Authority make appointments or nominations
- attendance at Parish Council meetings within Members wards
- any duty of a Chairman and/or Vice-Chairman of a Committee or Sub-Committee of the Authority
- any duty of Leaders and Deputy Leaders of each political group including visits to the Council's offices to conduct Council business
- attendance at a meeting which has both been authorised by the Authority, a Committee, or Sub-Committee of the Authority or a Joint Committee of the Authority and one or more other authorities, or a Sub-Committee of a Joint Committee and to which representatives of more than one political group have been invited
- visits by Members (other than Leaders, Deputy Leaders and Chairmen and Vice-Chairmen of Committees and Sub-Committees) to the Council's offices to discuss Council business or to attend meetings
- attendance at a meeting of a Local Authority Association of which the Authority is a member
- duties undertaken on behalf of the Authority in pursuance of any Procedure Rule requiring a Member or Members to be present while tender documents are opened
- duties undertaken on behalf of the Authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises
- attendance at a Meeting/event to which the Member has received an official invitation from a representative of the Authority
- attendance at public meetings and public inquiries when acting in the capacity of a councillor or an office of special responsibility
- attendance at a conference, seminar or training event, subject to prior approval of the Chief Executive in consultation with the Leader of the Council
- attendance at any meeting to which a Member is invited as a Ward councillor
- Civic duties undertaken by the Chairman and Vice-Chairman of the Council
- any other duty approved by the Authority in connection with discharging the duties of the Authority or its Committees or Sub-Committees

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	4th NOVEMBER 2021	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	FRANK MCARDLE CHIEF EXECUTIVE (EXT. 5702)	DOC:
SUBJECT:	LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – ANNUAL REVIEW LETTER 2021 AND LGSCO UPDATE	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To accept the Local Government and Social Care Ombudsman's Annual Review Letter 2021.

2.0 Purpose of Report

- 2.1 This report will provide Members with a summary of complaints made to the Local Government and Social Care Ombudsman ("LGSCO") against this Authority during the year 2020/21.
- 2.2 It will also provide an update on developments in the Local Government and Social Care Ombudsman service.

3.0 Detail

- 3.1 On 21st July 2021, the Council received the Annual Review Letter for the period 2020/21 and a summary of statistics on complaints.
- 3.2 The Ombudsman, Michael King, has commented that following a challenging year, maintaining good public administrations is more important than ever and hopes this feedback will provide the Council will the opportunity to reflect on its performance and plan for the future. At the end of March 2020, The Ombudsman took the unprecedented step of temporarily stopping casework, in the wider public interest, to allow authorities to concentrate efforts on frontline services during the first wave of Covid-19. Casework was later resumed 3 months later, in June 2020, in response to feedback that it would be unnecessary to pause casework again during further waves of the pandemic. Instead, the Council are urged to talk to the Ombudsman on an annual basis about difficulties responding to any stage of an investigation, including implementing recommendations, as clear communication remains key.

- 3.3 The Ombudsman's Office made decisions on 4 complaints about this Council in 2020/21. Of these complaints, 2 were closed after initial enquiries, 1 complaint was referred back for local resolution, and advice was given for 1 complaint.
- 3.4 The LGSCO does not give detailed information about the statistics and, therefore, in order to provide some background information for Members, the Council's Ombudsman Link Officer has produced a table of complaint decisions, which is attached at **Annexe 'A'**. This gives a breakdown of the type of complaints received and a summary of the decisions.

LGSCO Developments

Complaint statistics

- 3.5 This year, the Ombudsman service continues to place the focus on outcomes of complaints and what can be learned from them. It wants to provide the most insightful information it can and therefore has made several changes over recent years to improve the data captured and reported. The statistics are focussed on the following three key areas:
- 3.6 Complaints upheld – Complaints are upheld when some form of fault is found in the authority's actions, including where the authority has accepted fault before an investigation is commenced. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.
- 3.7 Compliance with recommendations – The Ombudsman recommends ways for authorities to put things right when faults have caused injustice. The recommendations try to put people back in the position they were before the fault, and the Ombudsman monitors authorities to ensure they comply with the recommendations. Failure to comply is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning. In the 12 months to 31st March 2020, no recommendations were made to this Authority.
- 3.8 Satisfactory remedies provided by the Authority – The Ombudsman wants to encourage early resolution of complaints and credit authorities that have a positive and open approach to resolving complaints. Cases are recognised where an authority has taken steps to put things right before the complaint came to them.
- 3.9 The LGSCO compares the three key annual statistics for the Authority with similar types of authorities to work out an average level of performance. They do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils and London Boroughs. Further information on this Council's performance can be found at: <https://www.lgo.org.uk/your-councils-performance/south-derbyshire-district-council/statistics>

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

- 5.1 A good complaints system is an opportunity for the Council to show that it cares about providing a good service, and that it genuinely values feedback on whether there are any problems which need attention. It is, therefore, imperative that we get feedback, not only through our own complaints system, but also from the Ombudsman, and that

this information is widely distributed to show that this Authority takes complaints seriously and deals with them sympathetically.

6.0 Community Implications

6.1 One of the roles of the Local Government and Social Care Ombudsman is to investigate complaints about Councils from members of the public. Its aim is to get Councils to put things right if they have gone wrong and if this has affected members of the public directly.

7.0 Conclusion

7.1 The Annual Review Letter and the publishing of complaint statistics on the LGSCO website are useful additions to other information held by the Council, highlighting how people experience or perceive its services. They should also be seen as an opportunity to continue to improve the services offered by the Council.

8.0 Background Papers

Annual Review Letter 2021 from the Local Government and Social Care Ombudsman

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN COMPLAINT DECISIONS 2020/21

Category	Summary of Decision	Decision			
		Closed after initial enquiries	Not Upheld	Referred back for local resolution	Upheld
Environmental Services & Public Protection & Regulation	Complaint that the Council failed to take effective action to address the noise caused by the complainant's neighbour. The Ombudsman decided not to investigate the complaint as there was insufficient evidence of administrative fault in the way the Council reached its decision.	✓			
Planning & Development	Complaint that the Council was failing to properly consider planning applications. The Ombudsman decided not to investigate the complaint because it falls beyond the Ombudsman's jurisdiction, under s26(A) and s27 of the Local Government Act 1974.	✓			
Planning & Development	Multiple complaints however the most recent complaint regarding the Planning and Governance asking for an independent review of the planning and appraisal system at the Council. The Ombudsman decided not to investigate the recent complaint, as they were the same, or closely associated with matters previously considered and decided.	✓ advice given			
Housing	No record held of this complaint and no further details available from LGSCO.			✓	

** LGSCO has stated that the statistics comprise the data they hold, and may not necessarily align with the data held by the Authority. For example, the numbers include enquiries from people they signpost back to the Authority, but who may never contact the Council.*

PLANNING COMMITTEE

2nd March 2021

PRESENT:-

Labour Group

Councillors Tilley (Chairman) and Councillor Shepherd (Vice-Chairman) and Councillors Rhind (substituting for Councillor Gee), Dr Pearson and Southerd.

Conservative Group

Councillors Mrs. Bridgen Mrs. Brown, Muller and Watson.

