

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held via Microsoft Teams.
on Thursday, 14th January 2021
at 6.00pm

PRESENT:

Conservative Group

Councillor Muller (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Angliss, Mrs Brown, Mrs Bridgen, Churchill, Corbin, Dawson, Fitzpatrick, Ford, Mrs Haines, Hewlett, MacPherson, Mrs. Patten, Pegg, Dr. Perry, Roberts, Watson and Wheelton.

Labour Group

Councillors Bambrick, Dunn, Gee, Mrs Heath, Mulgrew, Dr. Pearson, Rhind, Richards, Shepherd, Singh, Southerd, Mrs. Stuart, Taylor, and Tilley.

The Chairman opened the meeting with remembrance to Les Brookes who passed away at the age of 101 years. Les Brookes had been a Labour District Councillor for Aston Ward and Chairman of the Planning Committee for many years. Council took part in a minute's silence in his memory. Councillor Southerd, Councillor Shepherd and Councillor Atkin also paid their respects to Les Brookes.

CL/62 **APOLOGIES**

Council was informed that no apologies had been received.

CL/63 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the Council Meetings held on the 17th September 2020 (CL/22-CL/37) and 5th November 2020 (LC/40-CL59) were approved as a true record.

CL/64 **DECLARATIONS OF INTEREST**

Councillors Atkin, Mrs Patten and Bambrick declared a personal interest in relation to the motion regarding Vision Derbyshire by virtue of being County Councillors and advised they would abstain from voting.

Councillor Atkin declared a personal interest in relation to the motion regarding Infinity Garden Village and advised he would leave the Council Meeting during the discussion of the motion.

CL/65 **APPOINT THE LEADER OF THE COUNCIL FOR THE REMAINDER OF THE ENSUING YEAR**

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

RESOLVED:

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

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 resolution above were:

Councillors: Bambrick, Dunn, Gee, Heath, Mulgrew, Dr Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Mrs. Stuart, Taylor and Tilley.

The Members who voted against the above resolution were:

Councillors: Atkin, Mrs. Bridgen, Mrs. Brown, Churchill, Corbin, Ford, Mrs. Haines, Hewlett, Muller, Mrs Patten, Dr Perry, Watson, and Wheelton.

Members who abstained were:

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

CL/66 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council congratulated Councillor Richards as Leader of the Council. The Chairman praised the success of the South Derbyshire Advent Calendar, it had been a logistical challenge, but it received tremendous support and interest from around the District, and thanked members of staff for their input and hard work.

CL/67 **ANNOUNCEMENTS FROM THE LEADER**

The Leader paid tribute to previous the Leader, Councillor Ford and expressed thanks to Members for the confidence they placed in him by electing him as Leader of South Derbyshire District Council, a position which he felt was an honour and privilege to serve. The Leader stated he was looking forward to working with all Members and officers, for the betterment of South Derbyshire's businesses, communities and people.

CL/68 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service reflected on the past week and the success of the Covid-19 testing centre at the Grove Hall, as well as other centres across the District which had helped to bring down the figures in South Derbyshire.

CL/69 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/70 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received.

CL/71 **TO CONSIDER ANY NOTICES OF MOTION IN ORDER OF WHICH THEY HAVE BEEN RECEIVED**

In accordance with Council Procedure Rule No. 12, Councillor Richards moved the following motion:

This Council notes:

- 1.3 million pensioner households nationally are missing out on pension credit benefit that they are entitled to.
- £3 billion is returned to the treasury because many pensioners are not aware or do not claim the Pension Credit, a benefit that they are entitled to.
- Pension Credits are a lifesaver for the least well-off pensioners and provide vital help with council tax and dental bills.
- Pensioners in receipt of Pension Credit are also exempt from paying their TV licence.
- The government has ceased funding over 75's TV Licences. Since August 2020 the BBC is now charging over 75's for their licence.
- For over a million of the oldest people in our country, television is their main form of company.
- This change will harm millions of older people who rely on their TV and the most vulnerable will be forced to cut back on essentials to make ends meet or lose out on TV altogether.
- Removing older people's access to TV would be an unthinkable cruel blow when many are already facing huge challenges.
- Half of all over 75s are living with a disability or an enduring illness, and many rely on their TV for companionship and entertainment and for those who don't have the internet, TV lets them stay up to date with what's happening in the world.
- Loneliness is already a problem in the UK – new figures show two thirds of people rely on the TV for company in lieu of real social interactions.
- Removing the free TV licence for Over 75s in the middle of a pandemic is particularly cruel. Many older people have been left isolated and frightened by lockdown and it is vital that they have access to the news and public health announcements.

