

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 1st November 2001
at 6.00 p.m.

PRESENT:-

Labour Group

Councillor Rose (Chair), Councillor Mrs. Mead (Vice-Chair) and Councillors Bambrick, Bell, Brooks, Carroll, Dunn, Evens, Ford, Harrington, Knight, Lauro, Pabla, Richards, Mrs. Rose, Shepherd, Sherratt, Southerd, Southern, Stone, Taylor, Whyman and Wilkins.

Conservative Group

Councillors Bale, Bladen, Harrison, Hood, Lemmon, Mrs. Robbins, Shaw, Mrs. Walton and Mrs. Wheeler.

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Routledge (Labour Group) and Councillor Douglas (Conservative Group).

CL/64. **MINUTES**

The Open Minutes of the Meeting of the Council held on 20th September 2001 (Minutes Nos. CL/52 - CL/61) were taken as read, approved as a true record and signed by the Chair.

CL/65. **MEMBERS' ALLOWANCES**

Members considered the report of the Independent Remuneration Panel on this matter.

RESOLVED:-

That consideration of this matter be deferred until the next Meeting of the Council to enable representatives of both political groups to meet with the Panel to discuss matters of clarification.

CL/66. **CHAIR'S ANNOUNCEMENTS**

The Chair thanked those Members who had supported his Civic Service on 7th October 2001 and advised that the Remembrance Day Parade and Service would be held on 11th November 2001. The switch-on of the Swadlincote Christmas lights would take place on 30th November 2001 and the Chair advised that the last date for ticket applications was 16th November 2001. A Supper and Song Evening with Rachel would be held on 19th January 2002, the proceeds of which would be donated to the Chair's Charity Appeal.

The Chair welcomed Kevin Stackhouse to the Meeting, the newly appointed Finance Services Manager who had recently commenced employment with the Council. The Chair also welcomed two young persons who were

shadowing Councillors Harrington and Mrs. Mead as part of Democracy Week.

CL/67. **LEADER'S ANNOUNCEMENTS**

The Leader reported on his visit to Sweden with the Chair of the Council, the Chair of the Development Services Committee and the Chief Executive. On behalf of the party, he expressed his gratitude at the hospitality and welcome given and also thanked the Chief Executive for his efforts in attracting sponsorship to cover the costs of the visit. The Chief Executive responded and Members expressed a wish that such links with the Authority in Sweden be continued. It was agreed that a letter of thanks be forwarded to the Authority in Sweden.

The Leader advised that during the afternoon of Friday 26th October 2001, he was called to several properties in Hatton concerning flooding issues following a period of heavy rain. After contacting Severn Trent Water regarding the serious problem of sewerage, the Leader had spoken to Mr. Hansed, the District Council's Technical Services Manager who had telephoned several offices of Severn Trent Water to obtain a response. However, no response was forthcoming and the Leader condemned the actions of Severn Trent for its insensitive manner in this regard, which was endorsed by Members. It was noted that this Council's officers, being Mr. Hansed along with Mr. Reid, the Deputy Chief Executive, were the only officers assisting in the problem.

The Leader advised that it was necessary to clear the watercourses to enable the water to flow into the River Dove. It was noted that this was the responsibility of the appropriate landowners and the Council had committed itself to ensuring that these would be cleared, which the Council could enforce as the Land Drainage Authority by requiring action by the landowners or undertaking the works and recharging accordingly. The Deputy Chief Executive confirmed the accuracy of the Leader's understanding and advised that staff within Mr. Hansed's Division had recently visited landowners in Hatton to commence discussions.

On behalf of the residents of Hatton, the Leader expressed his gratitude to Mr. Reid and Mr. Hansed for their efforts in this matter.

RESOLVED:-

That the Council invoke its statutory responsibilities as the Land Drainage Authority in connection with the necessary clearing of the water courses, as outlined above.