Independent Group

Councillor Angliss and Dawson.

Non-Grouped

Councillor Mrs. Wheelton.

PL/136 **APOLOGIES**

The Committee was informed that apologies for absence had been received from Councillor Gee.

PL/137 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

PL/138 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/139 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/140 **THE VARIATION OF CONDITION NO. 2 OF PERMISSION REF. 9/2015/0976 (RELATING TO THE RETENTION OF THE INSTALLED PATH AND POST AND RAIL FENCING) FOR THE ERECTION OF 10 DWELLINGS INCLUDING ACCESS.**

INTERNAL ROAD AND GARAGES ON LAND ADJACENT TO 59, ASHBY ROAD, WOODVILLE, SWADLINCOTE, DE11 7BZ

The Committee was informed that Members had attended a virtual site visit.

The Head of Planning and Strategic Housing appraised the Committee of the variation to an existing condition to widen the pedestrian access and the treatment of the northern boundary of the site.

Councillor Taylor addressed the Committee as the Local Ward Member and raised local residents' concerns.

The Committee discussed the removal of the hedge and the replacement of the fence and rail fencing.

RESOLVED:

That planning permission was approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/141 **THE ERECTION OF FIRST FLOOR SIDE EXTENSION, TWO-STOREY REAR EXTENSION AND THE CONVERSION OF GARAGE INTO LIVING SPACE AT 7 CAVENDISH CLOSE, NEWHALL, SWADLINCOTE, DE11 0NE**

The Head of Planning and Strategic Housing presented the proposal and highlighted the concerns regarding the impact that the two storey extension would have on a neighbouring property.

The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

RESOLVED:

That planning permission be refused as per recommendation in the report of the Strategic Director (Service Delivery).

PL/142 **DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDING AND CONSTRUCTION OF DETACHED BUNGALOW AND CAR PORT AND THE CREATION OF AN ADDITIONAL ACCESS (RESUBMISSION OF THE SCHEME APPROVED UNDER REF. DMPA/2020/0751) AT THE CROFT, 4 MAIN STREET, AMBASTON, DERBY, DE72 3ES**

The Head of Planning and Strategic Housing appraised the Committee of the proposal which included variations to conditions and materials of a previously approved scheme.

The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/143 **CHANGE OF USE FROM FUNERAL DIRECTORS (A1 USE CLASS) TO NINE-BEDROOM HOUSE IN MULTIPLE OCCUPATION (HMO) (SUI GENERIS USE CLASS) INCLUDING EXTERNAL ALTERATIONS 1 HIGH STREET, WOODVILLE, SWADLINCOTE, DE11 7DU**

The Head of Planning and Strategic Housing appraised the Committee of the proposal and asked Members to note that it was deemed that the change of use would not have an adverse impact on amenity, highway safety and parking needs.

Members discussed parking needs in relation to Houses in Multiple Occupation and raised a query regarding the impact of noise from the adjacent Woodville Club for potential residents.

The Head of Planning and Strategic Housing informed the Committee that the Highway's Authority found the proposal of a House in Multiple Occupation to be preferable and that the Council's Policy for parking suggests variations would be considered due to location such as town centre sites. It was confirmed that Environmental Health had concluded that due to the proximity of the Club a scheme of noise mitigation was required which was covered by condition 6.

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/144 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

DMPA/2020/0494	Derby Road, Melbourne	Melbourne	Allowed	Delegated
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PL/145 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

6 FINCH CRESCENT, MICKLEOVER, DERBY, DE3 0TT

The Committee approved as per the recommendation in the report.

The meeting terminated at 19:20 hours.

COUNCILLOR TILLEY

CHAIRMAN

PLANNING COMMITTEE

30th March 2021

PRESENT:-

Labour Group

Councillors Tilley (Chairman) and Councillor Shepherd (Vice-Chairman) and Councillors Gee, Dr Pearson and Southerd.

Conservative Group

Councillors Mrs. Bridgen, Mrs. Brown, Muller and Watson.

Independent Group

Councillors Angliss and Dawson.

Non-Grouped

Councillor Mrs. Wheelton.

In Attendance

Councillors Bambrick, Churchill, Mulgrew, Pegg and Richards.

PL/148 **APOLOGIES**

The Committee was informed that no apologies for absence had been received.

PL/149 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Watson declared a Personal of Interest in regard to Item PL/152 and would abstain from voting on that item.

PL/150 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/151 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/152 **THE ERECTION OF A RURAL WORKERS DWELLING AND ASSOCIATED WORKS TO SUPPORT THE EXISTING KENNELS AND CATTERY AT ASH FARM KENNELS, INGLEBY LANE, TICKNALL, DERBY, DE73 7HW**

The Senior Planning Officer presented the proposal to the Committee and sought additional approval for delegated authority to replace the drawings within the plan and requested that Members consider an additional condition for tree planting to offset the removal of three Ash Trees to facilitate a new access to the site.

The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

As the Local Ward Member Councillor Churchill addressed the Committee supporting the application.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery), subject to an additional condition regarding tree planting and the delegated authority to replace the drawings within the plan.

PL/153 **THE ERECTION OF A DWELLING ON LAND TO THE REAR OF 24 HIGH STREET, REPTON, DERBY, DE65 6PB**

The Committee was informed Members had attended a virtual site visit.

Planning Delivery Team Leader appraised the Committee of the proposal and informed Members that the development was in the heart of the conservation area and a number of objections had been received.

An Objector and the Applicant attended the Committee Meeting and addressed Members regarding the application.

As the Local Ward Member Councillor Churchill addressed the Committee on behalf of one of the Residents whose property would be overlooked by the proposed dwelling.

The Committee discussed the design of the second floor and the benefits of adding obscure glazing to protect the amenity of the neighbouring property.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery) subject to an additional condition regarding obscure glazing to the second floor of the property.

PL/154 **THE FELLING AND PRUNING OF VARIOUS TREE(S) COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO.65 ON LAND AT SK2918 7280 YORK ROAD, OFF YORK ROAD CHURCH GRESLEY, SWADLINCOTE, DE11 0AH**

The Head of Planning and Strategic Housing presented the Report to Committee and explained that it was before Committee for a decision as the Council was the applicant.

RESOLVED:

That consent be granted as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/155 **THE PRUNING OF OVERHANGING BRANCHES TO TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 381 AT 28 PENISTON RISE, MELBOURNE, DERBY, DE73 8EZ**

The Head of Planning and Strategic Housing presented the Report to Committee and explained that it was before Committee for a decision as again the Council was the applicant.

RESOLVED:

That consent be granted as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/156 **PRIOR APPROVAL UNDER SECTION 77 OF THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 FOR PROPOSED EXCAVATION TO CREATE A SLURRY STORE LAND AT SK 2513 8516, SOUTHWEST OF WOODFIELD FARM, GRANGEWOOD, SWADLINCOTE, DE12 8BH**

Planning Delivery Team Leader presented the proposal and informed Members that it was before Committee as it was an application under the Habitats Regulations which was not included within the Council's Scheme of Delegations.

RESOLVED:

That approval be granted as per the recommendation in the report of the Strategic Director (Service Delivery).

PL/157 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

DMPA/2020/0915	247 Hearthcote Road	Swadlincote	Allowed	Committee
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PL/158 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 19:00 hours.

COUNCILLOR TILLEY

CHAIRMAN

PLANNING COMMITTEE

27th April 2021

PRESENT:-

Labour Group

Councillors Tilley (Chairman) and Councillor Shepherd (Vice-Chairman) and Councillors Gee, Pearson and Southerd.

Conservative Group

Councillors Bridgen, Brown, Muller and Watson.

Independent Group

Councillors Angliss and MacPherson.

Non-Grouped

Councillor Wheelton.

In Attendance

Councillors Fitzpatrick.

PL/159 **APOLOGIES**

The Committee was informed that apologies for absence had been received from Councillor Dawson.

PL/160 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of the Meetings held on 25th June 2019 (PL/26 – PL/39) and 16th July 2019 (PL/40 – PL/52) were reviewed, considered as a true record and approved by the Chairman.

PL/161 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Muller Declared a Personal Interest in item PL/167 by virtue that the applicant was known to him.

PL/162 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**PL/163 REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/164 THE CREATION OF TWO NEW VEHICULAR ACCESSES FOR MAINTENANCE FOR PLANTING AND OPEN SPACE AND EXISTING AGRICULTURAL AND EQUESTRIAN USES AT BROOMY FARM ON LAND AT BROOMY FARM, WOODVILLE ROAD, HARTSHORNE, DE11 7EX

The Senior Planning Officer appraised the Committee of the proposal and sought approval for the upgrade of access points and confirmed that the National Forest Planting Area would be protected from future development.

An Objector and the Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

As the Local Ward Member, Councillor Taylor addressed the Committee and raised concerns on behalf the local residents.

Members raised a queries regarding the use of the land and limiting access for agricultural use. The Senior Planning Officer informed the Committee that the access points and land would be for both Agricultural and Equestrian uses.

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery), subject to delegated authority regarding the amendments to Condition 3 in relation to specifications from the Highways Authority and the use of accesses for agricultural, equestrian and forestry traffic only.

PL/165 APPROVAL OF RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) RELATING TO THE PROVISION OF A PARKING AREA FOR 8 VEHICLES AND THE REALIGNMENT OF WOODVILLE FOOTPATH 3 (REF SD51/3/1) PURSUANT TO OUTLINE PERMISSION REF. 9/2016/0882 ON LAND EAST OF LINCOLN WAY AND SALISBURY DRIVE, MIDWAY, SWADLINCOTE

The Senior Planning Officer appraised the Committee of the application and highlighted the drop off and pick up facilitate which had been discussed at previous meetings.

The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

As a Local Ward Member, Councillor Taylor attended the Committee Meeting and addressed Member regarding the proposal.

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/166 **DEMOLITION OF OPEN PORCH AND REPLACEMENT WITH ENCLOSED PORCH AND THE ERECTION OF NEW ENTRANCE GATES AND WALL IN PART AND NEW BOUNDARY WALL WITH ASSOCIATED LANDSCAPING AT 79 MAIN STREET, KINGS NEWTON, DERBY, DE73 8BX**

The Head of Planning and Strategic Housing appraised the Committee of the proposal and summarised objections received.

An Objector attended the Committee Meeting and addressed Members regarding the application.

As Local Ward Members Councillor Fitzpatrick and Councillor Hewlett addressed the Committee raising issues and concerns from local residents and potential problems that could be caused by the proposed application.

The Head of Planning and Strategic Housing clarified that the erection of boundary treatment, subject to height limits would be within permitted development parameters.

The Committee discussed the issues raised and the requirement for a site visit by Members

RESOLVED:

That planning permission be deferred to allow for a site visit

PL/167 **THE ERECTION OF A GLASS WALLED ROOF TOP EXTENSION TO EXISTING DWELLING AT CORBIN HOUSE, HILTON ROAD, EGGINTON, DERBY, DE65 6GU**

The Head of Planning and Strategic Housing appraised the Committee of application highlighting the key issues including the design merits of the proposal.

The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

Councillor MacPherson raised concern regarding the impact of the lighting from the extension on air traffic in the area. The Head of Planning and Strategic Housing confirmed that the proposed extension did not create any air safety issues.

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/168 **RETROSPECTIVE APPLICATION FOR THE ERECTION OF A SINGLE STOREY SIDE EXTENSION TO INCREASE SEATING CAPACITY OF THE BAR/RESTAURANT AREA. THE COW, DALBURY LEES, ASHBOURNE, DE6 5BE**

The Planning Delivery Team Leader appraised the Committee regarding the retrospective application for an extension in area that was previously used for outdoor dining.

As a Local Ward Member Councillor Muller addressed the Committee regarding issues raised by local residents and the concern that it was a retrospective application.

The Committee raised concern regarding repeat submissions of retrospective planning applications. The Planning Delivery Team Leader advised Members that it was legally acceptable for applicants to seek retrospective planning approval

RESOLVED:

That planning permission be approved as per recommendation in the report of the Strategic Director (Service Delivery).

PL/169 **THE REMOVAL OF CONDITION NO. 15 OF PERMISSION REF. 9/2018/1375 (RELATING TO FOOTWAY LINK) FOR THE CHANGE OF USE FROM AGRICULTURAL LAND TO STORAGE AND DISTRIBUTION USE (USE CLASS B8) ALONG WITH DEMOLITION OF EXISTING BUILDINGS AND LAYING OF HARDSTANDING AT FORMER MIDLAND PIG PRODUCERS, WOODYARD LANE, FOSTON, DE65 5DJ**

The Planning Delivery Team Leader appraised the Committee of the proposal advising of amendments that included the additional removal of Condition 13 and a minor amendment to change the wording of condition 7 from accesses to access.

RESOLVED:

That planning permission be approved as per the recommendation in the report of the Strategic Director (Service Delivery), subject to amendments to include the removal of Condition 13 (in addition to condition 15) and the rewording of condition 7

PL/170 **PLANNING AND OTHER APPEALS**

The Committee noted the planning appeal decisions in relation to the following applications:

DMPA/2020/0311	Weston Road, Weston on Trent	Aston	Dismissed	Delegated
DMPA/2020/0512	Thompson Close, Mickleover	Etwall	Dismissed	Delegated
DMPA/2020/0987	61 Bretby Hollow	Newhall and Stanton	Dismissed	Committee

PL/171 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 19:40 hours.

COUNCILLOR TILLEY

CHAIRMAN

PLANNING COMMITTEE (SPECIAL)

11th May 2021

PRESENT:-

Labour Group

Councillors Tilley (Chairman) and Councillor Shepherd (Vice-Chairman) and Councillors Gee, Pearson and Southerd.

Conservative Group

Councillors Bridgen, Brown, Muller and Watson.

Independent Group

Councillors Angliss and Dawson.

Non-Grouped

Councillor Wheelton.

PL/172 **APOLOGIES**

The Committee was informed that no apologies for absence had been received.

PL/173 **DECLARATIONS OF INTEREST**

Councillor Wheelton declared a person interest in item PL/176 by virtue of reparations made with consideration to Healthcare provision.