RESOLVED:

That a local public information campaign be started targeting retired and above working age residents of the District, in order to encourage them to submit eligible claims for Pension Credit and signpost them to organisations that can advise and assist."

In accordance with Council Procedure Rule No. 12, Councillor Mrs Wheelton moved the following motion:

Following the view expressed in writing by the Secretary of State for Housing, Communities & Local Government that it would not be right at this time for local Councils other than those already agreed, to further progress or focus on ideas for reform and that there is no expectation that restructuring of local government is a Whitehall requirement.

Councillor Ford, expressed his support for Vision Derbyshire and asked Members to consider the following amendment to Councillor Mrs. Wheelton motion:

Following the views expressed in writing by the Secretary of State for Housing, Communities and Local Government, that it would not be right at this time for local councils to further progress or focus on ideas for reform when there are no immediate proposals to restructure local government. Therefore, this Council should not proceed further or commit to Vision Derbyshire for at least a period of 3 months, to allow local councils to concentrate on the current demands of Covid related issues.

RESOLVED:

This Council does not proceed to engage further or commit to Vision Derbyshire.

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

Members who voted in favour of the resolution above were:

Councillors: Bambrick, Mrs. Bridgen, Mrs. Brown, Churchill, Corbin, Dunn, Gee, Mrs. Haines, Heath, Muller, Mulgrew, Dr Pearson, Pegg, Dr Perry, Rhind, Richards, Shepherd, Singh, Southerd, Mrs. Stuart, Taylor, Tilley, Watson and Mrs. Wheelton.

Members who voted against the above resolution were:

Councillors: Angliss, Dawson, Fitzpatrick, Ford, Hewlett, MacPherson and Roberts

Members who abstained were:

Councillors: Atkin and Patten

The Chairman announced that the second motion put forward by Councillor Mrs. Wheelton had been withdrawn on the basis that the Deputy Leader had resigned from his position.

The Chief Executive requested that the motion from Councillor Shepherd be taken in exempt in view of the confidential nature of the matters referred to.

The Head of Finance presented the report asking Members to approve the recommendations within the report and highlighting key areas of interest.

RESOLVED:

That Members approved Council Tax Base for 2021/22 of 35,218 (equivalent Band D) properties as detailed in Appendix of the report.

Members approved that a Council Tax Surplus of £1,200,000 for 2020/21 be declared on the Collection Fund and that the Council's proportion of £124,054 be transferred to the General Fund in 2021/22.

CL/73 **TO RECEIVE AND CONSIDER THE OPEN MINUTES OF THE FOLLOWING COMMITTEES**

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.

Committee	Date	Minute References
Planning	28 th July 2020	PL/29 – PL/44
Finance & Management	30 th July 2020	FM/32 - FM/45
Environmental & Development Services	13 th August 2020	EDS/13 – EDS/24
Housing & Community Services	20 th August 2020	HCS/14 – HCS/25
Planning	25 th August 2020	PL/47 – PL/58
Finance & Management	27 th August 2020	FM/48 – FM/58
Environmental & Development Services	15 th September 2020	EDS/28 – EDS/33
Etwall JMC	23 rd September 2020	EL/01 – EL/07
Environmental & Development Services	24 th September 2020	EDS/36 – EDS/50
Housing & Community Services	1 st October 2020	HCS/30 – HCS/39
Environmental & Development Services	12 th November 2020	EDS/53 – EDS/67
Housing & Community Services	19 th November 2020	HCS/42 – HCS/55

CL/74 **POLITICAL PROPORTIONALITY**

The Monitoring Officer presented the report asking Members to approve the number of seats allocated to each political group.

