

MINUTES of the MEETING  
of the SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at Civic Offices, Civic Way, Swadlincote  
on 27th September 2012  
at 6.00 p.m.

**PRESENT:-**

**Conservative Group**

Councillor Bale (Chairman), Councillor Mrs. Hood (Vice-Chairman) and Councillors Atkin, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, Lemmon, Murray, Mrs. Patten, Mrs. Plenderleith, Roberts, Smith, Stanton, Mrs. Watson, Watson and Wheeler.

**Labour Group**

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley and Wilkins.

CL/43. **MINUTES**

The Open Minutes of the Meeting of the Council held on 5th July 2012 (Minutes Nos. CL/27 – CL/38) were taken as read, approved as a true record and signed by the Chairman.

CL/44. **DECLARATIONS OF INTEREST**

Councillor Atkin declared a potential pecuniary interest in respect of Minute No. EDS/19 of the Special Environmental and Development Services Committee held on 20th September 2012 and would withdraw if there was any discussion of this item.

CL/45. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Leanne Watson and her carer to the Council Meeting. He had been privileged to meet this young blind person during the summer months and spoke particularly about her travel around the District.

The Chairman welcomed Frank Hood, a former Member of the Authority, who thanked Members and Officers for the kind sentiments, sent to him following his recent ill health. The Chairman also made a presentation to Martin Quigley who had recently retired as the Council's courier after some 18 years of service.

The Chairman then gave an update on events attended since the last Meeting, which included the Civic Service, meeting the Mayor of Toyota City and events to commemorate the Olympics. He spoke of a visit to an elderly Overseal resident, Mrs. Gilliver and the presentation of awards to the Swadlincote Air

Training Corps. Other events included the Burton and South Derbyshire College Awards, a visit to St. George's Park and to the Pennine Way Junior School. Finally, the Chairman spoke about the Tenants' Garden Awards and about the Derbyshire County Council Young Achiever Awards.

CL/46. **LEADER'S ANNOUNCEMENTS**

The Council's Leader reported that the Post Office was investing £1.5 billion nationally and had issued a statement that there would be no further Post Office closures without a replacement venue being provided. He reported that British Telecom was making further major investment and locally, the Repton exchange was to be upgraded. Next, the Leader referred to the splendid summer event programme with the Olympic and Jubilee themes. He recognised the hard work of volunteers and officers at the Council, asking that Members' thanks be recorded to those involved.

CL/47. **HEAD OF PAID SERVICE ANNOUNCEMENTS**

It was reported that Groundwork Derby and Derbyshire had gone into administration. The Director of Operations recorded his thanks to Groundwork for their assistance to the Council and his thoughts for the staff involved. It was reported that the Council's External Auditors, Grant Thornton had praised the final accounts, recognising the significant improvements made. The Auditors had commented that there was a robust system and processes in place and that the Council provided Value for Money. He placed on record his thanks to the staff involved and to the Head of Corporate Services particularly.

CL/48. **REPORTS OR 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:-***

***Licensing and Appeals Sub-Committee, 28th June 2012 (Minute No. LAS/1)***

***Licensing and Appeals Sub-Committee, 16th July 2012 (Minute No. LAS/2)***

***Planning Committee, 17th July 2012 (Minutes Nos. PL/25 – PL/35)***

***Licensing and Appeals Sub-Committee, 7th August 2012 (Minute No. LAS/3)***

***Planning Committee, 7th August 2012 (Minutes Nos. PL/37 – PL/44)***

***Environmental and Development Services Committee, 23rd August 2012 (Minutes Nos. EDS/10 – EDS/18)***

*(Minute No. EDS/12 – A Member referred to advertising signage that had been placed at the junction of Civic Way and Belmont Street, Swadlincote and asked if anything could be done to secure its removal. The Chairman of the Committee responded that action was being taken, that there was the need to identify ownership of the land, of the signage and who had placed them there. It was hoped that this matter could be resolved without the need for formal enforcement, but it might take some time).*