PL/174 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/175 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/176 **THE REMOVAL OF CONDITIONS NO. 1 AND 2 AND THE VARIATION OF CONDITIONS NO. 4, 6, 7,14, 19 AND 34 OF PERMISSION REF. 9/2015/1030 FOR THE VARIATION OF CONDITION 47 OF PLANNING PERMISSION REF.**

9/2009/0341 (RELATING TO A HYBRID PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR UP TO 2,239 DWELLINGS INCLUDING A RETIREMENT VILLAGE, AN EMPLOYMENT PARK, TWO LOCAL CENTRES COMPRISING RETAIL SERVICES, LEISURE EMPLOYMENT AND COMMUNITY USES, PUBLIC OPEN SPACES, A NEW PRIMARY SCHOOL, ASSOCIATED LANDSCAPE AND INFRASTRUCTURE, INCLUDING CAR PARKING, ROAD AND DRAINAGE MEASURES, AND THE REFURBISHMENT OF THE LISTED STABLES AND COTTAGES (WITH FULL DETAILS- COMPRISING CHANGE OF USE AND REPAIR OF THE BUILDING)) ON LAND AT SK2420 2230, DRAKELOW PARK, WALTON ROAD, DRAKELOW, SWADLINCOTE

The Planning Delivery Team Leader appraised the Committee and outlined the proposed variations to the 2016 previously approved proposal and the Deed of Variation to the Section 106 Agreement to ensure the construction of the Walton Bypass. The Planning Delivery Team Leader highlighted the main points of interest that included listed structures to be safeguarded and the sunken garden that would be brought back into use.

Members raised concerns regarding healthcare provision, affordable homes and tree planting. The Planning Delivery Team Leader informed the Committee that a healthcare feasibility study was being carried out by the Clinical Commissioning Group and that the proposal would be considered to be a well-planned sustainable development with tree planting and open green spaces throughout the site and that there was proposed to be 30% affordable homes.

Members agreed on the many benefits of the development and discussed the need for the healthcare facility providers to urge the Clinical Commissioning Group to work with the Council when considering the future provision of the development.

RESOLVED:

That permission was granted as per the recommendations within the report of the Strategic Director (Service Delivery).

PL/177 **THE ERECTION OF 189 DWELLINGS INCLUDING PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE AND WORKS ON LAND AT BROOMY FARM, WOODVILLE ROAD, HARTSHORNE, SWADLINCOTE, DE11 7EY**

The Senior Planning Officer presented the proposal to the Committee and addressed concerns raised by residents regarding landscaping, planting, open space and

The Planning Delivery Team Leader read out a statement on behalf of an Objector who could not attend the Committee Meeting in person due to Covid-19 isolation rules. The Applicant's Agent attended the Committee Meeting and addressed Members regarding the application.

As the Local Ward Member, Councillor Taylor addressed the Committee and raised concerns on behalf of the local residents.

Members raised concerns about landscaping, drainage, provision of healthcare and education and affordable homes. The Senior Planning Officer confirmed that Section 106 Agreement would include contributions for the provision of healthcare and that works required for planting and landscaping would be covered the Section 106 Agreement and conditions. and that County Council would be involved regarding the additional education provision required. The Committee was informed that a Sustainable Drainage System (SuDS) to the would be subject to conditions and the Sections 106 Agreement.

RESOLVED:

That planning permission be granted as per recommendation in the report of the Strategic Director (Service Delivery) subject to 2 additional conditions as recommended by the Coal Authority, an additional condition for the Burton Road access to be in use prior to the occupation of any dwellings and amendments to conditions to 12 and 31.

PL/178 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at 19:45 hours.

COUNCILLOR TILLEY

CHAIRMAN

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

27th May 2021

OPEN

PRESENT:-

Labour Group

Councillor Taylor (Chair), Councillor Heath (Vice-Chair)
Councillors, Dunn, Shepherd (substituting for Councillor Tilley) and Singh.

Conservative Group

Councillors Brown, Corbin, Haines, Patten and Redfern.

Independent Group

Councillors Fitzpatrick and MacPherson

In Attendance

Councillors Bridgen, Gee and Richards.

EDS/01 APOLOGIES

The Committee was informed that apologies had been received from Councillor Wheelton.

EDS/02 DECLARATIONS OF INTEREST

The Committee was informed that no declarations of interest had been received.

EDS/03 QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/04 QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

EDS/05 CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-2021 QUARTER 4 – 1 JANUARY TO 31 MARCH)

The Strategic Director (Service Delivery) presented the report to the Committee advising that despite the pandemic, the performance measures were on track and noted the success achieved by the team in maintaining services throughout lockdown. The Committee was informed that the Risk Register had been refreshed to reflect that kerbside services were now delivered in-house.

Members raised queries regarding fly-tipping including actions taken against serial offenders and litter along the A38/A50 corridor and at Dove Valley Park.

The Head of Environmental Services confirmed that there were few repeat fly-tipping offenders and that once a fixed penalty fine had been issued then the next step would be a summons issued to attend Court. The Committee was informed by the Head of Operational Services that litter clearance for the A38/A50 areas was a multiagency responsibility made difficult due to the risk of high-speed traffic.

The Strategic Director (Service Delivery) confirmed that the Chief Executive had written to all companies last year with reference to the Big Clean campaign organised by the Keep Britain Tidy project and advised that every secondary school in Derbyshire had received a Theatre in Education waste and recycling workshop, delivered by Derbyshire County Council.

RESOLVED:

- 1.1 *The Committee considered progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 *The Committee reviewed the Risk Register for the Committee's services.***

EDS/06 **SERVICE PLANS 2021-22**

The Strategic Director (Service Delivery) presented the Service Plan to the Committee which covered the breadth of work covered by the Service Delivery Department and highlighted the range of duties undertaken by officers.

RESOLVED:

The Committee approved the service plan for the Service Delivery Directorate as the basis for overall service delivery over the period 1 April 2021 to 31 March 2022.

EDS/07 **ANNUAL ENFORCEMENT AND COMPLIANCE REPORT 2020-21**

The Head of Environmental Services presented the Report to the Committee outlining the three main workstreams covered and highlighting the expanding brief for Covid Marshalls. [Page 55 of 82](#) The Committee was informed of increased incidents related to air quality, anti-social behaviour and the increase of fixed penalty notices issued to landlords regarding energy efficiency following a new laws which came into effect as of April 2020.

Members welcomed the report and recognised the stressful conditions that the officers had worked under during the pandemic.

RESOLVED:

The Committee noted the contents of the report and approved that the Council was using its regulatory powers in a way proportionate to the demands for all regulatory services it provides.

EDS/08 **CLIMATE EMERGENCY ACTION PLANNING**

The Strategic Director (Service Delivery) introduced the report to the Committee which had been refined following the climate emergency declared in 2019.

The Head of Environmental Services presented the headlines of the work involved to enable applications for external funding in the future.

The Climate and Environment Officer delivered an overview and of the Action Plan for 2021 to 2030 highlighting costs involved and the steps necessary to reach carbon neutrality by 2030.

