

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 29th June 2017
at 6.00pm

PRESENT:-

Conservative Group

Councillor Stanton (Chairman), Councillor Mrs Hall (Vice Chairman), Councillors Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Harrison, Hewlett, MacPherson, Muller, Murray, Mrs Plenderleith, Roberts, Smith, Swann, Tipping, Watson and Wheeler

Labour Group

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

CL/28 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Atkin, Billings, Mrs Brown, Mrs Patten and Mrs Wyatt (Conservative Group) and Councillor Dunn (Labour Group).

CL/29 **PRESENTATION: SOUTH DERBYSHIRE PARTNERSHIP**

As Chairman of the South Derbyshire Partnership, the Leader introduced the presentation which was delivered by the Director of Community and Planning Services and the Health Partnership Manager highlighting the Partnership's key objectives.

Councillor MacPherson requested information on how projects would be funded and the order in which they would be prioritised. The Director provided information on funding from the Council and the various organisations that contribute to the Partnership.

Councillor Smith welcomed the newly-appointed Health Partnership Manager and thanked both Officers for the presentation.

CL/30 **MINUTES OF ANNUAL COUNCIL**

The Open Minutes of the Annual Council held on 18th May 2017 (CL/1-CL/24) were approved as a true record.

CL/31 **MINUTES OF CIVIC COUNCIL**

The Open Minutes of the Civic Council held on the 25th May 2017 (CC/1-CC/5) were approved as a true record.

It was noted that in reference to the Vice-Chairman, Minute No. CC/3, should have read 'Councillor Mrs Hall then made the Declaration of Acceptance of Office of Vice-Chairman and thanked Members for the honour conferred upon her'.

CL/32 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

CL/33 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since his appointment, including the Music at Melbourne event, Summer Tea Party to celebrate the work of the CVS volunteers, Dance in the Forest at the Glade in Rosliston Forestry Centre, Armed Forces Day where the Chairman had accepted the flag from the British Legion and had it hung over the Civic Offices for a week to mark Armed Forces Week, Festival of Leisure, the reception held for 12/11 Squadron, South Derbyshire Music Centre in Coton, and presentations for achievement awards held at Pingle Academy and Burton and South Derbyshire College.

CL/34 **ANNOUNCEMENTS FROM THE LEADER**

The Leader referred to the successful Festival of Leisure event and commended all involved.

Whilst noting the process of developing the Corporate Plan, the Leader informed Council that it had been suggested that a Member Champion for the Corporate Plan be appointed. Council were advised that this item would be added to the Agenda as a formal nomination for the next Meeting and the Opposition were invited to appoint a representative accordingly. The Leader advised that Councillor Mrs Coyle would represent the Conservative Group.

CL/35 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/36 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The following question had been received, on notice, from Councillor Richards:

"Given the recent Grenfell Tower tragedy, can the Chief Executive assure this Council, that we have not approved or contracted any installation of external cladding similar to that used at Grenfell Towers (Aluminium composite material) on any buildings that do not comply with health & safety, fire and Building Regulations."

In the absence of the Chief Executive, the Director of Finance and Corporate Services confirmed that the Council does not own or manage any high rise

properties and has not used Aluminium Composite Material for external cladding on its buildings. Members were advised that central government (Communities Department) had been informed that no issues had been raised by the recent checks conducted on any Council properties, in particular those housing tenants and that the Council were working with government for updates on the national situation

Councillor Richards welcomed this response and requested that this reassurance be publicised to notify tenants and residents of South Derbyshire. The Leader informed Council that a public statement would be issued shortly.

CL/37 **SEALED DOCUMENTS**

| <u>Date</u> | <u>No. of Seal</u> | <u>Nature of Document</u> |
|-------------|--------------------|--|
| 07.04.17 | 11703 | Transfer – 23 Kilburn Way, Newhall |
| 21.04.17 | 11711 | Transfer – 5 Windsor Close, Newhall |
| 01.06.17 | 11740 | Transfer – 27 Nelson Street, Swadlincote |
| 14.06.17 | 11747 | Transfer – 16 Dundee Road, Midway |

RESOLVED:

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

CL/38 **LOCAL PLAN PART 2 MODIFICATIONS**

The Director of Planning and Community Services presented the report to Council explaining that an additional recommendation to note the Inspector's Letter at Appendix D had been included. The Director updated Members that Officers had been delegated authority to consider modifications made through the examination process. The main modifications required were outlined in the report and explained in detail in the Appendices.

The Planning Services Manager highlighted corrections in Appendices A-C in the report as follows:

In the Appendix A - Main Modifications: at MM3 (Paragraph 2.2 - SDT1) – the wording 'within a settlement' should be shown struck through; at MM4 (Paragraph 2.3 - SDT1) – the word 'development' should not be bold; at MM6 (H23) – the wording 'up to' within policy A-N should be 'around' ; at MM41 (BNE8) – Criteria ii) should be deleted and criteria iii) should become criteria ii); at MM44 (BNE10) within the new fourth bullet point the word 'or' should be struck through; within the new fourth bullet point the wording 'in all cases' should be in bold; within the new fifth bullet point the word 'substantial' should be struck through; at MM51 (INF12) - the word 'for' should be bold; at MM53 (INF13) – the section crossed out within the explanation should be removed from the modifications table.