CL/68. **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, subject to any matters annotated:-

Development Control Committee, 25th September 2001 (Minutes Nos. DC/37 - DC/49)

Development Services Committee, 27th September 2001 (Minutes Nos. DS/12 - DS/17)

Overview Committee, 1st October 2001 (Minutes Nos. OV/2 - OV/6)

Community Services Committee, 4th October 2001 (Minutes Nos. CS/33 - CS/44)

Appeals and Licensing Committee, 10th October 2001 (Minute No. AL/1)

Finance and Management Committee, 11th October 2001 (Minutes Nos. FM/40 - FM/46)

(Minute No. FM/45, Draft Corporate Plan 2001 – The Draft Corporate Plan was approved subject to a revised Vision, namely “To promote and enhance the social, economic and environmental wellbeing of the community through the provision of cost-effective, customer focused services”).

Community Scrutiny Committee, 15th October 2001 (Minutes Nos. CYS/7 - CYS/11)

Development Control Committee, 16th October 2001 (Minutes Nos. DC/51 - DC/58)

(It was noted that Councillor Evens had also spoken to Minute No. DC/52{b}).

Corporate Scrutiny Committee, 22nd October 2001 (Minutes Nos. COS/8 - COS/14)

(Minute No. COS/12, Corporate Plan – Following a query, the Chief Executive advised that the necessary completions would now be made to sections of the Plan following its approval in principle).

Overview Committee, 29th October 2001 (Minutes Nos. OV/7 - OV/10)

CL/69. **NOTICES OF MOTION**

- (a) In accordance with Council Procedure Rule No. 12, it was reported that Councillor Richards had given notice of the following Motion:-

“Following recent events abroad, I believe we are now seeing an escalation in racial harassment and violence against Black and Minority Ethnic Communities and particularly the Muslim community in the UK. It is my personal view that there is a campaign of organised racist attacks against Black and Asian communities in towns across the breadth and width of the country, on top of attacks on asylum seekers and the increased climate of racial tension across the UK in both urban and rural areas.

This Council has a key role in ensuring through our partnership with other organisations that we strive to eradicate racism and discrimination of any form.

This Council resolves to:

- (a) Strengthen links and establish appropriate partnerships with the Commission for Racial Equality and other national, regional and local Black and minority ethnic groups and organisations.
- (b) Work in partnership with such organisations to establish joint plans of action particularly in respect of the advice, information and support needs of victims of racist incidents.
- (c) Call upon the LGA nationally and locally to highlight the increasing prevalence of racial violence and abuse in the UK.
- (d) To reaffirm our commitment to the Commission for Racial Equality Leadership Challenge as previously signed by this Authority”.

Councillor Richards proposed the Motion, which was duly seconded. Councillor Shepherd proposed the following amendment to the Motion, which was duly seconded:-

“Following recent events abroad, I believe we are now seeing an escalation in racial harassment and violence against Black and Minority Ethnic Communities and particularly the Muslim community in the UK. It is my personal view that there is a campaign of organised racist attacks against Black and Asian communities in towns across the breadth and width of the country, on top of attacks on asylum seekers and the increased climate of racial tension across the UK in both urban and rural areas.

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- (b) Work in partnership with such organisations to establish joint plans of action particularly in respect of the advice, information and support needs of victims of racist incidents.
- (c) Call upon the LGA nationally and locally to highlight the increasing prevalence of racial violence and abuse in the UK.
- (d) To reaffirm our commitment to the Commission for Racial Equality Leadership Challenge as previously signed by this Authority.
- (e) To revisit our response to the Race Relations (Amendment) Act 2000 which placed a general duty on public authorities to be proactive in promoting race equality. The specific duties, the guidelines of which are to be published this month, should be reviewed by Officers in conjunction with the appropriate Scrutiny Committee and a report be presented to the full Council.”

The amendment was debated, put to a vote and carried.