Members raised queries and concerns; regarding how the plan would be measured and reported; the plan for phasing out gas fired boilers and protecting the environment from pollution; the relationship with the Local Plan and planting and tree protection in relation to new developments.

The Strategic Director (Service Delivery) informed the Committee that the Plan would be updated annually and monitored as part of the Corporate Plan performance reporting and that the Head of Housing would be discussing gas boilers with Nottingham City Council to achieve and Energy Performance Certificate rating of C and that the replacement of gas fired boilers would be included on the maintenance programme for the Housing 2050 target. The Committee was also informed that the Council had commissioned a Plan for Nature with the Head of Planning and Strategic Housing maximising the benefits through development management.

RESOLVED:

- 1.1. The Committee approved a revised Climate and Environment Action Plan 2021 – 2030, which built on the work of the previous Plan adopted in 2020.***
- 1.2. The Committee welcomed the actions completed to date and the ambition outlined in the Plan to achieve the Council's Carbon reduction targets for the Council by 2030 and for the District as a whole by 2050, whilst recognising the scale of the challenge to achieving these outcomes.***
- 1.3. The Committee acknowledged the predicted costs and timescales for the delivery of the Climate and Environment Action Plan and the potential implications of this on corporate decisions up to the end of the Medium-Term Financial Strategy and beyond.***

- 1.4. The Committee referred the high-level ambition, resource and financial implications of the Climate and Environment Action Plan to Finance and Management Committee.**

EDS/09 **STRATEGIC PLANNING FRAMEWORK FOR DERBY AND DERBYSHIRE**

The Head of Planning and Strategic Housing presented the Report to the Committee and summarised the difficulties within the proposed.

Members raised queries regarding the impact on current collaborative initiatives and if there would be any disadvantages by not being part of the framework.

The Head of Planning and Strategic Housing confirmed that numerous initiatives would continue through the Joint Advisory Board such as education, health, infrastructure and nature and advised that as other Councils had mechanisms to continue with co-operative arrangements there were no known disadvantages.

RESOLVED:

- 1.1 The Committee resolved that South Derbyshire District Council would not become part of the Strategic Planning Framework in its present form.**
- 1.2 The Committee requested that a letter be written to Derbyshire County Council setting out the points made in the Conclusion, appended to the report.**

EDS/10 **CHANGING THE FREQUENCY OF THE COUNCIL'S PLANNING COMMITTEE**

The Head of Planning and Strategic Housing presented the report to the Committee requesting approval for four weekly Planning Committee meetings following the success of a trial carried out in 2020/21.

The Chief Executive confirmed that a special committee meeting could be arranged with the approval of the Chair along with a clear five days' notice given.

RESOLVED:

The Committee endorsed the proposed change to the frequency of Planning Committees to every four weeks and the necessary change to the Council's Constitution.

EDS/11 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to Members.

RESOLVED:

The Committee considered and approved the updated work programme.

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EDS/12 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EDS/13 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 19:35 hours.

COUNCILLOR TAYLOR

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

3rd June 2021

PRESENT:-

Labour Group

Councillor Rhind (Chair), Councillor Mulgrew (Vice-Chair) and Councillors Dunn (substituting for Councillor Richards), Pegg and Shepherd.

Conservative Group

Councillors Ackroyd, Brown (substituting for Councillor Churchill), Corbin, Ford, Smith (substituting for Councillor Bridgen) and Watson (substituting for Councillor Hewlett).

Independent Group

Councillors Dawson and Roberts

HCS/01 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Bridgen, Churchill, Richards and Hewlett.

HCS/02 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interested had been received.

HCS/03 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/04 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

HCS/105 **CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2020-2021 QUARTER 4 – (1 JANUARY TO 31 MARCH))**

The Strategic Director (Service Delivery) presented the report to the Committee and summarised the range of achievements during the year. The

Strategic Director (Service Delivery) highlighted the 91% satisfaction rate for repairs to council homes and the number of community groups that had been supported during the Pandemic

RESOLVED:-

- 1.1 *The Committee considered progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 *The Committee reviewed the Risk Register for the Committee's services.***

HCS/06 **SERVICE PLANS 2021-22**

The Strategic Director (Service Delivery) delivered the report to the Committee and gave an overview of the depth and breadth of work undertaken and explained how the report incorporated the corporate performance measures, workforce numbers and budget information.

RESOLVED:-

The Committee approved the Service Delivery Directorate's Service Plan as the basis for overall service delivery over the period 1 April 2021 to 31 March 2022.

HCS/07 **GREEN HOMES GRANT – LOCAL AUTHORITY DELIVERY PHASE 2**

The Head of Environmental Services delivered the report to the Committee and gave an update regarding Phase 1B of the Government's grant funding programme. The Committee was informed how the second bid included park homes within the criteria and that Phase 3 was expected to be announced in the near future.

Councillor Corbin raised a query on behalf of Councillor Smith regarding the Energy Performance Certificate Rating and asked if funds were available could this be expanded to include areas not included within Phase 1 and Phase 2. The Head of Environmental Services confirmed that this could be possible.

Councillor Dunn raised a query regarding advertising. The Head of Environmental Services outlined the range of promotional activity that had taken place but confirmed that if there was a lack of take up then marketing would be reviewed. The Strategic Director (Service Delivery) encouraged Members to promote the scheme to their constituents.

RESOLVED:-

The Committee endorsed the bid made to the Midlands Energy Hub for £425,000 for the Green Homes Grant – Local Authority Delivery Scheme Phase 2.

HCS/08 **HOMELESSNESS AND ROUGH SLEEPING STRATEGY**

The Head of Housing delivered the report to the Committee and outlined the Action Plan for approval.

RESOLVED:-

- 1.1 The Committee approved the draft Homelessness and Rough Sleeping Strategy and Action Plan for publication***
- 1.2 The Committee agreed that progress on the Action Plan be reported back to a future Housing and Community Services Committee.***

HCS/09 **HOUSING DOMESTIC ABUSE POLICY**

The Head of Housing delivered the report to the Committee and explained how it pulled together existing work along new government legislation.

RESOLVED:-

- 1.1 The Committee approved the Draft Housing Domestic Abuse Policy for further public consultation.***
- 1.2 The Committee agreed that the final version of the report be presented to the Committee for final approval after the consultation period.***
- 1.3 The Committee noted the provision of New Burdens Funding and the associated Memorandum of understanding relating to this.***

HCS/10 **COMMITTEE WORK PROGRAMME**

The Committee Work Programme was presented to Members by the Strategic Director (Service Delivery)

RESOLVED:-

That the Committee considered and approved the updated work programme.

HCS/11 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL
PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions had been received.

**SERVICES AND SUPPORT FOR HOMELESS PEOPLE – EXTENSION OF
CONTRACT**

RESOLVED:

That the Committee approved the recommendations in the report.

REVIEW OF CULTURAL AND COMMUNITY SERVICES

RESOLVED:

That the Committee approved the recommendations in the report.

The Meeting terminated at 18:35 hours.

COUNCILLOR G RHIND

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

10th June 2021

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Tilley (Vice-Chair) and Councillors Mulgrew (substituting for Councillor Richards), Rhind, Singh, Southerd and Taylor

Conservative Group

Councillors Ackroyd, Bridgen, Lemmon, Redfern and Watson

Independent Group

Councillor Fitzpatrick

FM/01 **APOLOGIES**

Apologies for absence were received from Councillor Richards.