In Appendix B - Minor Modifications: at M21 (H23J) – The sentence 'A landscape buffer to be implanted and enhance on the south western area of the site' should be in bold; at M25 (paragraph 4.1 of the Built and Natural

Environment Chapter) – the second sentence of paragraph 4.1 should be removed from the minor modifications table.

In Appendix C - Policy Map Modifications: (Appendix A to the Plan) at PM6 - the map showing the proposed change of Swadlincote Settlement Boundary should be drawn to include land in Policy H2 in Part 1; PM7 (Appendix A to the Plan) should be added to describe an amendment to Hilton Settlement Boundary to show the inclusion of land in Policy H23C.

Councillor Plenderleith referred to section 3.11 of the report seeking clarification on the amendment to the wording from ‘up to’ to ‘around’ and requested further detail on how this would be quantified. Other Members sought clarification on the definition of the word ‘around’ in planning terms.

The Planning Services Manager informed Council that this change had been requested by the Inspector to give greater flexibility in the numbers of properties and advised that the definition would be determined by Members at the time of consideration of an application.

Councillor Watson, whilst noting the weight that the existence of a Local Plan carries, proposed that the amended recommendations including the corrections be approved. Members were advised that the consultation would commence on Friday 7th July and submission to adopt the Local Plan Part 2 at September’s Council Meeting would be dependent on receipt of the Inspector’s report.

RESOLVED:

1.1 To approve the main and minor modifications (Appendix A, B and C), subject to the amendments as outlined to Council.

1.2 To approve consultation upon the main and minor modifications, subject to the amendments as outlined to Council, in order to allow continued progression on the Local Plan Part 2.

1.3 To note the Inspector’s Letter dated 8th May

Against: Rhind, Shepherd and Chahal.

CL/39 **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:-

| <u>Committee</u> | <u>Date</u> | <u>Minutes No’s</u> |
|---|------------------------|-----------------------------|
| <i>Licensing and Appeals Sub-Committee</i> | <i>13.04.17</i> | <i>LAS/44-LAS/46</i> |
| <i>Planning</i> | <i>09.05.17</i> | <i>PL/226-PL/238</i> |
| <i>Etwall Joint Management Committee Special</i> | <i>16.05.17</i> | <i>EL/66-EL/68</i> |

| | | |
|--|------------------------|-----------------------------|
| <i>Licensing and Appeals Sub-Committee</i> | <i>18.05.17</i> | <i>LAS/47-LAS/49</i> |
| <i>Environmental and Development Services</i> | <i>01.06.17</i> | <i>EDS/1-EDS/15</i> |

In relation to Minute No. EDS/10, Councillor Tilley requested that further detail be added to clarify the reasons for the Labour Group's abstention from the vote. A previous scheme aimed to redevelop the entire row of shops had been discussed, but had not been feasible due to lack of consensus amongst the shop-owners. The current scheme was therefore recommended as the best option in these circumstances, although Members queried whether the proposed expenditure represented value for money.

Councillor Richards referred to Minute No. EDS/12 commenting that by scheduling the consultation process in the urban core during the day precluded residents who work and questioned if the timing could be reconsidered.

Councillor Watson, as Chairman of the Environmental and Development Services Committee advised that the consultation did run from 9:30am until 2:30pm and an evening session could be explored. The Director of Planning and Community Services advised that this would be reviewed and a response would be provided in due course.

| | | |
|--|------------------------|----------------------------|
| <i>Planning</i> | <i>06.06.17</i> | <i>PL/1-PL/11</i> |
| <i>Housing and Community Services</i> | <i>14.06.17</i> | <i>HCS/1-HCS/11</i> |
| <i>Finance and Management</i> | <i>15.06.17</i> | <i>FM/1-FM/17</i> |

In relation to the 15th June 2017 Finance and Management Committee Meeting, Councillor Ford wished for it to be noted that although his attendance had not been recorded, he did attend the Meeting.

CL/40 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

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

CL/41 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader announced that Councillor Mrs Coe be added to the substitute panel for Environmental and Development Services Committee, replacing Councillor Atkin.

The Leader also announced that Councillor Atkin be added to the substitute panel for Housing and Community Services Committee, replacing Councillor Mrs Coe.

The Leader of the Opposition announced that Councillor Dunn be removed from the substitute panel for Finance and Management Committee, a new substitute to be advised in due course.

CL/42 **REPRESENTATION ON OUTSIDE BODIES**

The Leader confirmed that a review of Outside Bodies representation was currently being conducted.

CL/43 **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 18th May 2017 (CL/25-CL/27) 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>Minutes No's</u> |
|--|--------------------|----------------------------|
| Planning | 09.05.17 | PL/239-PL/240 |
| Environmental and Development Services | 01.06.17 | EDS/16-EDS/17 |
| Housing and Community Services | 14.06.17 | HCS/12-HCS/15 |
| Finance and Management | 15.06.17 | FM/18-FM/21 |

The meeting terminated at 7.10pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL