

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Council Chamber, Swadlincote
on Thursday, 20th January 2022
at 6.00pm

PRESENT:

Labour Group

Councillor Gee (Chair) and 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, Corbin, Ford, Haines, Hewlett,
Lemmon, Muller, Patten, Redfern, Smith and Watson.

Independent Group

Councillors Angliss, Dawson, Fitzpatrick, MacPherson and Roberts.

Non-Grouped

Councillor Wheelton
Councillor Churchill

A Minute's silence was held in memory of Adrian Lowery and Kath Lauro.
The Chief Executive, the Leader of the Council and Leaders of the
Conservative and Independent Groups paid their respects to Adrian Lowery.

Jack Lowery attended the Council Meeting and the Chair of the Council
presented him with a coat of arms in memory of Adrian.

CL/84 **APOLOGIES**

Council was informed that no apologies for absence had been received

CL/85 **INSPECTOR MIKE SISSMAN INTRODUCTION**

Inspector Mike Sissman introduced himself to Council, as the new local Police
Inspector and gave a brief history of his policing career. He assured Members
of his commitment to serve the local community and forge good partnership
working with south Derbyshire District Council Officers and Members. Inspector
Mike Sissman informed Council of his intention to keep them updated on a
regular basis

The Chair of the Council thanked the Inspector for his support during the
Snowman and Snow Dog Trail over the Christmas period.

Members thanked the Inspector for introducing himself and for the good work being carried, in particular knife and youth crime, Domestic Abuse and Child Protection.

CL/86 **TO CONFIRM THE OPEN MINUTES OF THE COUNCIL MEETINGS**

The Open Minutes of the Council Meetings held on the 4th November 2021 (CL/62-CL/83) were approved as a true record.

Under Rule 16.5 of the Council Procedure rules Members requested that a recorded vote be taken.

The Members who voted in favour of the minutes above were:

Councillors: Angliss, Atkin, Ackroyd, Bambrick, Bridgen, Brown, Churchill Corbin, Dawson, Dunn, Fitzpatrick, Ford, Gee, Haines, Heath, Hewlett, Lemmon, MacPherson, Mulgrew, Muller, Patten, Pearson, Pegg, Redfern, Rhind, Richards, Roberts, Shepherd, Singh, Smith, Southerd, Stuart, Taylor Tilley, Watson and Wheelton

CL/87 **DECLARATIONS OF INTEREST**

Council was informed that no declarations of interest had been received

CL/88 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the Council addressed Members and updated them on his attendance at various events during the Christmas period which included the Merry Christmas Stories at the Snowdome, the Snowman and the Snow Dog Trail in Swadlincote, the Belmont School Carol Service and a Tree Planting Ceremony at Cadley Care Home. A short video was presented to Council highlighting the many events that took place during this period.

CL/89 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council announced how the pension credit campaign had exceeded expectations and that the fly tipping fines imposed by courts had impacted positively with December 2021 having the lowest number of incidents in the last 11 years. The Snowman and Snow Dog Trail in Swadlincote had been hailed as a great success and all those concerned were thanked by the Leader. Members were informed that the Freeport was progressing and that the Final Business Case was expected to be circulated on 31st January 2022.

CL/90 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service informed the Council that he and the Leader would send a letter of condolence to Ken Walker on the passing of his wife, Freda. Members were informed that a Freeport Report would be presented at the 10th February 2022 Finance and Management Committee. The Head of Paid Service informed Members of the success of the online Community Area Meetings and that an update report would be brought to Council following another round of online meetings.

CL/91 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/92 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received

CL/93 **TO CONSIDER ANY NOTICES OF MOTION**

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

At the Annual Council of May 2021, Councillor Richards brought forward a motion to allow Special Responsibility Allowances to be awarded to a second opposition groups at SDDC. A late amendment to his own proposal saw a clause being added that only groups registered as political parties at the Electoral Commission would be liable for such SRA's.

When this motion came before full council in November 2021 for ratification, the South Derbyshire Independent Group stated clearly that the proposal had introduced a clear inequality to the Council, that being that Independent Councillors who wished to form an opposition group at SDDC were to be treated differently to those Councillors who may belong to a political party recognised by the Electoral Commission. To our group this was a clear case of "all Councillors are equal, but some are more equal than others." Despite our arguments that ratification was passed and became part of the SDDC Rules.

Having never asked for this rule change and stating before full council that if SRA's were offered to our members under the rule change that they would rescind or donate such payments to charity, our Group cannot stand by and allow a clear inequality to exist at the heart of this council.

Whatever the best intentions of Councillor Richards motion were, in our opinion those intentions have been betrayed by the introduction of inequality into our Council and it is for that reason only that our Group are bringing this vote of no confidence in his leadership of this council.

Councillor Richards opposed the motion that sought to bring about political change of a decision approved by Annual Council in May 2021 and asked Members to consider the evidence when making their decision.

Councillor Churchill supported the Leadership of the Council and did not agree with the content of the proposed motion.

Councillor Bridgen noted it was the responsibility of Council to always act with honesty, integrity and in the best interests of the Local Authority and went on to praise the work that had been undertaken by the Leader of the Council

RESOLVED:

The Council did not approve a vote of no confidence in Councillor Richards' leadership of the Council.

Under Rule 16.5 of the Council Procedure rules Members requested that a recorded vote be taken.

