

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 22nd September 2016
at 6.00pm

PRESENT:-

Conservative Group

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

Labour Group

Councillors Bambrick, Chahal, Dunn, Dr Pearson, Rhind, Richards, Shepherd, Mrs Stuart, Taylor and Tilley

CL/56 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Smith (Conservative Group), Southerd and Wilkins (Labour Group).

Councillor Richards updated Council on Councillor Wilkins' progress. Best wishes were passed on by all Members.

CL/57 **ROSPA AWARD**

The Chairman announced the Council's achievement in once again attaining a Gold Award from the Royal Society for the Prevention of Accidents, national recognition that the Council strives to safeguard the health and well-being of its staff and workforce to reduce the risk of accidents occurring in the workplace.

The Chairman presented the Award to the Council's Health and Safety Officer, Tony Guest, who received it on behalf of all Council officers. Thanks were also expressed to Councillors Watson and Taylor in their role as Health and Safety Champions, their involvement demonstrating how seriously the Council takes its health and safety responsibilities.

CL/58 **DEMENTIA**

Councillor Mrs Farrington introduced Darren Perry of the South Derbyshire Dementia Action Alliance who delivered a presentation to Council on the condition. Reference was made to the promotional activities of the Alliance and the aims of spreading the Dementia Friendly principles across Derbyshire, aided by the new Forget-Me-Not logo.

The Leader acknowledged that many families were becoming aware of the effects of dementia and how important it was that the matter be taken

seriously, encouraging all efforts to increase awareness. Councillor Dunn supported this approach, noting its timeliness and similar initiatives at the County Council. The Health Partnership Manager outlined the Council's four main aims in this area, namely for the Council to attain Dementia Friendly status; to develop a housing offer that supports residents with dementia and their carers; to provide information and advice about local dementia friendly services to South Derbyshire residents and to support the South Derbyshire Dementia Action Alliance.

Councillor Mrs Farrington led Members in thanking Mr Perry and officers for their work in this area.

CL/59 **MINUTES OF ANNUAL COUNCIL**

The Open Minutes of the Annual Council held on 30th June 2016 (Minute Nos. CL/36-CL/52) were approved as a true record.

CL/60 **DECLARATIONS OF INTEREST**

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

CL/61 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last meeting, including the new Council homes at Lullington Road, Overseal, the Newhall Park Memorial, the Dancing in the Forest event, the Pingle School 50 years event, the Civic Service, the Aston on Trent bowls day, the opening of the Maurice Lee Park World War One Walk, a visit to JCB to recognise its two Queen's Awards, the opening of the climbing wall at the Greenbank leisure centre, the Last Night of the Proms and the opening of the Melbourne Sporting Partnership pavilion. The Chairman also referred to the recognition of South Derbyshire around the world – a member of the 1211 Squadron had presented two New Zealand mayors with civic gifts, for which letters of thanks had been received; a member of the Texas Baptist Church had been presented with civic gifts, as had visitors from Japan.

Special tribute was paid to local swimmer and Pingle School student, Lewis White, who had won a medal at the recent Rio Paralympics.

The Chairman also drew attention to the charity dinner soon to be held at Burton Albion in aid of the prostate cancer charity, Men Utd and asked that Members give it their support.

CL/62 **ANNOUNCEMENTS FROM THE LEADER**

The Leader also commended Lewis White for his achievements at the Rio Paralympics and his intention to invite him to a future Council.

The Leader also relayed an update on devolution matters, in that senior officers from Derbyshire and Nottinghamshire had recently met with Treasury officials and outcomes from these discussions were awaited.

CL/63 ANNOUNCEMENTS FROM HEAD OF PAID SERVICE

The Chief Executive made reference to requests for information relating to costs incurred by the Council in Planning Appeals. This information had been collated and was passed to the Leader of the Controlling Group and the Leader of the Opposition.

Details of the successful development of council land were also relayed relating to the Midway Community Centre and the facilities provided at the site, all benefiting the local community.

