

MINUTES of the ANNUAL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 17th May 2018
at 6.00pm

PRESENT:-

Conservative Group

Councillor Stanton (Chairman) and Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Ford, Grant, Harrison, Hewlett, MacPherson, Muller, Murray, Mrs Patten, Mrs Plenderleith, Roberts, Smith, Swann, Watson and Wheeler

Labour Group

Councillors Bambrick, Chahal, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley and Wilkins

Independent / Non-Grouped Member

Councillor Tipping

CL/1 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Coe, Mrs Coyle, Mrs Hall, Mrs Wyatt (Conservative Group), Dunn and Dr Pearson (Labour Group).

CL/2 **MINUTES OF COUNCIL**

The Open Minutes of the Meeting of the Council held on 12th April 2018 (CL/143-CL/162) were approved as a true record.

CL/3 **DECLARATIONS OF INTEREST**

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

CL/4 **APPOINTMENT OF THE LEADER OF THE COUNCIL**

Pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor Ford was Leader of the Conservative Group and Councillor Richards was Leader of the Labour Group.

RESOLVED:-

That Councillor Ford be appointed Leader of the Council for the ensuing year.

Abstentions: Bambrick, Chahal, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley and Wilkins.

CL/5 **APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL**

Pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor Billings was the Deputy Leader of the Conservative Group and Councillor Southerd was the Deputy Leader of the Labour Group.

RESOLVED:-

That Councillor Billings be appointed Deputy Leader of the Council for the ensuing year.

Abstentions: Bambrick, Chahal, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley and Wilkins.

CL/6 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting, including those associated with the charity choir evening at St Georges Church, Ticknall, the William Beesley Memorial Service, the official unveiling of the Diana, Princess of Wales, Memorial Garden and a visit to the Akaal Primary School in Derby.

CL/7 **ANNOUNCEMENTS FROM THE LEADER**

The Leader thanked Members for their support and outlined his primary aims of supporting the economy, jobs, Business Rates retention, building, including council house development, and a sustainable financial position.

CL/8 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive welcomed Dr Jas' presence at the meeting, as part of her research being undertaken for her paper on local government matters.

In relation to both the minute's silence scheduled for the following Tuesday, for victims of the Manchester terrorist attack, and the Royal Wedding, the Chief Executive made reference to central government guidance regarding official flag flying above the Civic Offices.

The Chief Executive also displayed one of the Heritage Trail plaques to be located around the district and referred to the publicity that will accompany their deployment.

A reminder relating to the General Data Protection Regulation Member training session, as booked for the following Tuesday, was also issued.

Councillor Richards, in referring to the minute's silence, queried why it was not also being held in relation to other recent victims of terrorism. The Chief Executive clarified that his announcements in this respect were purely based on Home Office guidance.

CL/9 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/10 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/11 **NOTICES OF MOTION**

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

CL/12 **SCHEME OF DELEGATION**

The Chief Executive presented the report to Council.

Councillor Shepherd made reference to the Planning Services Protocol at 9.4(6) in the report relating to applications for development from government departments. Having ascertained that this exclusion from delegated powers existed before the latest revisions, the Councillor queried how the Infinity Garden Village application could have proceeded. The Chief Executive referred to errors made in not notifying Members at the earliest opportunity, but that a vires situation existed in relation to subsequent action taken with committee approval. Reference was also made to the ongoing review of this matter, now nearing completion for report back.

Councillor Shepherd wished for it to be recorded that a decision had been made outside the scope of the Scheme of Delegation. The Chief Executive expressed his view that whilst the initiative may have been taken outside the Scheme of Delegation, decisions were taken via the policy committee.

Councillor Shepherd felt it would be useful for Members to consider the revisions via tracked changes.

RESOLVED:

In accordance with Council Procedure Rule No. 1.1 (f) of the Council's Constitution, Council approved the amended Scheme of Delegation (Appendix A to the report), to form Part 3 of the Council's Constitution.

Abstentions: Councillors Chahal and Shepherd.

CL/13 **ETHICS STATEMENT**

The Chief Executive presented the report to Council.

