

MINUTES of the MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at Civic Offices, Civic Way,  
Swadlincote on 10th April 2008  
at 6.00 p.m.

**PRESENT:-**

**Conservative Group**

Councillor Bale (Chairman), Councillor Mrs. Hood (Vice-Chairman) and Councillors Bladen, Mrs. Coyle, Mrs. Farrington, Ford, Grant, Harrison, Hewlett, Jones, Murray, Mrs. Patten, Roberts, Stanton, Timms, Watson, Mrs. Wheeler and Wheeler.

**Labour Group**

Councillors Bambrick, Dunn, Mrs. Lane, Lane, Mrs. Mead, Pabla, Rhind, Richards, Southerd, Taylor, Tilley and Wilkins.

**Independent Member**

Councillor Mrs. Brown.

**APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Atkin, Lemmon and Mrs. Plenderleith (Conservative Group) and Councillors Mrs. Gillespie and Shepherd (Labour Group).

CL/123. **MINUTES**

The Open Minutes of the Meeting of the Council held on 28th February 2008 (Minutes Nos. CL/110 - CL/118) were taken as read, approved as a true record and signed by the Chairman.

(Minute No. CL/117 – Councillor Dunn was disappointed that the Council was no longer a Member of the Coalfields Alliance.

Minute No. CL/112 – Councillor Southerd referred to the recent Government decision not to proceed with the proposed Grovewood eco-town and he echoed press commentary on this matter. He sought an assurance from the Controlling Group that it would resist development in the open countryside that was in contravention of development control policies. The Leader of the Council responded that it was difficult to give such an assurance, without considering each case, but she referred to the relevant section of the Controlling Group's Manifesto.

Minute No. CL/110 – Councillor Lane voiced his disappointment at the response submitted to the Post Office closure consultation. He felt it did not adequately reflect contributions from Members at the Meeting. The Leader responded that representations had also been sent by individual Members with such detail, but all representations had proved unsuccessful. She also referred to subsidy issues on Post Offices.

Minute No. CL/113 – An update was sought regarding closure of the Maurice Lea Memorial Park overnight. An action team on antisocial behaviour had been formed and details were given of the proposed works identified to date, before considering the closure of the park overnight. From a legal perspective, there was nothing in the deeds to prevent such closure and reference was also made to powers through the Commons Regulations Scheme).

CL/124. **RETIREMENT PRESENTATIONS**

The Chairman made presentations to Chris Swain, Head of Revenue Services and to Brian Hammond, an employee at the Direct Services Organisation, in view of their long service to the Council. Several Members paid tribute to the considerable service of both employees.

CL/125. **VIDEO PRESENTATION – CONCESSIONARY TRAVEL**

It was reported that students from Burton College had produced a video on behalf of the Council on the new concessionary travel scheme. This was played to Members during the Meeting and the students were thanked for the work undertaken.

CL/126. **DECLARATIONS OF INTEREST**

Councillors Bambrick, Ford, Harrison, and Southerd declared prejudicial interests in respect of the item on the Decriminalisation of Car Parking, as Members of Derbyshire County Council.

CL/127. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported on his recent engagements, including visits to three primary schools at Weston-on-Trent, Walton-on-Trent and Egginton. He had opened the Sports Relief Mile at Hilton and undertaken a tour of villages in the northern parishes with two police officers. The Chairman reported on recent fundraising activities for his chosen charity, the air ambulance, comprising bag packing at Morrison's with the Scouts, the charity golf competition and the Civic Dinner. The Chairman thanked Councillor Lane particularly who would be running the London Marathon on Sunday 13th April in aid of the charity. The Chairman publicised details of his charity concert and closed by advising that there would be a presentation from the Young Enterprise Scheme at the next Meeting.

CL/128. **LEADER'S ANNOUNCEMENTS**

The Leader of the Council reminded of the representations made to the Housing Minister about the Grovewood eco-town development and was delighted that the Government had decided to reject this proposal. She thanked the Melbourne Scouts and Guide troop for inviting herself and an Officer to celebrate their recent Community Grant success. Last week the Leader had attended a Meeting in Westminster regarding proposed changes to funding economic investment. These changes might have an adverse impact on the Council's involvement at the local level. The Leader had attended the launch of the Regional Housing Strategy. This consultation would run until the end of June and South Derbyshire had again been identified as an area for significant additional development. The Council would reply through the Committee process and she was positive that any

response would include concerns about over-development and the need for adequate infrastructure. The Leader closed by referring to the new leisure centre in the north-west of the District and she looked forward to the groundbreaking ceremony on 21st April 2008.

CL/129. **REPORTS OF COMMITTEES**

**RESOLVED:-**

***That the Open reports of the following Committees be received and noted and any recommendations contained therein be approved and adopted:-***

***Licensing and Appeals Sub-Committee, 27th February 2008 (Minute No. LAS/41).***

***Development Control Committee, 4th March 2008 (Minutes Nos. DC/96 – DC/107).***

***Environmental and Development Services Committee, 6th March 2008 (Minutes Nos. EDS/42 – EDS/47).***

***Housing and Community Services Committee, 13th March 2008 (Minutes Nos. HCS/67 – HCS/73).***

***(Minute No. HCS/72 – Councillor Richards acknowledged the reply received to an issue raised previously, about the contract tendering process. Clarification was sought on the Council's Financial Procedure Rules, particularly regarding the need for Committee or Council approval of the process for letting a contract. The Vice-Chairman of the Committee provided a response referring to a recent tender process. The Chief Executive requested further details and would refer this matter to an appropriate Officer, in order that a response could be provided to Councillor Richards).***