The Chief Executive invited Gillian Coates to provide a brief update on the Sainsbury's Waste Less Save More project. It was reported that the campaign website had attained 156,000 hits to date; that eight Food Saver Champs had helped undertake over 20 events; that over 2,000 children had taken part in workshops as part of the Fab Food campaign, the Eureka School completing the full programme and recording a 37% reduction in food waste; that food waste weigh-in initiatives had taken place in ten homes with more planned and that £550k had been spent in the area so far as a result of the project. The Chief Executive also referred to the positive local and national publicity this project was generating for South Derbyshire and invited Gillian to present a full report to Council at the end of the project.

CL/64 QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

Council were informed that no questions had been received.

CL/65 QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

Council were informed that no questions had been received.

CL/66 SEALED DOCUMENTS

03.08.16 11435 Transfer – 24 South Drive, Newhall
03.08.16 11438 Transfer – 3 Durham Close, Midway
12.08.16 11441 Transfer – 98 Heath Lane, Findern

RESOLVED:

That the Sealed Documents listed, for which there is no specific authority, be duly authorised.

CL/67 ANNUAL REPORT 2015/16

The Chief Executive presented the report to Council.

RESOLVED:-

Members noted the draft Annual Report 2015/16.

CL/68 **COUNCIL SUMMONS – THE LOCAL GOVERNMENT (ELECTRONIC COMMUNICATIONS) (ENGLAND) ORDER 2015**

The Monitoring Officer presented the report to Council.

Councillor Richards proposed that the wording of recommendation 1.2 be amended to read 'That Members give consent or not to receive Council summonses electronically'. This amendment was passed by Council.

RESOLVED:-

- 1) Members approved the amendments to the Constitution to meet the requirements of the Local Government (Electronic Communications) (England) Order 2015.***
- 2) Members gave consent or not to receive Council summonses electronically.***

Members were asked to state whether or not they consented to receive Council summonses electronically:

The Members who voted to receive summons electronically were: Councillors Atkin, Bambrick, Billings, Mrs Brown, Chahal, Mrs Coe, Coe, Mrs Coyle, Mrs Farrington, Ford, Grant, Mrs Hall, Harrison, Hewlett, Muller, Murray, Mrs Patten, Dr Pearson, Mrs Plenderleith, Roberts, Swann, Tilley, Watson, Wheeler and Mrs Wyatt.

The Members who voted not to receive summons electronically were: Councillors Dunn, MacPherson, Rhind, Richards, Shepherd, Stanton, Mrs Stuart and Taylor.

CL/69 **ADOPTION OF STREET TRADING**

The Monitoring Officer presented the report to Council.

RESOLVED:-

- 1) Members adopted the resolution detailed in paragraph 3.4 of the report so as to allow street trading in the area detailed to come into effect from 1st November 2016.***
- 2) Members approved the Street Trading Policy to come into effect from 1st November 2016.***
- 3) Members approved the proposed fees for street trading.***

CL/70 **LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW LETTER 2016 AND UPDATE ON RECENT DEVELOPMENTS TO THE OMBUDSMAN**

The Chief Executive presented the report to Council.

RESOLVED:-

Members accepted the Local Government Ombudsman's Annual Review Letter 2016.

CL/71 **COMMUNITY GOVERNANCE REVIEW – NEWHALL AND STANTON:
FINAL PROPOSALS**

The Chief Executive presented the report to Council, clarifying that the submissions contained within the documents at Appendix 6 had not been included in the figures quoted for the consultation response.

The Leader stated that he supported parish council's in principle, that they could be vital to the community if active, providing other services. He had therefore been encouraged when a Newhall and Stanton Parish Council had first been proposed. The Leader stated that whilst the Council had the right to proceed with the formation of a parish council, it did not have the moral right to do so and therefore, in light of the final consultation response figures, he proposed that no further action be taken in relation to this matter.

Councillor Richards stated that whilst he was not opposed to parish council's, the local Members were not sure what the electorate wanted on this occasion and had therefore initiated the survey to clarify their views. Given the outcome, he also supported the Leader's proposal.

