

MINUTES of the MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at the Civic Offices, Civic Way, Swadlincote  
on Thursday 3<sup>rd</sup> November 2016  
at 6.00pm

**PRESENT:-**

**Conservative Group**

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

**Labour Group**

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

CL/80 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs Farrington (Conservative Group) and Mrs Stuart (Labour Group)

CL/81 **PARALYMPIC WELCOME: LEWIS WHITE**

The Community Sport Activation Officer introduced Lewis White, Bronze Medal winner at the 2016 Rio Paralympics. The Chairman and Councillor Smith, as Chairman of South Derbyshire Sport, made presentations and led the Council in a standing ovation in recognition of Lewis' achievements.

CL/82 **MINUTES OF ANNUAL COUNCIL**

The Open Minutes of the Council held on 22<sup>nd</sup> September 2016 (Minute Nos. CL/56-CL/76) were approved as a true record.

Councillor Shepherd referred to Minute No.CL/63, querying the lack of figures relating to Planning Appeal costs. The Chief Executive confirmed that the information had been supplied as requested, in written form, at the last meeting of Full Council. Councillor Shepherd requested that the figures be detailed in the Minutes. The Leader suggested that, as all Members were now aware of the figures and they were in the public domain, they should be included in the Minutes. Council approved this proposal. The total cost of Committee decisions made contrary to recommendation and subsequently allowed at appeal amount to £200,099.

CL/83 **DECLARATIONS OF INTEREST**

Councillor Atkin declared a pecuniary interest in relation to Item 12 Community Governance Review – Barrow upon Trent, Twyford & Stenson and Stenson Fields: Draft Proposals, by virtue of his family owning farm land in the parished

area of Barrow upon Trent, informing Council that he would leave the Chamber whilst this item was discussed.

The Chairman made a declaration on behalf of all Members in relation to Item 11 Independent Remuneration Panel Report.

CL/84 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last meeting, including the Swinton Insurance charity event, his Men United Prostate Cancer charity bike rides, the Lewis White awards event at the Pingle school, the 40<sup>th</sup> anniversary event at the John Port school, the International Food Festival, the opening of the Midway Community Centre and the visit to Toyota's Lexus Training Centre.

CL/85 **ANNOUNCEMENTS FROM THE LEADER**

The Leader also made reference to the visit to the Lexus Training Centre. In relation to the opening of the Midway Community Centre, recognition of former Councillor Bill Dunn's attendance and speech was noted. Councillor Wilkins' return to Council was welcomed and the Leader led Council in wishing Councillor Mrs Farrington well following her recent surgery.

CL/86 **ANNOUNCEMENTS FROM HEAD OF PAID SERVICE**

The Chief Executive thanked Members and Officers for their efforts that had resulted in the provision of the Midway Community Centre and neighbouring housing.

The Chief Executive also presented the Chairman with tickets for VIP trips to Wembley and St George's Park, to auction in support of the Chairman's Charity.

CL/87 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/88 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council were informed that no questions had been received.

CL/89 **NOTICE OF MOTION**

In accordance with Council Procedure Rule No. 12, Councillor Richards had given notice of the following motion:

**Make Fair Transitional State Pension arrangements for 1950's women**

"This Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6<sup>th</sup> April 1951, who have

unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Act of 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute – it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women effected, leaving women with no time to make alternative arrangements.

This Council calls upon the Government to reconsider transitional arrangements for women born on or after 6<sup>th</sup> April 1951, so that women do not live in hardship due to Pension changes they were not told about until it was too late to make alternative arrangements.”

The Leader proposed amendments to the motion, to read as follows:

### **Transitional State Pension Arrangements**

1. This Council has concerns in respect of the potential impact of the Pension Acts of 1995, 2007 and 2011 upon a number of female residents of South Derbyshire.
2. The Acts, introduced by Governments of a variety of political persuasions, aimed to deal with the UK's obligations on gender discrimination under a European Union directive and introduced incremental rises in the State Pension age for women born on or after 6<sup>th</sup> April 1951.
3. Therefore, given the concerns relating particularly to the women who have received the least notice of these changes, this Council request that the Government reconsiders the transitional arrangements for the individuals affected and authorises the Chief Executive to write to the Secretary of State for Work and Pensions outlining the Authority's position.

The amendment was debated. The amendment and the motion were then put to a vote.