FM/02 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

FM/03 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed no questions from members of the public had been received.

FM/04 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed a question had been received from

FM/05 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

MATTERS DELEGATED TO COMMITTEE

FM/06 **CORPORATE PLAN 2020-24 PERFORMANCE REPORT**

The Strategic Director (Corporate Resources) presented the Report to the Committee summarising the key areas for which the Committee had responsibility for and highlighting the long-term targets and those targets that had not been met. The Strategic Director (Corporate Resources) also focused

on the Social Mobility, Sickness Absence and Workforce and Skills targets and updated Members regarding the key areas within the Risk Register.

Members welcomed the report and highlighted the importance of regular Social Mobility updates, a query was raised regarding an update on the Fair Funding Review.

The Strategic Director (Corporate Resources) informed the Committee that there was currently no update available regarding the Fair Funding Review.

RESOLVED:

1.1 The Committee considered progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Committee reviewed the Risk Register for the Committee's services.

FM/07 **SERVICE PLANS 2021-22**

The Strategic Director (Corporate Resources) delivered the Report and summarised the Service Plans for each service area and in particular back-office support, property and legal.

Members raised queries regarding Swadlincote Town Centre targets within Appendix A of the Report. The Strategic Director (Corporate Resources) advised the Committee that he would request that the Chief Executive and Head of Economic Development and Growth to respond.

RESOLVED:

The Committee approved the Service Plans for the Chief Executive's Directorate and Corporate Resources Directorate as the basis for overall service delivery over the period 1 April 2021 to 31 March 2022.

FM/08 **CLIMATE EMERGENCY ACTION PLANNING**

The Strategic Director (Service Delivery) introduced the Report to the Committee highlighting how the plan had evolved from its first iteration.

The Head of Environmental Services then presented the Report to the Committee and outlined South Derbyshire District Council's intention to be carbon neutral by 2030 which included the reduction of the main carbon emissions across the whole of the Council's portfolio of properties and vehicle fleet. The Head of Environmental Services highlighted the 18 actions that aimed to reduce the Council's emissions by 80% by 2030 and explained how external funding would be required to achieve the targets and that a coherent plan was key to attracting such funding.

Members fully supported the Plan and recognised how important it was to not let the finances detract from what was required to reach the targets.

RESOLVED:

- 1.1. *The Committee welcomed the actions completed to date and the ambition outlined in the Plan to achieve the Council's Carbon reduction targets for the Council by 2030 and for the District as a whole by 2050, whilst recognising the scale of the challenge to achieving these outcomes.*
- 1.2. *The Committee acknowledged the predicted costs and timescales for the delivery of the Climate and Environment Action Plan and the potential implications of this on corporate decisions relating to Council assets such as buildings and transport fleet up to the end of the Medium-Term Financial Strategy and beyond.*

FM/09 **COMMENTS, COMPLIMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS**

The Strategic Director (Corporate Resource) presented the Report and outlined the key points and terms of reference. Members were informed that the Report was a summary with additional information available via Council's website.

Councillor Fitzpatrick raised concern in relation to the increase in the number of complaints regarding housing services. The Strategic Director (Service Delivery) explained that when the complaints had been looked at in more detail some of the recorded complaints related to people who did not fit necessary criteria, those who did not get the outcome they were expecting, and some complaints were made during refurbishments, but those people were happy by the end of the refurbishment.

RESOLVED:

The Committee considered and noted the comments, compliments, complaints and FOI requests as detailed in the report.

FM/10 **COMPLAINTS POLICY AND PROCEDURE**

Strategic Director (Corporate Resources) presented the Report to the Committee and outlined the updates.

RESOLVED:

The Committee approved the updated Complaints Policy and Procedure as appended to the report.

FM/11 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/12 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed no questions had been received.

SERVICES AND SUPPORT FOR HOMELESS PEOPLE – EXTENSION OF CONTRACT

The Committee approved the recommendation in the report.

PAYROLL SERVICE

The Committee approved the recommendation in the report.

REVIEW OF CULTURAL AND COMMUNITY SERVICES

The Committee approved the recommendation in the report.

The meeting terminated at 19:15 hours.

COUNCILLOR PEARSON

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

22nd July 2021

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Tilley (Vice-Chair) and Councillors Mulgrew (substituting for Councillor Rhind), Richards, Singh, Southerd and Taylor

Conservative Group

Councillors Ackroyd, Bridgen, Lemmon, Redfern and Watson

Independent Group

Councillor Fitzpatrick

FM/17 **APOLOGIES**

Apologies for absence were received from Councillor Rhind.

FM/18 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

FM/19 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed no questions from members of the public had been received.

FM/20 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed a question had been received from

FM/21 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

MATTERS DELEGATED TO COMMITTEE

FM/22 **TREASURY MANAGEMENT ANNUAL REPORT 2020-21**

The Head of Finance presented the Report to the Committee summarising the key points and highlighted the Council's strong cash position overall despite Covid-19 and Brexit. It was explained that money had been set aside each year to cover the Housing Revenue Account borrowing to be paid back.

RESOLVED:

- 1.1 The Committee approved the Treasury Management Annual Report for 2020/21.**
- 1.2 The Committee noted the Prudential Indicators and Limits for 2021/22 to 2025/26 as approved in February 2021.**
- 1.3 The Committee approved the updated counterparty (lending) list as at 31st March 2021.**

FM/23 **FINAL CAPITAL OUTTURN 2020-21**

The Head of Finance presented the Report to the Committee and gave an overview of the General Fund and the Housing Revenue Account. Members were informed that the Capital Reserves, which included Section 106 Agreement Funding would be carried forward into future years and that there were lots of projects in the pipeline.

Councillor Fitzpatrick raised concern regarding the underspend of Section 106 Agreement Funding. The Strategic Director (Corporate Resources) informed the Committee that a restructure had ensured that an officer would be in place to oversee the allocation of Section 106 Agreement Funding and that a new Head of Service had been appointed who had experience of delivering capital projects.

RESOLVED:

- 1.1 The Committee approved the final Capital outturn position for both the General Fund and Housing Revenue Account (HRA).**
- 1.2 The Committee approved the final balance on Capital Reserves for 2020/21.**

FM/24 **FINAL REVENUE BUDGET OUTTURN 2020-21**

The Head of Finance delivered the Report to the Committee summarising the General Fund reserves, surplus and variances compared to the Budget. The Head of Finance noted that the Housing Revenue Account also showed a favourable position and informed the Committee that the spend of the Covid Pandemic Funding from Government would be reported to the Committee on a quarterly basis.

RESOLVED:

- 1.1 The Committee approved the final outturn position for:**
 - The General Fund Revenue Account 2020/21**

- **The Housing Revenue Account 2020/21**
- **The Collection Fund 2020/21**
- **The Balance of Reserves as at 31 March 2021.**

1.1 The Committee approved that the net appropriation of £5,081,382 in 2020/21 be made from the General Fund Reserve to other Earmarked Reserves and a net appropriation of £150,000 be made from the HRA General Reserve to Earmarked Reserves as detailed in the report.