RESOLVED:

Council adopted the recommended allocation of seats to the Political Groups and Non-Grouped Members for the remainder of the municipal year 2020/21.

Members agreed that the Council allocate seats between the Political Groups and Non-Grouped Members as set out at Annexe ‘A’ of the report.

CL/75 **TO APPOINT MEMBERS TO SERVE ON COMMITTEES AND SUB-COMMITTEES FOR THE REMAINDER OF ENSUING THE YEAR (INCLUDING CHAIRMEN AND VICE-CHAIRMEN), IN ACCORDANCE WITH THE ALLOCATION OF SEATS AND TO APPOINT MEMBERS TO WORKING PANELS**

Members reviewed the composition of Committees and Sub-Committees for the remainder of the ensuing year.

RESOLVED:

- (1) That the nominations of Members to serve on Committees, Sub-Committees and Working Panels for the remainder of 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/76 **TO APPOINT THE SUBSTITUTE PANELS**

Members reviewed the composition of the Substitute Panels for the remainder of the ensuing year.

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/77 **TO APPOINT MEMBERS OR SUBMIT NOMINATIONS FOR REPRESENTATIVES TO SERVE ON OUTSIDE BODIES**

Members reviewed the composition of the Outside Bodies for the remainder of the ensuing year.

RESOLVED:

That the nominations of Members to serve on Outside Bodies, as set out at Annexe “D” to these Minutes, be received and noted.

CL/78 **TO APPOINT MEMBER CHAMPIONS**

Council was informed no amendments were to be made.

CL/79 **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.

TO CONFIRM THE EXEMPT MINUTES OF THE FOLLOWING MEETING

The Exempt Minutes of the Council Meeting held on the 17th September 2020 (CL/38-CL/39) and 5th November 2020 (CL/60-CL61) 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.

BUSINESS RATE RETENTION PILOT – BUSINESS START-UP SUPPORT

RESOLVED:

Council approved the recommendation in the report.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:

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

Committee	Date	Minute References
Planning	28 th July 2020	PL/45 – PL/46
Finance & Management	30 th July 2020	FM/46 - FM/47
Environmental & Development Services	13 th August 2020	EDS/25 – EDS/27
Housing & Community Services	20 th August 2020	HCS/26 – HCS/29
Planning	25 th August 2020	PL/47 – PL/58
Finance & Management	27 th August 2020	FM/59 – FM/65
Environmental & Development Services	15 th September 2020	EDS/34 – EDS/35

Environmental & Development Services	24 th September 2020	EDS/51 – EDS/52
Housing & Community Services	1 st October 2020	HCS/40 – HCS/41
Environmental & Development Services	12 th November 2020	EDS/68 – EDS/69
Housing & Community Services	19 th November 2020	HCS/56 – HCS/58

The meeting terminated at 20:30 hrs.

COUNCILLOR D MULLER
CHAIRMAN OF THE DISTRICT COUNCIL

ANNEXE B

COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS
2020/21

FINANCE AND MANAGEMENT COMMITTEE (13)

Labour Group (6)

Councillor Dr. Pearson (Chairman), Councillor Richards (Vice-Chairman)
Councillors Rhind, Southerd, Taylor and Tilley

Conservative Group (4)

Councillors Mrs. Brown, Churchill, Ford and Watson

Independent Group (2)

Councillors Angliss and Fitzpatrick

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (13)

Labour Group (5)

Councillor Taylor (Chairman), Councillor Dunn (Vice-Chairman)
Councillors Mrs. Heath, Singh, and Tilley

Conservative Group (5)

Councillors Mrs. Brown, Corbin, Ford, Mrs. Haines and Mrs. Patten

Independent Group (2)

Councillors Fitzpatrick and MacPherson

HOUSING AND COMMUNITY SERVICES COMMITTEE (13)

Labour Group (6)

Councillor Rhind (Chairman), Councillor Mulgrew (Vice-Chairman)
Councillors Mrs. Heath, Pegg, Richards and Shepherd

Conservative Group (4)

Councillors Atkin, Churchill, Corbin and Mrs. Haines

Independent Group (2)