### **RESOLVED:-**

***That the motion, as amended, be carried.***

CL/90     **SEALED DOCUMENTS**

05.09.16   11460   Transfer – 35 Bass's Crescent, Castle Gresley  
05.09.16   11462   Transfer – 32 Chestnut Avenue, Midway  
14.09.16   11467   Transfer – 38 George Street, Church Gresley  
30.09.16   11484   Transfer – 26 Windsor Road, Linton  
05.10.16   11493   Transfer – 16 New Road, Coton-in-the-Elms  
12.10.16   11494   Transfer – 39 Grove Close, Thulston  
12.10.16   11496   Transfer – 6 South Drive, Newhall

**RESOLVED:**

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

CL/91     **THE ANNUAL AUDIT LETTER FOR SOUTH DERBYSHIRE DISTRICT COUNCIL**

The representative of the Council's external auditors, Ernst Young, presented the report to Council. Reference was made to the unqualified opinions given against all statutory audit provisions.

**RESOLVED:-**

***Members considered and approved the Annual Audit Letter for 2015/16.***

CL/92     **INDEPENDENT REMUNERATION PANEL REPORT**

The Chairman of the Independent Remuneration Panel presented the report to Council, highlighting numerous elements from the Panel's findings and subsequent recommendations.

**RESOLVED:-**

***Members considered and approved the recommendations contained in the report of the Independent Remuneration Panel.***

Councillor Atkin left the Chamber at 7.15pm.

CL/93     **COMMUNITY GOVERNANCE REVIEW – BARROW UPON TRENT, TWYFORD & STENSON AND STENSON FIELDS: DRAFT PROPOSALS**

The Chief Executive presented the report to Council.

Councillor Watson noted the majority view of those residents who had responded, favouring the proposed parish council boundary changes. Councillor Shepherd also noted the will of those respondents, finding the potential precept changes acceptable, given the services provided.

**RESOLVED:-**

***1.1 Members noted the results of the Terms of Reference consultation.***

**1.2 Members noted that the majority of the responses received were in favour of the proposed alterations to the parish boundaries, as shown on the map at Appendix 2 to the Report.**

**1.3 Members agreed to the publication of the results of the Terms of Reference consultation.**

**1.4 Members noted that a further period of consultation on the results of the initial consultation responses will take place.**

**1.5 Members agreed that a further report will be brought to Council in order that a decision may be made in respect of the final recommendations of this Community Governance Review.**

Councillor Atkin returned to the Chamber at 7.25pm.

#### CL/94 **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:-***

<b><i>Licensing and Appeals</i></b>	<b><i>16.09.16</i></b>	<b><i>LAS/14-LAS/18</i></b>
<b><i>Finance and Management Special</i></b>	<b><i>22.09.16</i></b>	<b><i>FM/65-FM/71</i></b>
<b><i>Etwall Joint Management Committee</i></b>	<b><i>26.09.16</i></b>	<b><i>EL/52-EL/58</i></b>
<b><i>Planning</i></b>	<b><i>27.09.16</i></b>	<b><i>PL/67-PL/80</i></b>
<b><i>Environmental and Development Services</i></b>	<b><i>29.09.16</i></b>	<b><i>EDS/29-EDS/43</i></b>
<b><i>Licensing and Appeals</i></b>	<b><i>06.10.16</i></b>	<b><i>LAS/19-LAS/23</i></b>

Councillor Richards, having sat on this Sub-Committee and noting the number of objectors who attended, queried the absence of relevant information from the statutory authorities. The Chairman of the Committee responded and the Legal and Democratic Services Manager clarified the position regarding matters put before the Sub-Committee on the day.

<b><i>Housing and Community Services</i></b>	<b><i>06.10.16</i></b>	<b><i>HCS/35-HCS/45</i></b>
<b><i>Finance and Management</i></b>	<b><i>13.10.16</i></b>	<b><i>FM/72-FM/84</i></b>
<b><i>Overview and Scrutiny</i></b>	<b><i>19.10.16</i></b>	<b><i>OS/19-OS/32</i></b>
<b><i>Licensing and Appeals</i></b>	<b><i>20.10.16</i></b>	<b><i>LAS/24-LAS/26</i></b>

#### CL/95 **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/96 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader confirmed the following change in substitute panel compositions:

Planning Committee: Councillor Mrs Patten to replace Councillor Wheeler

CL/97 **REPRESENTATION ON OUTSIDE BODIES**

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

CL/98 **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 Council Meeting held on 22<sup>nd</sup> September 2016 (Minute Nos. CL/77-CL/79) 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>Planning</i>	<i>27.09.16</i>	<i>PL/81-PL/82</i>
<i>Environmental and Development Services</i>	<i>29.09.16</i>	<i>EDS/44-EDS/46</i>
<i>Housing and Community Services</i>	<i>06.10.16</i>	<i>HCS/46-HCS/48</i>
<i>Finance and Management</i>	<i>13.10.16</i>	<i>FM/85-FM/87</i>
<i>Licensing and Appeals</i>	<i>20.10.16</i>	<i>LAS/27</i>

The meeting terminated at 7.40pm.

COUNCILLOR P MURRAY

CHAIRMAN OF THE DISTRICT COUNCIL