1.2 The Committee noted the following contributions and adjustments that had been made to Bad Debt and Appeal Provisions in 2020/21:

Sundry Debtors	115,288	General Fund
Temporary Accommodation	8,902	General Fund
Housing Benefit Overpayments	53,374	General Fund
Council Tax Arrears	156,858	General Fund
Business Rates Arrears	234,102	General Fund
Business Rates Appeals	319,560	General Fund
Redundancy Provision	63,460	HRA
Redundancy Provision	3,000	General Fund
Planning Appeals	-15,000	General Fund
Housing Rent Arrears	64,501	HRA

FM/25 **CORONAVIRUS (COVID-19) FINANCIAL IMPACT - UPDATE**

The Strategic Director (Corporate Resources) presented the report to the Committee which contained information regarding support given to businesses and residents since March 2020 including additional help with Council Tax for vulnerable residents. The Committee was informed that extra funding for Business Grants was expected but the amount was still to be confirmed and that there would be other funds available to encourage people back into town centres.

The Chief Executive addressed the Committee advising that due to Covid-19 unemployment nationally had risen to over 6% but locally it was at 3.6% and that South Derbyshire District Council had worked hard to keep local unemployment as low as possible.

Members welcomed the good news regarding additional funding and enquired about how it would be publicised to encourage a greater take up. The Strategic Director informed the Committee that it had been publicised and would be again and agreed to email Members giving them information regarding the application process and applicable criteria for the Discretionary Community Fund.

RESOLVED:

The Committee approved the financial impact of Covid-19 and deployment of Government Funding as detailed in the report.

FM/26 **CHIEF EXECUTIVE'S DIRECTORATE SERVICE PLAN 2021-22**

The Chief Executive presented the report to the Committee and outlined the clarification provided on certain indicators following the previous Committee. The Chief Executive explained how the Covid-19 pandemic had impacted on all departments within the Council, including Economy and Growth.

At the request of Councillor Tilley, it was agreed by the Chief Executive that a report regarding outturns would be brought to the Committee.

RESOLVED:

The Committee noted the clarification provided.

FM/27 **SOCIAL MOBILITY UPDATE**

The Chief Executive presented the updated Report to the Committee outlining the additional information and highlighting the emerging focus on the impact of the Covid-19 pandemic on younger people and children for which further support would be needed in the future.

The Chair thanked the Head of Economic Development and Growth and the Chief Executive for the report

Councillor Tilley raised a query regarding destination data. The Chief Executive explained that destination data now only included leaving data when going into employment

RESOLVED:

The Committee noted the update provided.

FM/28 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/29 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL
PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed no questions had been received.

VISITOR INFORMATION PROPOSALS

The Committee approved the recommendation in the report.

REGRADE OF POSTS – LICENSING OFFICERS (ENFORCEMENT)

The Committee approved the recommendation in the report.

FUTURE SERVICE DELIVERY AND EMPLOYMENT MODELS

The Committee approved the recommendation in the report.

The meeting terminated at 19:30 hours.

COUNCILLOR PEARSON

CHAIR

FINANCE AND MANAGEMENT COMMITTEE (SPECIAL)

3rd August 2021

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Tilley (Vice-Chair) and Councillors Gee (substituting for Councillor Southerd), Mulgrew (substituting for Councillor Rhind), Richards, Singh, Southerd and Taylor

Conservative Group

Councillors Ackroyd, Bridgen, Lemmon, Redfern and Watson

Independent Group

Councillor Fitzpatrick

FM/34 **APOLOGIES**

Apologies for absence were received from Councillors Rhind and Southerd.

FM/35 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

FM/36 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/37 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed no questions from Members of the Council had been received.

FM/38 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

MATTERS DELEGATED TO COMMITTEE

FM/39 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/40

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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed no questions had been received.

The meeting terminated at 18:35 hours.

COUNCILLOR PEARSON

CHAIR

HOUSING AND COMMUNITY SERVICES COMMITTEE

19th August 2021

HCS/26 **ANY EXEMPT QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

HCS/27 **ROSLISTON FORESTRY CENTRE – FUTURE ARRANGEMENTS**

The Cultural Services Manager presented the report to Members highlighting the proposed agreement with Forestry England with the preferred option being a 30-year lease.

Members welcomed the report and looked forward to the results of the negotiations, however, expressed concern about risk with the current rent, the agreement in principle and if businesses at the site had been kept informed of the situation.

The Strategic Director (Service Delivery) confirmed that the negotiations were at an early stage and Forestry England was open to a proposal from South Derbyshire, but that the process had been halted due to COVID-19. The agreement in principle was for a 30-year lease with a peppercorn rent, any financial implications would be reported to the Finance and Management Committee and tenants at the Centre had been updated.

RESOLVED:

2.1 The Committee approved the planned future arrangements for the management of Rosliston Forestry Centre.

2.2 The Committee agreed to the principle of the Council entering into a 30-year lease for land at Rosliston Forestry Centre owned by Forestry England from 1 April 2022.

2.3 The Committee agreed that delegated authority be given to the Strategic Director – Service Delivery and Chief Executive in consultation with the Chairs of Housing and Community Services and Finance and Management Committee to agree the terms of the lease, subject to 2.4 below.

2.4 The Committee agreed that any additional financial implications arising from the proposed terms of the lease be reported back to Finance and Management Committee for consideration.

HCS/28 **BETTER CARE FUNDING ALLOCATION – FINANCIAL POSITION**

The Strategic Housing Manager presented the report to Members with the six-month update highlighting that The New Horizons scheme had the capacity to support 35 people and seven safe houses including counselling for children.

Members asked if there was any additional capacity in the scheme and noted the fantastic work that had been done by the team in supporting families.

The Strategic Housing Manager confirmed that the current scheme was full and that vulnerable people were being moved through the process as quickly as possible into housing, therefore, freeing spaces within the scheme.

The Strategic Director (Service Delivery) advised Members that due to the success of the SDDC scheme, it was being looked at by other authorities.

RESOLVED:

2.1 The Committee noted the progress of schemes it has supported through the Disabled Facilities Grant (DFG) allocation and the Private Sector Housing Assistance Policy (the Policy) and recognised the wider impact they have on reducing pressures on front-line Council services.

2.2 The Committee approved the extension of fixed term contracts for the Technical Officer post (EH73) within the DFG team and the Public Health Officer (Housing) (EH77) post within the Environmental Health team to the 31 March 2023.

2.3 The Committee approved that the Housing Assistance Policy dated 2021-March 2023, attached at Appendix 1 of the report, be updated to reflect the updates outlined within the report, and be subject to public consultation prior to final approval at a future meeting of the Committee.

2.4 The Committee agreed that the financial and employment implications associated with the report be referred to the Finance and Management Committee on 26 August 2021 for consideration and approval.

HCS/29

ANNUALISED HOURS CONTRACTS – ENVIRONMENTAL EDUCATION PROJECT

The Cultural Services Manager presented the report to the Committee which would require referral to the Finance and Management Committee and consultations with staff and Trades Unions.