Councillors Dawson and Roberts

PLANNING COMMITTEE (13)

Labour Group (5)

Councillor Tilley (Chairman), Councillor Southerd (Vice-Chairman)
Councillors Gee, Dr. Pearson, and Shepherd

Conservative Group (4)

Councillors Mrs. Bridgen, Mrs. Brown, Muller and Watson

Independent Group (2)

Councillors Angliss and Dawson

Non-Grouped (1)

Councillor Mrs. Wheelton

LICENSING AND APPEALS COMMITTEE (15)

Labour Group (6)

Councillor Gee (Chairman)
Councillors, Rhind, Richards, Southerd and Taylor

Conservative Group (5)

Councillors Mrs. Bridgen, Hewlett, Mrs. Patten, Dr Perry and Watson

Independent Group (2)

Councillors Angliss and MacPherson

Non-Grouped (1)

Councillor Mrs. Wheelton

OVERVIEW AND SCRUTINY COMMITTEE (8)

Labour Group (3)

Councillor Bambrick (Chairman) Councillor Mrs. Stuart (Vice-Chairman)
Councillor Gee

Conservative Group (3)

Councillors Atkin, Hewlett and Muller

Independent Group (1)

Councillor Roberts

STANDARDS COMMITTEE (6)

Labour Group (3)

Councillors Dr. Pearson and Singh

Conservative Group (2)

Councillors Mrs. Bridgen and Mrs. Haines

Independent Group (1)

Councillor MacPherson

JOINT CONSULTATIVE COMMITTEE (5)

Labour Group (2)

Councillors Richards and Southerd

Conservative Group (2)

Councillors Ford and Muller

Independent Group (1)

Councillor Fitzpatrick

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (3)

Labour Group (1)

Councillor Shepherd (Chairman)

Conservative Group (1)

Councillor Corbin

AUDIT SUB-COMMITTEE (5)

Labour Group (2)

Councillor Dunn (Chairman), Councillor Shepherd (Vice-Chairman)

Conservative Group (2)

Councillors Atkin and Mrs. Patten

Non-Grouped (1)

Councillor Mrs. Wheelton

HERITAGE GRANTS SUB-COMMITTEE (4)

Labour Group (2)

Councillors Southerd and Taylor

Conservative Group (1)

Councillor Hewlett

ANNEXE C

SUBSTITUTE PANELS 2020/21

FINANCE AND MANAGEMENT COMMITTEE

Labour Group (6)

Councillors Mrs. Heath, Gee, Mulgrew, Pegg and Singh

Conservative Group (4)

Councillors Mrs. Bridgen, Corbin, Mrs. Haines, and Mrs. Patten

Independent Group (2)

Councillors MacPherson and Roberts

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

Labour Group (5)

Councillors Pegg, Rhind, Richards, Shepherd and Southerd

Conservative Group (5)

Councillors Atkin, Mrs Bridgen, Churchill, Dr. Perry, and Muller

Independent Group (2)

Councillors Dawson and Roberts

HOUSING AND COMMUNITY SERVICES COMMITTEE

Labour Group (6)

Councillors Dunn, Gee, Dr. Pearson, Singh, Southerd, and Tilley

Conservative Group (4)

Councillors Mrs. Brown, Mrs Bridgen, Ford and Watson

Independent Group (2)

Councillors Angliss and Fitzpatrick

PLANNING COMMITTEE

Labour Group (5)

Councillors Dunn, Pegg, Rhind, Richards and Taylor

Conservative Group (4)

Councillors Corbin, Mrs. Haines, Hewlett, and Mrs. Patten

Independent Group (2)

Councillors MacPherson and Roberts

JOINT CONSULTATIVE COMMITTEE

Labour Group (2)

Councillors Rhind and Taylor

Conservative Group (2)

Councillors Atkin and Watson

Independent Group (1)

Councillor Angliss

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE

HERITAGE GRANTS SUB-COMMITTEE

Labour Group (2)

Councillors Shepherd and Tilley

Conservative Group (1)