The Members who voted in favour of the above resolution were:

Councillors: Angliss, Dawson, Fitzpatrick, MacPherson and Roberts.

The Members who voted against the above resolution were:

Councillors Bambrick, Churchill, Dunn, Gee, Heath, Mulgrew, Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor Tilley and Wheelton

The Members who abstained were:

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

CL/94 **GAMBLING ACT 2005 POLICY**

The Senior Licensing Officer presented the report to Council and outlined minor changes following consultation. Members were informed that the report had been approved by the Environmental and Development Services Committee in November 2021

RESOLVED:

That Members approved the Council's Gambling Act 2005 Statement of Licensing Policy ("the Policy") and Local Area Profile Plan.

CL/95 **APPOINTMENT OF AN EXTERNAL AUDITOR 2023/24 TO 2021/28**

The Strategic Director (Corporate Resources) presented the report to Council that had been considered by the Audit Sub-Committee and requested full Council approval to continue with the appointment and explained that a decision was required before March 2022. It was explained that the National Framework was considered the best and most cost effective route for the Council

Councillor Watson, as a former Chair of Finance and Management Committee and Councillor Dunn as the Chair of Audit Sub-Committee fully supported the proposal.

RESOLVED:

Members approved that the Council should opt into the national procurement framework for the appointment of its External Auditor from the financial year 2023/24.

CL/96 **TO RECEIVE AND CONSIDER THE OPEN MINUTES OF THE FOLLOWING COMMITTEE MEETINGS:**

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Etwell Joint Management Committee	06.01.21	EL/08-EL/12
Planning Committee	01.06.21	PL/01-PL/12
Planning Committee	22.06.21	PL/13-PL/23
Audit Sub Committee	28.06.21	AS/01-AS/14
Overview & Scrutiny Committee	01.09.21	OS/01-OS/07
Audit Sub Committee	08.09.21	AS/15-AS/23
Etwell Joint Management Committee	22.09.21	EL/01-EL/06
Environmental & Development Services Committee	23.09.21	EDS/138-EDS/145
Housing & Community Services Committee	30.09.21	HCS/30-HCS/37
Finance & Management Committee	07.10.21	FM/62-FM/71
Overview & Scrutiny Committee	13.10.21	OS/08-OS/17
Finance & Management Committee	21.10.21	FM/76-FM/84
Environmental & Development Services Committee	11.11.21	EDS/147-EDS/159
Housing & Community Services Committee	18.11.21	HCS/42-HCS/53
Finance & Management Committee	25.11.21	FM/90-FM/105
Audit Sub Committee	08.12.21	AS/24-AS/37

RESOLVED:

That the above Committee Meetings Open Minutes were received and approved as a true record.

CL/97 **POLITICAL PROPORTIONALITY**

The Head of Legal and Democratic Services presented the report to Council and sought approval of the recommendations and allocation of seats as per Annexe A of the report.

RESOLVED:

- 1.1 That Council approved and adopted the recommended allocation of seats to the Political Groups and Non-Grouped Members for the remainder of municipal year 2021/22.***
- 1.2 That Council allocated seats between the Political Groups and Non-Grouped Members as set out at Annexe 'A'.***

CL/98 **TO REVIEW THE COMPOSITIONS OF COMMITTEES, SUB-COMMITTEES, AND WORKING PANELS**

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

Councillor Bridgen advised Council that she would submit in writing the Conservative Group Members for Committees, Sub-Committees and Working Panels.

RESOLVED:

- (1) That the amendments of Members to serve on Committees, Sub-Committees and Working Panels for the remainder of the Municipal year, as set out at Annexe “B” to these Minutes be received and noted.***
- (2) That the amendments of Chairs and Vice-Chairs be received and noted as indicated in Annexe B” to these Minutes.***

CL/99 **TO REVIEW THE COMPOSITIONS OF THE SUBSTITUTE PANELS**

The Members reviewed the composition of Substitute Panels 2021-22.

Councillor Bridgen advised Council that she would submit in writing the Conservative Group Members for Substitute Panels.

RESOLVED:

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

CL/100 **TO REVIEW REPRESENTATION ON OUTSIDE BODIES**

Members reviewed the Outside Bodies representation list.

RESOLVED:

Council noted the following changes to the representation on Outside Bodies:

East Midlands Airport Liaison Committee

Councillor S Taylor

Councillor Pegg

Councillor Hewlett

Councillor Churchill & Substitute Councillor Haines

CL/101 **TO REVIEW MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/102 **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/103 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11**

Council was informed that no questions had been received.

CL/104 **TO RECEIVE AND CONSIDER THE EXEMPT MINUTES OF THE FOLLOWING COMMITTEE MEETINGS:**

<u>Committee</u>	<u>Date</u>	<u>Minutes No's</u>
Environmental & Development Services Committee	23.09.21	EDS/147-EDS/148
Housing & Community Services Committee	30.09.21	HCS/38-HSC/41
Finance & Management Committee	07.10.21	FM/72-FM75
Finance & Management Committee	21.10.21	FM/85-FM/89
Housing & Community Services Committee	18.11.21	HCS/54-HCS/56
Finance & Management Committee	25.11.21	FM/106-FM/110

RESOLVED:

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

The meeting terminated at hours 19:30 hrs

COUNCILLOR M GEE

CHAIR OF THE DISTRICT COUNCIL