RESOLVED:-

That the Motion, as set out below, be carried:-

“Following recent events abroad, I believe we are now seeing an escalation in racial harassment and violence against Black and Minority Ethnic Communities and particularly the Muslim community in the UK. It is my personal view that there is a campaign of organised racist attacks against Black and Asian communities in towns across the breadth and width of the country, on top of attacks on asylum seekers and the increased climate of racial tension across the UK in both urban and rural areas.

This Council has a key role in ensuring through our partnership with other organisations that we strive to eradicate racism and discrimination of any form.

This Council resolves to:

- (a) Strengthen links and establish appropriate partnerships with the Commission for Racial Equality and other national, regional and local Black and minority ethnic groups and organisations.***
- (b) Work in partnership with such organisations to establish joint plans of action particularly in respect of the advice, information and support needs of victims of racist incidents.***
- (c) Call upon the LGA nationally and locally to highlight the increasing prevalence of racial violence and abuse in the UK.***
- (d) To reaffirm our commitment to the Commission for Racial Equality Leadership Challenge as previously signed by this Authority.***
- (e) To revisit our response to the Race Relations (Amendment) Act 2000 which placed a general duty on public authorities to be proactive in promoting race equality. The specific duties, the guidelines of which are to be published this month, should be reviewed by Officer in conjunction with the appropriate Scrutiny Committee and a report be presented to the full Council.”***

- (b) In accordance with Council Procedure Rule No. 12, it was reported that Councillor Carroll had given notice of the following Motion:-

“This Council recognises the increasing pressures on the National Health Service and the constant threat of private medical care. The use of private health care is of course a matter of personal choice

but there are many people who cannot afford or will not use private medicine as a matter of principle.

We are increasingly aware that doctors' surgeries are over-subscribed with practices stating that their lists are full to capacity. This is further exacerbated by the recent announcement that dental services are becoming private practice. Many residents have received correspondence notifying them of the fact. A significant number of residents fall just above the Income Support threshold placing them in the "poverty trap" and denying them free dental treatment which is another nail in the coffin of NHS facilities in South Derbyshire.

This Council is very concerned for the health and welfare of the residents of South Derbyshire and resolves to:-

- call upon our MP Mark Todd to do all in his power to persuade government to provide appropriate resources to ensure adequate NHS provision in all aspects of health care over the whole of the South Derbyshire District Council area.
- instruct officers of the Council to make our concerns known to, and work with local health agencies including South Derbyshire Health Authority and both Primary Care Trusts to provide for the increasing health needs of the area and cease the erosion of NHS facilities within the district."

Councillor Carroll proposed the Motion, which was duly seconded. Councillor Mrs. Wheeler proposed the following amendment to the Motion, which was duly seconded:-

"This Council recognises the increasing pressures on the National Health Service. The use of private health care is of course a matter of personal choice but there are many people who cannot afford or will not use private medicine as a matter of principle.

We are increasingly aware that doctors' surgeries are over-subscribed with practices stating that their lists are full to capacity. This is further exacerbated by the recent announcement that dental services are becoming private practice. Many residents have received correspondence notifying them of the fact. A significant number of residents fall just above the Income Support threshold placing them in the "poverty trap" and denying them free dental treatment which is another nail in the coffin of NHS facilities in South Derbyshire.

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- call upon our MP Mark Todd to do all in his power to persuade government to provide appropriate resources to ensure adequate NHS provision in all aspects of health care over the whole of the South Derbyshire District Council area.

- instruct officers of the Council to make our concerns known to, and work with local health agencies including South Derbyshire Health Authority and both Primary Care Trusts to provide for the increasing health needs of the area and cease the erosion of NHS facilities within the district.”

The amendment was debated, put to a vote, and lost.

RESOLVED:-

That the Motion, as set out below, be carried:-

“This Council recognises the increasing pressures on the National Health Service and the constant threat of private medical care. The use of private health care is of course a matter of personal choice but there are many people who cannot afford or will not use private medicine as a matter of principle.