Councillor Richards made reference to the debate at the recent Housing and Community Services Committee relating to instances of poor customer service. The Strategic Director (Service Delivery) confirmed that customer care

training was being arranged for front line staff in the Civic Offices and at the Depot.

RESOLVED:

Council approved the Council's proposed Ethics Statement (Appendix A to the report), to be included within Part 5 of the Council's Constitution.

CL/14 **PROTOCOL FOR THE USE OF INFORMATION TECHNOLOGY BY MEMBERS OF SOUTH DERBYSHIRE DISTRICT COUNCIL**

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

Councillor Smith made reference to the confidentiality clause in the protocol, querying whether screen protectors could be provided. The Strategic Director (Corporate Resources) undertook to investigate the matter further.

Councillor Tilley queried the detail relating to the roll-out programme relating to the new tablet devices. The Strategic Director confirmed that the relevant information would be circulated to Members.

RESOLVED:

Council adopted the updated Protocol for the use of Information Technology by Members of the Council.

CL/15 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees and Area Forum meetings were approved as a true record:-

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Planning	10.04.18	PL/176-PL/187
Environmental and Development Services	19.04.18	EDS/108-EDS/122
Licensing and Appeals Sub-Committee	23.04.18	LAS/35-LAS/38
Etwall Joint Management Committee	25.04.18	EL/17-EL/22
Housing and Community Services	26.04.18	HCS/98-HCS/107

Councillor Richards, in referring to Minute No.HCS/99, sought an update on the letter to the Member of Parliament regarding concerns relating to Universal Credit. The Chief Executive confirmed that the matter will be progressed with the newly elected Leader in due course.

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Planning	01.05.18	PL/188-PL/199
Finance and Management	03.05.18	FM/159-FM/168

CL/16 **POLITICAL PROPORTIONALITY**

It was reported that the Council's duty to determine the allocation of seats was prescribed by the Local Government and Housing Act 1989, as modified by the Local Government (Committees and Political Groups) Regulations 1990.

A report was submitted which confirmed the political composition of the Council. It also set out the requirements to review representation of the different political groups at, or as soon as practicable after, the Annual Meeting of the Council.

RESOLVED:-

- (1) Council approved and adopted the recommended allocation of seats to the Political Groups for the municipal year 2018/19.***
- (2) Council allocated seats between the Political Groups as set out at Annexe 'A' and invited the two Groups to make nominations to fill the seats.***

CL/17 **APPOINTMENT OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS 2018/19**

Members reviewed the composition of Committees, Sub-Committees and Working Panels for 2018/19.

RESOLVED:-

- (1) That the nominations of Members to serve on Committees, Sub-Committees and Working Panels for the ensuing year, as set out at Annexe "B" to these Minutes be received and noted.***
- (2) That the appointments of Chairmen and Vice-Chairmen be approved as indicated.***

CL/18 **COMPOSITION OF SUBSTITUTE PANELS**

Members reviewed the composition of the Substitute Panels for 2018/19.

RESOLVED:-

That the nominations of Members to serve on Substitute Panels, as set out at Annexe "C" to these Minutes, be received and noted.

CL/19 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2018/19**

The Leader of the Council announced a number of revisions to the Outside Bodies representation list.

RESOLVED:-

Council approved the amended schedule of persons nominated to serve on Outside Bodies for 2018/19, as set out at Annexe "D" to these Minutes.

CL/20 **APPOINTMENT OF MEMBER CHAMPIONS**

RESOLVED:-

That Council approves the schedule of Members Champions for 2018/19 as set out at Annexe "E" to these Minutes.

CL/21 **APPOINTMENT OF CHAIRMEN AT AREA FORUMS**

RESOLVED:-

That the following Chairmen be appointed to the Area Forums as indicated below:-

*Etwell Area Forum – Councillor Mrs Brown
Linton Area Forum – Councillor Murray
Melbourne Area Forum – Councillor Harrison
Newhall Area Forum – Councillor Bambrick
Repton Area Forum – Councillor Smith
Swadlincote Area Forum – Councillor Mrs Coe*

CL/22 **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2018/19**

The Chairman of the Committee presented the Annual Report to Council.