Members raised questions regarding contract changes in respect of public holidays and holiday pay. The Cultural Services Manager would refer to Human Resources for further information.

RESOLVED:

2.1 The Committee endorsed the proposed change from standard hours to annualised hours for the Environmental Education Project Team as set out at Appendix 1 to the report.

2.2 The Committee referred the proposed contractual changes to the Environmental Education Project Team to Finance and Management Committee for approval.

The Meeting terminated at 19:20 hours.

COUNCILLOR M MULGREW

VICE-CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

26th August 2021

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Tilley (Vice-Chair) and Councillors Heath (substituting for Councillor Southerd), Mulgrew (substituting for Councillor Richards), Rhind, Singh and Taylor.

Conservative Group

Councillors Ackroyd, Bridgen, Lemmon, Redfern and Watson.

Independent Group

Councillor Angliss (substituting for Councillor Fitzpatrick).

FM/43 **APOLOGIES**

Apologies for absence were received from Councillor Fitzpatrick (Independent) and Councillors Richards and Southerd (Labour).

FM/44 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

FM/45 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/46 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed no questions from Members of the Council had been received.

FM/47 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

MATTERS DELEGATED TO COMMITTEE**FM/48 CORPORATE PLAN 2020-24 PERFORMANCE REPORT (2021-2022 QUARTER 1-1 APRIL TO 30 JUNE)**

The Head of Organisational Development and Performance presented the report to the Committee which outlined the status of the 16 measures which the Committee was responsible for. Members were informed that an Internal Audit had led to an updated Risk Management Framework and new Risk Register templates that had been approved by the Audit Sub-Committee. The Head of Organisational Development and Performance noted that updates had been provided for all risks and there was currently no major issues to Service Delivery.

RESOLVED:

- 1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 The Committee reviewed the Risk Register for the Committee's services.***
- 1.3 The Committee agreed that the new Risk Register templates be reviewed following approval at the Audit Sub Committee in June 2021 and noted that they will replace the existing Risk Registers.***
- 1.4 The Committee agreed that the Corporate Performance measure for P2.4A be amended from 'South Derbyshire's ranking in the Social Mobility Commission's Social Mobility Index increases' to 'Deliver the objectives identified in the South Derbyshire Partnership Social Mobility Action Plan.'***

FM/49 REVENUE FINANCIAL MONITORING 2021-22

The Strategic Director (Corporate Resources) presented the Report to the Committee outlining the financial position in relation to the in-house delivery of recycling services, staffing through the use of consultants, an increase in planning fees and COVID-19 expenses funded by government grants. The committee was informed that the Housing Revenue Account was currently on budget and although rental income was down in the Housing Revenue Account, Council Tax collection rates were reported as good with a surplus expected on the Collection Fund.

The Chair acknowledged the content of the Report with an observation that although there were some concerns these would be monitored.

RESOLVED:

- 1.1 The Committee considered and approved the latest revenue financial position for 2021/22 as detailed in the report.***

1.2 The Committee agreed that an additional £50,000 per annum be set-aside as a provision in the Medium-Term Financial Plan (MTFP) due to changes to the Recycling service.

FM/50 **CAPITAL FINANCIAL MONITORING 2021-22**

The Strategic Director (Corporate Resources) presented the Report to the Committee highlighting the underspending on projects approved during 2020/21, and the overspend for drainage works at Melbourne Sports Park for which Section 106 funding was being investigated.

Members enquired if there was a project aligned to funding for Swadlincote Woodlands and highlighted disappointment that the Disabled Facilities Grant showed an underspend and the amount of time taken to distribute Section 106 Agreement funding.

The Strategic Director (Corporate Resources) advised that projects took some time to plan, procure and implement and that a nature reserve had been approved at Swadlincote Woodlands.

The Chair requested a report of progress of individual Section 106 projects. The Strategic Director (Corporate Resources) explained that the Appendix to the Report was being added to each time with additional information and suggested that Members highlight specific projects that were to be included in the report in order that more detailed information could be provided separately.

RESOLVED:

1.1 The Committee considered and approved the latest capital financial position for 2021/22 as detailed in the report.

1.2 The Committee approved an increase to the Budget for the Green Homes Grant.

1.3 The Committee noted the balance of S106 available for use by the Council for capital projects as detailed in Appendix 2 of the report.

FM/51 **TREASURY MANAGEMENT UPDATE 2021-22**

The Strategic Director (Corporate Resources) presented the report to the Committee advising of an interest rate slightly above 0% and that long-term investments in the Property Fund were receiving between 3% and 4% in dividends.

Members enquired if further funds could be considered for the property fund. The Strategic Director (Corporate Resources) confirmed that the Finance Team would look into this option.

RESOLVED:

- 1.1 The Committee considered and approved the latest Treasury Management Update for quarter 1 2021/22 as detailed in Appendix 1 of the report.***
- 1.2 The Committee approved the updated Counterparty List for investments and bank deposits as detailed in Appendix 2 of the report.***

FM/52

DEVELOPING AND CONSULTING ON REVISED LOCAL COUNCIL TAX REDUCTION SCHEME 2022-2023

The Head of Customer Services presented the report to the Committee highlighting the inefficiency in the current scheme for both claimants and the Council and that it was no longer aligned to Universal Credit and other Welfare Reforms. . The Committee was informed that three options would be analysed, and results would brought back to Committee in October.

Members enquired which residents and stakeholders would be included in any modelling and requested that any consultation documentation be clear and simple to use.

The Head of Customer Services confirmed that current claimants and council tenants would be included in the modelling process along with partnership groups and that the consultation modules would be made clear.

The Chair observed that detailed results would be interesting and encouraged Members to take a key role in reviewing the results and providing feedback.

RESOLVED:

- 1.1 The Committee approved the proposal to develop a draft revised Local Council Tax Reduction scheme (LCTRS) and acknowledged that the development of the scheme will involve consulting residents and stakeholders on a variety of potential models.***
- 1.2 The Committee approved the various scheme changes/considerations to be included in the consultation models to be brought back to Finance and Management Committee for approval on 7th October 2021 prior to consultation.***
- 1.3 The Committee approved the proposed timeline for the development of the proposed revised LCTRS.***
- 1.4 The Committee approved a maximum spend of £10,000 on support services to develop the proposed LCTRS, to be funded from the Welfare Reform Reserve.***

FM/53 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/54 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed no questions had been received.

ANNUALISED HOURS CONTRACTS – ENVIRONMENTAL EDUCATION PROJECT

The Committee approved the recommendation in the report.

BETTER CARE FUNDING ALLOCATION – FINANCIAL POSITION

The Committee approved the recommendation in the report.

FORMER TENANT WRITE OFF

The Committee approved the recommendation in the report.

CUSTOMER SERVICES PROVISION AT THE CIVIC OFFICES

The Committee approved the recommendation in the report.

COLLECTION RATES, DEBT RECOVERY AND WRITE OFFS (Q1 2021 – 2022)

The Committee approved the recommendation in the report.

PAYROLL SERVICE

The Committee approved the recommendation in the report.

The meeting terminated at 19:40 hours.

COUNCILLOR PEARSON

CHAIR