Councillor Brown

Annexe D

**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL
ON OUTSIDE BODIES FOR 2020/21**

<i>Organisation</i>	<i>Representative(s)</i>
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson
2. Arts Derbyshire	Councillor G Rhind
3. Active Derbyshire	Councillor D Pegg
4. Association of Retained Council Houses Ltd. (ARCH)	Councillor D Rhind Strategic Director (Service Delivery)
5. Central Midlands Audit Partnership Board	Councillor P Dunn Audit Sub-Committee Vice-Chairman (sub)
6. Citizens Advice South Derbyshire and City (CASDAC)	Councillor G Rhind
7. Community Arts Project (“People Express”) Management Committee	Councillor M Mulgrew
8. Community Transport (Swadlincote) Management Committee	Councillor N Tilley
9. D2 Joint Committee For Economic Prosperity	Councillor K Richards Councillor T Southerd (sub)
10. Derby Airfield Consultative Committee	Councillor M Ford
11. Derby and Derbyshire Strategic Leadership Forum	Councillor K Richards Councillor T Southerd (sub) Chief Executive Monitoring Officer (sub)
12. Derby and Sandiacre Canal Trust Ltd	Councillor D Shepherd
13. Derbyshire Hate Crime Practitioners Network Meeting	Councillor L Singh
14. Derbyshire Partnership Forum	Councillor K Richards
15. Derbyshire Police and Crime Panel	Councillor G Rhind Councillor M Mulgrew (sub)
16. Donington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub)
17. East Midlands Airport Independent Consultative Committee	Councillor S Taylor Councillor M Fitzpatrick
18. East Midlands Airport Liaison Committee	Aston, Melbourne and Repton Ward Members

19. East Midlands Arts	Councillor S Taylor
20. East Midlands Councils	Councillor K Richards
21. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson
22. Environmental Education Project Steering Group	Councillor D Pegg
23. Goseley Community Centre Committee	Councillor M Gee Councillor S Taylor
24. Heart of the Forest Forum	Councillor S Taylor
25. Hilton Harriers Mease Management Committee	Councillor Mrs. J Patten
26. Homestart	Councillor Mrs. V Heath
27. Local Government Association (London)	Councillor K Richards (General Assembly) Councillor T Southerd (Rural Commission) Councillor S Taylor (Urban Commission)
28. Local Government Information Unit	Councillor K Richards Councillor T Southerd (sub)
29. Melbourne Sporting Partnership	Strategic Director (Service Delivery)
30. New Albion Revised Liaison Committee	Councillor S Taylor
31. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor R Pearson
32. Pingle Artificial Turf Pitch Management Group	Councillor M Mulgrew
33. Relate	Councillor T Southerd
34. Rosliston and Caldwell Village Hall Management Committee	Councillor D Pegg
35. Rosliston Forestry Centre Management Executive	Councillor G Rhind / S Taylor
36. Rosliston Forestry Community Group	Councillor D Pegg
37. Rural Action Derbyshire	Councillor T Southerd
38. Safer South Derbyshire Partnership Strategic Group	Councillor K Richards Councillor G Rhind (sub)
39. Shardlow Heritage Trust Council of Management	Councillor N Atkin
40. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor S Taylor Councillor G Rhind 2 Vacancies
41. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor D Muller

42. Social Care Forum	Councillor G Rhind Councillor M Mulgrew
43. South Derbyshire CVS	Councillor G Rhind Councillor K Richards
44. South Derbyshire Mental Health Association	Councillor TBA
45. South Derbyshire Music Trust Management Committee	Councillor S Taylor
<i>South That the nominations of Members to serve on Substitute Panels, as set out at Annexe "C" to these Minutes, be received and noted.</i>	Councillor K Richards Councillor T Southerd Councillor A Churchill Head of Economic Development
46. Derbyshire Partnership	
47. South Derbyshire Strategic Sports Group	Councillor N Tilley Councillor R Pearson (sub)
48. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor A MacPherson
49. Toyota Community Liaison Committee	Councillor K Richards Councillor S Taylor
50. Willshee's Skip Hire Ltd Site Liaison Committee	Councillor D Pegg
51. Central Building Control Partnership – Partnership Advisory Board	Councillor S Taylor