RESOLVED:-

Council received the annual report of the Overview and Scrutiny Committee for 2017/18

CL/23 **CYCLE OF MEETINGS 2018/19**

RESOLVED:-

In accordance with Council Procedure Rule No. 1.1 (g) of the Council's Constitution, the cycle of Meetings for 2018/19 (Appendix A to the report) was approved by Council.

CL/24 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder

of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT MINUTES OF THE COUNCIL

The Exempt Minutes of the Annual Council Meeting held on 12th April 2018 (CL/163-CL/166) were approved as a true record.

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

Council was informed that no questions had been received.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:-

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

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Environmental and Development Services	19.04.18	EDS/123-EDS/125
Licensing and Appeals Sub-Committee	23.04.18	LAS/39
Housing and Community Services	26.04.18	HCS/108-HCS/111
Planning	01.05.18	PL/200-PL/203
Finance and Management	03.05.18	FM/169-FM/174

The meeting terminated at 6.50pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL

Annexe B

COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS **2018/19**

FINANCE AND MANAGEMENT COMMITTEE (13)

Conservative Group (9)

Councillor Harrison (Chairman), Councillors Mrs Plenderleith (Vice-Chairman) and Councillors Billings, Mrs Coyle, Ford, Hewlett, Smith, Watson and Wheeler

Labour Group (4)

Councillors Rhind, Richards, Southerd and Taylor

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (13)

Conservative Group (9)

Councillor MacPherson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Billings, Mrs Brown, Mrs Coe, Coe, Mrs Hall, Mrs Patten and Wheeler

Labour Group (4)

Councillors Chahal, Dunn, Taylor and Tilley

HOUSING AND COMMUNITY SERVICES COMMITTEE (13)

Conservative Group (8)

Councillor Hewlett, (Chairman), Councillor Smith (Vice-Chairman) and Councillors Coe, Mrs Coyle, Ford, Grant, MacPherson and Watson

Labour Group (4)

Councillors Rhind, Richards, Shepherd and Wilkins

Independent/Non-Grouped Member (1)

Councillor Tipping

PLANNING COMMITTEE (13)

Conservative Group (8)

Councillor Mrs Brown, (Chairman), Councillor Mrs Coe (Vice-Chairman) and Councillors Coe, Mrs Hall, Harrison, Muller, Stanton and Watson

Labour Group (4)

Councillors Dr Pearson, Shepherd, Southerd and Tilley

Independent/Non-Grouped Member (1)

Councillor Tipping

LICENSING AND APPEALS COMMITTEE (15)

Conservative Group (8)

Councillor Patten (Chairman) and Councillors Mrs Coyle, Harrison, Muller, Mrs Plenderleith, Stanton, Watson and Wheeler

Labour Group (6)

Councillors Dunn, Rhind, Richards, Southerd, Mrs Stuart and Taylor

Independent/ Non-Grouped Member (1)

Councillor Tipping

OVERVIEW AND SCRUTINY COMMITTEE (8)

Conservative Group (5)

Councillor Swann (Chairman), Councillor Mrs Wyatt (Vice-Chairman) and Councillors Atkin, Murray and Mrs Patten

Labour Group (3)

Councillors Bambrick, Dr Pearson & Mrs Stuart

STANDARDS COMMITTEE (6)

Conservative Group (4)

Councillor Harrison (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Mrs Hall and Stanton

Labour Group (2)

Councillors Dunn and Dr Pearson

JOINT CONSULTATIVE COMMITTEE (5)

Conservative Group (3)

Councillors Billings, Ford and Harrison

Labour Group (2)

Councillors Richards and Southerd

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (3)

Conservative Group (2)

Councillor Mrs Plenderleith (Chairman) and Councillor Billings

Labour Group (1)

Councillor Shepherd

AUDIT SUB-COMMITTEE (5)

Conservative Group (3)

Councillor Grant (Chairman), Councillor Atkin (Vice-Chairman) and Councillor MacPherson

Labour Group (2)

Councillors Dunn and Shepherd

HERITAGE GRANTS SUB-COMMITTEE (4)

Conservative Group (3)

Councillors Hewlett, Smith and Stanton

Labour Group (1)

Councillor Taylor

SINGLE STATUS STEERING GROUP (3)