**Planning Committee, 28th August 2012 (Minutes Nos. PL/45 – PL/55)**

**Housing and Community Services Committee, 30th August 2012 (Minutes Nos. HCS/16 - HCS/22)**

**Finance and Management Committee, 6th September 2012 (Minutes Nos. FM/23 – FM/32)**

**Overview and Scrutiny Committee, 12th September 2012 (Minutes Nos. OS/5 - OS/11)**

*(Minute No. OS/10 – In presenting the Minutes, the Chairman of this Committee highlighted recommendations for minor Constitutional changes to Article 6 and the Overview and Scrutiny Procedure Rules).*

**Planning Committee, 18th September 2012 (Minutes Nos. PL/56 – PL/66)**

**Environmental and Development Services Committee (Special), 20th September 2012 (Minute No. EDS/19)**

*(Minute No. EDS/19 – In presenting the Minutes, the Chairman of this Committee reported the additional consultation proposed on the Local Plan in Church Gresley and Melbourne).*

### **Area Forums**

**Swadlincote, 4th July 2012 (Minutes Nos. SA/1 – SA/9)**

**Melbourne, 11th July 2012 (Minutes Nos. MA/1 – MA/8)**

**Linton, 18th July 2012 (Minutes Nos. LA/1 – LA/8)**

**Repton, 19th July 2012 (Minutes Nos. RA/1 – RA/9)**

**Newhall, 24th July 2012 (Minutes Nos. NA/1 – NA/9)**

**Etwall, 25th July 2012 (Minutes Nos. EA/1 – EA/8)**

CL/49. **SEALING OF DOCUMENTS**

**RESOLVED:**

*That the Sealed Documents listed at Annexe at ‘SMB1’ to the Signed Minute Book, which have no specific authority, be duly authorised.*

CL/50. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

There were no amendments to the composition of Committees, Sub-Committees and Working Panels.

CL/51. **COMPOSITION OF SUBSTITUTE PANELS**

There were no amendments to the composition of Substitute Panels.

CL/52. **REPRESENTATION ON OUTSIDE BODIES**

**RESOLVED:-**

*That Councillor Stanton replaces Councillor Harrison as one of the Council’s representative of Sharpe’s Pottery Heritage and Arts Trust.*

CL/53. **LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW LETTER 2011/12 AND UPDATE ON RECENT DEVELOPMENTS TO THE OMBUDSMAN SERVICE**

It was reported that the Council had received the annual review letter from the Local Government Ombudsman (LGO) for the period 2011/12. Appended to the report were statistics, which included the number of enquiries and complaints received by the LGO Advice Team, the number forwarded to the Investigative Team and the decisions made on complaints about the Authority. Nine enquiries had been made about the Council during 2011/12, of which four were forwarded to the Investigation Team. The LGO made decisions on five complaints about the Council, deciding not to investigate two of the complaints and for the other three complaints, the investigations were discontinued. The LGO had commented that there were no concerns about this Authority and no issues arising from the complaints to bring to the Council’s attention. The report also covered LGO developments with sections on changes in the Ombudsman’s role, publishing decisions and focus reports.

The Leader of the Council recognised the low level of complaints and recorded thanks to the Officers.

**RESOLVED:**

- (1) That the Council accepts the Local Government Ombudsman’s Annual Review for 2011/12.***
- (2) That it be noted that there were no decisions of maladministration causing injustice against the Authority during 2011/12.***

**CL/54. ANNUAL REPORT 2011/12**

A report and accompanying presentation were provided on the Council's Annual Report for 2011/12. This drew upon the third year of the Council's Corporate Plan, end of year performance reports and financial out-turn figures, as reported to the Council. The style and presentation of information had been well received by residents and key stakeholders. Each year, revisions to the format and layout were proposed. This Annual Report captured the outcomes from the work that had been done by the Council and in partnership with other organisations over the past year. Key findings from the Annual Report were set out within the covering document. The document would be launched with a media campaign and through the website, with a limited number of printed copies being produced. It was requested that paper copies of the document be made available to Members.

**RESOLVED:**

***That Council notes the Annual Report for 2011/12.***

**CL/55. 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 5th July 2012, were duly received and approved.***

**REPORTS OF COMMITTEES**

***The Exempt reports of the following Committees were received and noted and any recommendations contained therein, approved and adopted:-***

***Planning Committee, 17th July 2012***

***Licensing and Appeals Sub-Committee, 7th August 2012***

***Housing and Community Services Committee, 30th August 2012***

***Finance and Management Committee, 6th September 2012***

M.J.P. BALE

CHAIRMAN