We are increasingly aware that doctors’ surgeries are over-subscribed with practices stating that their lists are full to capacity. This is further exacerbated by the recent announcement that dental services are becoming private practice. Many residents have received correspondence notifying them of the fact. A significant number of residents fall just above the Income Support threshold placing them in the “poverty trap” and denying them free dental treatment which is another nail in the coffin of NHS facilities in South Derbyshire.

This Council is very concerned for the health and welfare of the residents of South Derbyshire and resolves to:-

- ***call upon our MP Mark Todd to do all in his power to persuade government to provide appropriate resources to ensure adequate NHS provision in all aspects of health care over the whole of the South Derbyshire District Council area.***
- ***instruct officers of the Council to make our concerns known to, and work with local health agencies including South Derbyshire Health Authority and both Primary Care Trusts to provide for the increasing health needs of the area and cease the erosion of NHS facilities within the district.”***

- (c) In accordance with Council Procedure Rule No. 12, it was reported that Councillor Wilkins had given notice of the following Motion:-

“The thousands of job losses announced by Rolls Royce in the wake of the events of 11th September represent a bitter blow for the East Midlands in general, but in particular for the skilled and talented Rolls Royce workforce from South Derbyshire.

The proposed job losses will have an enormous impact on the region and serious consequences for those suppliers and businesses who rely on their contracts with Rolls Royce.

Local communities are likely to be affected badly by the proposals as individuals and their families face the prospect of losing their jobs and their incomes.

This Council calls upon Government and agencies to take immediate steps to respond to the announcement of job losses by Rolls Royce and initiate action to mitigate the serious consequences for individuals, families, communities, businesses and suppliers by:-

- ◆ providing advice, guidance and support for those seeking new jobs and training opportunities;
- ◆ examining the action which can be taken to support the communities affected;
- ◆ extending the exceptional aid which is currently available to airlines to European aircraft and aero engine producers; and also to those businesses who rely on their contracts with such producers.”

Councillor Wilkins proposed the Motion, which was duly seconded. It was debated and, on a vote, it was,

RESOLVED:-

That the Motion be carried.

(Councillors Shepherd and Taylor declared interests in this matter and withdrew from the Meeting during the consideration and determination thereof).

CL/70. **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.

CONSTITUTION

(a) Terms of Reference

Members considered proposed amended Terms of Reference to be effective from the Committee Cycle following the next Council Meeting on 13th December 2001. These had been prepared in consultation with the Chairs of the policy committees, particularly the Development Services Committee and the Community Services Committee.

RESOLVED:-

That the Terms of Reference attached at Annexe 'A' to these Minutes be adopted with effect from the Committee Cycle following the next Council Meeting on 13th December 2001.

(Councillor Richards left the Meeting at 7.25 p.m.)

(b) Substitution Rules

It was reported that at the Meeting of the Community Services Committee held on 4th October 2001, a Member had raised concern at the current substitution rules and accordingly, the matter had been referred to the Council for consideration. Members considered the current substitution rules and it was noted that the Substitute Panels had been appointed at the Council Meeting held on 9th August 2001.

Members expressed a wish for some relaxation on the current restrictions on the appointment of substitutes.

RESOLVED:-

That further consideration be given to this matter at the next Council Meeting to be held on 13th December 2001 and a report on the options be prepared accordingly.

(Councillor Bale left the Meeting at 7.30 p.m.)

CL/71. **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 20th September 2001 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted:-

Development Control Committee, 25th September 2001

Community Services Committee, 4th October 2001

Appeals and Licensing Committee, 10th October 2001

Finance and Management Committee, 11th October 2001

SHELTERED HOUSING REVIEW - APPLICATIONS FOR VOLUNTARY EARLY RETIREMENT AND VOLUNTARY REDUNDANCY (Paragraph No. 1)

The Council approved several voluntary early retirements and voluntary redundancies in connection with the review of the Sheltered Housing Service.

REPLACEMENT REFUSE FREIGHTER (Paragraph No. 10)

The Council agreed to accept a tender in respect of the provision of a replacement refuse freighter.

C.H. ROSE

CHAIR