Conservative Group (2)

Councillors Harrison and Wheeler

Labour Group (1)

Councillor Wilkins

COMMUNITY PARTNERSHIP SCHEME ASSESSMENT PANEL (5)

Conservative Group (3)

Councillors Mrs Coyle, Ford and Watson

Labour Group (2)

Councillors Rhind and Taylor

CORE STRATEGY WORKING PANEL (5)

Conservative Group (3)

Councillors Hewlett, MacPherson and Smith

Labour Group (2)

Councillors Rhind and Richards

LOCAL PLAN OFFICER/MEMBER WORKING GROUP (6)

Conservative Group (4)

Councillor Watson (Chairman) and Councillors Mrs Coyle, Mrs Plenderleith and Stanton

Labour Group (2)

Councillors Shepherd and Taylor

SERVICE AND FINANCIAL PLANNING WORKING GROUP (5)

Conservative Group (3)

Councillors Ford, Harrison and Wheeler

Labour Group (2)

Councillors Richards and Southerd

Annexe C

SUBSTITUTE PANELS 2018/19

FINANCE AND MANAGEMENT COMMITTEE

Conservative Group (9)

Councillors Mrs Brown, Mrs Coe, Coe, Mrs Hall, MacPherson, Murray, Mrs Patten, Roberts and Stanton

Labour Group (4)

Councillors Chahal, Dunn, Tilley and Wilkins

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

Conservative Group (9)

Councillors Mrs Coyle, Ford, Harrison, Hewlett, Murray, Mrs Plenderleith, Smith, Stanton and Watson

Labour Group (4)

Councillors Rhind, Richards, Shepherd and Southerd

HOUSING AND COMMUNITY SERVICES COMMITTEE

Conservative Group (8)

Councillors Atkin, Billings, Mrs Hall, Mrs Plenderleith, Roberts, Stanton, Swann and Wheeler

Labour Group (4)

Councillors Chahal, Dunn, Southerd and Taylor

PLANNING COMMITTEE

Conservative Group (8)

Councillors Billings, Ford, Hewlett, MacPherson, Murray, Mrs Patten, Smith and Swann

Labour Group (4)

Councillors Rhind, Richards, Mrs Stuart and Taylor

JOINT CONSULTATIVE COMMITTEE

Conservative Group (3)

Councillors Hewlett, Mrs Patten and Watson

Labour Group (2)

Councillors Taylor and Tilley

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

Conservative Group (2)

Councillors MacPherson and Roberts

Labour Group (1)

Councillor Chahal.

HERITAGE GRANTS SUB-COMMITTEE

Conservative Group (3)

Councillors Atkin, Watson and Wheeler

Labour Group (1)

Councillors Rhind

SINGLE STATUS STEERING GROUP

Conservative Group (2)

Councillors Ford and Mrs Plenderleith

Labour Group (1)

Councillor Richards

COMMUNITY PARTNERSHIP SCHEME ASSESSMENT PANEL

Conservative Group (3)

Councillors Atkin, Murray and Smith

Labour Group (2)

Councillors Southerd and Wilkins

Annexe D

**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL
ON OUTSIDE BODIES FOR 2017/18**

Organisation	Representative(s)
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson Councillor Mrs H Coyle (sub)
2. Arts Derbyshire	Councillor J Hewlett
3. Association of Retained Council Houses Ltd. (ARCH)	Councillor J Hewlett Strategic Director (Service Delivery)
4. Burton Hospitals NHS Foundation Trust Governors	Councillor Mrs K Coe
5. Central Midlands Audit Partnership Board	Chairman of Finance and Management Committee Vice-Chairman of Finance and Management Committee (sub)
6. Citizens Advice South Derbyshire and Derby (CASDAD)	Councillor J Hewlett Councillor Mrs K Coe
7. Community Arts Project (“People Express”) Management Committee	Councillor Mrs J Patten Councillor Mrs K Coe
8. Community Transport (Swadlincote) Management Committee	Councillor D Muller
9. D2 Joint Committee For Economic Prosperity	Councillor M Ford Councillor A Billings (sub)
10. Derby Airfield Consultative Committee	Councillor M Ford
11. Derby and Derbyshire Strategic Leadership Forum	Councillor M Ford Councillor A Billings (sub) Chief Executive Monitoring Officer (sub)
12. Derby and Sandiacre Canal Trust Ltd	Councillor M Stanton
13. Derbyshire Hate Crime Practitioners Network Meeting	Councillor Mrs J Patten
14. Derbyshire Partnership Forum	Councillor M Ford
15. Derbyshire Police and Crime Panel	Councillor D Muller Councillor S Swann (sub)
16. Derbyshire Sport	Councillor P Smith