RESOLVED:-

Members resolved not to create a Parish Council for Newhall and Stanton.

CL/72 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees were approved as a true record:-

<i>Finance and Management Special</i>	<i>21.06.16</i>	<i>FM/26-FM/33</i>
<i>Overview and Scrutiny</i>	<i>22.06.16</i>	<i>OS/1-OS/9</i>

Councillor Richards queried the protocol for calling informal Overview and Scrutiny meetings, a query responded to by the Chairman of the Committee.

<i>Planning</i>	<i>28.06.16</i>	<i>PL/1-PL/20</i>
<i>Etwell Joint Management Committee</i>	<i>11.07.16</i>	<i>EL/46-EL/51</i>
<i>Planning</i>	<i>19.07.16</i>	<i>PL/24-PL/32</i>
<i>Finance and Management Special</i>	<i>21.07.16</i>	<i>FM/40-FM/44</i>
<i>Planning</i>	<i>09.08.16</i>	<i>PL/35-PL/51</i>
<i>Licensing and Appeals</i>	<i>12.08.16</i>	<i>LAS/7-LAS/9</i>
<i>Environmental and Development Services</i>	<i>18.08.16</i>	<i>EDS/17-EDS/26</i>

Councillor Shepherd referred to his previous requests for information relating to Planning Appeal costs and noted the Chief Executive's earlier announcement on this matter.

<i>Housing and Community Services</i>	<i>25.08.16</i>	<i>HCS/22-HCS/31</i>
<i>Finance and Management</i>	<i>01.09.16</i>	<i>FM/47-FM/60</i>
<i>Planning</i>	<i>06.09.16</i>	<i>PL/52-PL/66</i>
<i>Overview & Scrutiny</i>	<i>07.09.16</i>	<i>OS/10-OS/18</i>

Area Forums

<i>Etwell</i>	<i>27.06.16</i>	<i>EA/1-EA/9</i>
<i>Newhall</i>	<i>29.06.16</i>	<i>NA/1-NA/9</i>
<i>Repton</i>	<i>05.07.16</i>	<i>RA/1-RA/9</i>
<i>Swadlincote</i>	<i>07.07.16</i>	<i>SA/1-SA/9</i>
<i>Melbourne</i>	<i>14.07.16</i>	<i>MA/1-MA/9</i>
<i>Linton</i>	<i>20.07.16</i>	<i>LA/1-LA/9</i>

CL/73 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

Council were informed that no changes had been made to the composition of the committees, sub-committees and working panels since its last meeting.

CL/74 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader confirmed the following change in substitute panel compositions:
Planning Committee: Councillor Mrs Patten to replace Councillor Wheeler

CL/75 **REPRESENTATION ON OUTSIDE BODIES**

Council were informed that no changes had been made to representations on outside bodies since its last meeting.

CL/76 **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 ANNUAL COUNCIL

The Exempt Minutes of the Annual Council Meeting held on 30th June 2016 (Minute Nos. CL/53-CL/55) 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:-

<i>Finance and Management Special</i>	<i>21.06.16</i>	<i>FM/34-FM/39</i>
<i>Planning</i>	<i>28.06.16</i>	<i>PL/21-PL/23</i>
<i>Planning</i>	<i>19.07.16</i>	<i>PL/33-PL/34</i>
<i>Finance and Management Special</i>	<i>21.07.16</i>	<i>FM/45-FM/46</i>
<i>Licensing and Appeals</i>	<i>12.08.16</i>	<i>LAS/10-LAS/13</i>
<i>Environmental and Development Services</i>	<i>18.08.16</i>	<i>EDS/27-EDS/28</i>
<i>Housing and Community Services</i>	<i>25.08.16</i>	<i>HCS/32-HCS/34</i>
<i>Finance and Management</i>	<i>01.09.16</i>	<i>FM/61-FM/64</i>

The meeting terminated at 7.15pm.

COUNCILLOR P MURRAY

CHAIRMAN OF THE DISTRICT COUNCIL