***Finance and Management Committee, 20th March 2008 (Minutes Nos. FM/126 – FM/137).***

***Overview and Scrutiny Committee, 26th March 2008 (Minutes Nos. OS/46 – OS/50).***

***(Minute No. OS/49 – Councillor Richards asked if the future Scrutiny Work Programme could include an item on the lack of NHS Dental facilities, particularly in the urban core. Councillor Watson also spoke to this issue about the lack of PCT funding).***

***Development Control Committee, 1st April 2008 (Minutes Nos. DC/108 – DC/115).***

***(Minute No. DC/115 – In response to a Member's question, it was confirmed that a further training session on the Development Control process would be held after the Annual Council Meeting. A new procedure for dealing with site visits would also be introduced. Reference was made to a recent application considered by the Committee).***

***Licensing and Appeals Sub-Committee, 7th April 2008 (Minute No. LAS/46).***

***(It was noted that Councillor Mrs. Patten was now appointed as the permanent Chairman of this Sub-Committee).***

CL/130. **SEALING OF DOCUMENTS**

**RESOLVED:-**

***That the sealed documents listed at Annexe “SMB1” to the Signed Minute Book, which have no specific authority, be duly authorised.***

CL/131. **COMPOSITIONS OF COMMITTEES, SUB-COMITTEES AND WORKING PANELS**

There were no amendments to the composition of Committees, Sub-Committees and Working Panels.

CL/132. **COMPOSITION OF SUBSTITUTE PANELS**

There were no amendments to the composition of Substitute Panels.

CL/133. **REPRESENTATION ON OUTSIDE BODIES**

There were no amendments to the Council’s representation on Outside Bodies.

CL/134. **TIMETABLE OF MEETINGS**

Members gave consideration to the proposed timetable of Meetings for the 2008/09 Municipal Year. The Leader of the Opposition voiced concerns over a 13-week gap between policy committees during the summer months. He also referred to the recent review of Members’ allowances. The Leader of the Council responded that research had been undertaken of other fourth option councils and 9 of 12 surveyed had a summer recess. She referred to the Council’s family friendly policies and a 12-month trial was proposed for the new arrangements.

Other Members felt that a one-month recess should be sufficient. There was a substitute system for Members who were unable to attend Meetings. It was questioned what arrangements would be made during this period and how this trial would be monitored, as it seemed a long time between Meetings. Concern was also voiced over the lack of advanced notice of this matter to Members. It was understood that some Members had childcare commitments, but these were all year round. The recent IRP Report had recognised the need for care facilities and allowances.

**RESOLVED:-**

***That the timetable of Meetings for 2008/09 be approved as submitted.***

Note: Members of the Labour Group wished it to be recorded that they had voted against this decision.

CL/135. **DECriminalISATION OF CAR PARKING**

Note: Councillor Richards also declared a prejudicial interest in this item.

Councillors Bambrick, Harrison, Lemmon, Richards and Southerd left the Meeting during the consideration of this matter.

The Council received a report on the Decriminalisation of Parking Enforcement. This matter had been considered previously by the Environmental and Development Services Committee, which had approved working in partnership on the transfer of parking enforcement. The County Council was providing £317,000 to meet the set-up costs of the scheme and there were two options presented to Members on the way forward. The detail of the report explained the enforcement options for both on-street parking and off-street car parks. Under Option A, the report explained anticipated costs and the staffing arrangements, including supervision requirements by SDDC. At present, there was no enforcement for SDDC off-street car parks. There would be a need for signage and road markings where enforcement would take place. Negotiation would be required with the contractor on the number of additional hours that SDDC required and was prepared to pay for.

Under Option B, the County Council would be responsible for on-street parking with SDDC input about deployment of the wardens. There would be no initial costs, running costs or responsibility for any losses in the future. With regard to off-street car parking enforcement, this option was identical to Option A, other than there were no staffing costs. There would be a minor administration charge levied by the County Council, in relation to driver appeals against parking tickets served.

Members discussed the merits of the options submitted and acknowledged the work undertaken by Officers in drafting the Memorandum of Understanding. A summary was provided of the key points on this issue, particularly around securing sufficient enforcement time, the ability to target patrols, the start up costs and potential profits in the future. It was considered that, subject to suitable safeguards, a trial period should be proposed using Option B. A comparison was made to the roles of the Council's existing wardens, who might be able to affix warning notices to vehicles.

It was questioned whether the designated "special parking areas" would cover all the South Derbyshire District, which was confirmed and was then questioned whether the 16 hours of enforcement time proposed would be sufficient. Further questions were submitted on the designation of restricted parking areas, car park restrictions and how these would be enforced. The Officer responded to each of the questions submitted.

**RESOLVED:-**

- (1) That the Council adopts the Decriminalisation of Parking Enforcement/Civil Parking Enforcement powers in the whole District of South Derbyshire, to include both on and off-street parking.***
- (2) That the method of parking enforcement to be adopted is Option B, as shown in detail at Annexe SMB2 to the Signed Minute Book.***

Note: Members of the Labour Group wished it to be recorded that they had voted against this decision.

At 7.20 p.m. Councillors Bambrick, Harrison, Lemmon, Richards and Southerd rejoined the Meeting.

CL/136. **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.***

**MINUTES**

***The Exempt Minutes of the Meeting of the Council held on 28th February 2008 were duly received and approved.***

**REPORTS OF COMMITTEES**

***The Exempt reports of the following Committees were received and noted and any recommendations contained therein, approved and adopted:-***

***Licensing and Appeals Sub-Committee, 27th February 2008.***

***Housing and Community Services Committee, 13th March 2008.***

***Finance and Management Committee, 20th March 2008.***

***Overview and Scrutiny Committee, 26th March 2008.***

M.J.P. BALE

CHAIRMAN