17. Donington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub) Councillor J Harrison (sub)
18. East Midlands Airport Independent Consultative Committee	Councillor J Harrison Councillor M Ford (sub)
19. East Midlands Airport Liaison Committee	Aston, Melbourne and Repton Ward Members
20. East Midlands Arts	Councillor Mrs J Patten
21. East Midlands Councils	Councillor M Ford
22. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson Councillor Mrs H Coyle (sub)
23. Environmental Education Project Steering Group	Councillor J Hewlett
24. Goseley Community Centre Committee	Councillor Mrs K Coe Councillor S Taylor
25. Heart of the Forest Forum	Councillor M Stanton
26. Hilton Harriers Mease Management Committee	Councillor Mrs J Patten
27. Homestart	Councillor P Smith
28. Local Government Association (London)	Councillor M Ford (General Assembly)
29. Local Government Information Unit	Councillor R Wheeler Councillor M Ford (sub)
30. Melbourne Sporting Partnership	Chief Executive
31. New Albion Revised Liaison Committee	Councillor A MacPherson
32. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor A MacPherson
33. Pingle Artificial Turf Pitch Management Group	Councillor P Smith
34. Relate	Councillor Mrs J Patten
35. Rosliston and Caldwell Village Hall Management Committee	Councillor R Wheeler
36. Rosliston Forestry Centre Management Executive	Councillor J Hewlett
37. Rosliston Forestry Community Group	Councillor J Grant
38. Rural Action Derbyshire	Councillor M Stanton
39. Safer South Derbyshire Partnership Strategic Group	Councillor M Ford Councillor J Hewlett (sub)
40. Shardlow Heritage Trust Council of Management	Councillor M Stanton

41. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor Mrs H Coyle Councillor Mrs K Coe Councillor M Stanton Councillor R Wheeler
42. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor D Muller
43. Social Care Forum	Councillor P Smith
44. South Derbyshire CVS	Councillor Mrs M Hall Councillor R Tipping
45. South Derbyshire Mental Health Association	Councillor J Hewlett
46. South Derbyshire Music Trust Management Committee	Councillor P Murray
47. South Derbyshire Partnership	Councillor M Ford Councillor A Billings Councillor K Richards Councillor T Southerd (sub) Economic Development Manager
48. South Derbyshire Strategic Sports Group	Councillor P Smith Councillor J Hewlett (sub)
49. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor Mrs H Coyle (sub)
50. Toyota Community Liaison Committee	Councillor Mrs L Brown Councillor D Muller
51. Waste Less/Save More Project	Councillor P Watson

Annexe E

MEMBER CHAMPIONS 2017/18

Armed Forces Covenant	Councillor Atkin
Arts & Culture	Councillor Hewlett
Consultation, Communication & Engagement	Councillor Murray
Corporate Plan	Councillor Mrs Coyle Councillor Dr Pearson
Design (Planning)	Councillor Mrs Brown
Equality & Diversity	Councillor Mrs Patten
Health & Safety	Councillor Watson Councillor Taylor
Historic Environment	Councillor Stanton
Information Technology	Councillor Billings Councillor Tilley
Older People	Councillor Coe
Performance & Data Quality	Councillor Harrison
Procurement & Business Improvement	Councillor Mrs Plenderleith
Risk Management	Councillor Watson
Safeguarding	Councillor Mrs Coe
Training	Councillor Mrs Hall Councillor Southerd
Waste & Recycling	Councillor MacPherson
Waste Less/Save More	Councillor Watson
Voluntary Sector	Councillor Hewlett
Young People	Councillor Mrs Patten