

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held via Microsoft Teams
on Thursday, 15th April 2021
at 6.00pm

PRESENT:

Labour Group

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

Conservative Group

Councillor Muller (Chairman), Councillor Atkin (Vice-Chairman) and Councillors Bridgen, Brown, Churchill, Corbin, Ford, Haines, Hewlett and Watson.

Independent Group

Councillors Angliss, Fitzpatrick, MacPherson and Roberts.

Non-Grouped

Councillor Wheelton.

CL/115 **APOLOGIES**

Council was informed that apologies had been received from Councillor Dawson.

CL/116 **TO CONFIRM THE OPEN MINUTES OF THE COUNCIL MEETING**

The Open Minutes of the Council Meeting held on the 14th January 2021 (CL/62 – CL/79) were approved as a true record.

CL/117 **DECLARATIONS OF INTEREST**

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

CL/118 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman offered condolences on behalf of all the officers, fellow Councillors and the people of South Derbyshire to her Majesty Queen Elizabeth and the Royal Family on the death of his Royal Highness the Duke of Edinburgh. The Chairman informed Members that there would be a letter of condolence sent from himself, Group Leaders and the Chief Executive to the Queen and that he would be attending a remembrance service for Prince Philip at Derby Cathedral. The Chairman thanked Councillor Churchill for his leadership of the Conservative Group during the last few months.

CL/119 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council informed Members that the decision to take household recycling inhouse had been exemplar and congratulated the teams involved.

The Leader raised concern regarding the communication from the Minister for Housing, Communities and Local Government regarding local meetings but made it clear that until himself and the Chief Executive both felt it risk free, Committee meetings would continue to be held virtually.

Members were informed that both the Leader and the Chief Executive had met with the Clinical Commissioning Group to reenforce the need for healthcare provision to be included within the Drakelow Development as per the Section 106 requirements and that Countryside. The Developer at Drakelow had identified a parcel and of land where healthcare provision will be built. It was also noted that improved Healthcare provision to serve the Infinity Garden Village development would also be pursued.

The Leader passed his Condolences to the Queen and the Royal household on the death of Prince Philip, the Duke of Edinburgh and closed by asking all to remain cautious as we moved out of lockdown restrictions.

The Leader invited Cllr Brown to make an announcement as the acting Leader of the Opposition Group, who endorsed the Leader's concerns regarding virtual meetings and the safety of Members and staff. The Leader thanked Councillor Churchill for his time as Leader of the Conservative group.

CL/120 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service gave his condolences regarding Prince Philip and urged caution in how we moved forward as we came out of lockdown restrictions. He informed Members that the number of Covid Wardens had been increased to enforce social distancing to ensure that the low rate of infection within South Derbyshire is maintained.

Council was informed about the proposed legal action through the judicial process asking the Government to reconsider the cessation of virtual meetings after the 6th May.

The Head of Paid Service announced that there would be regular update reports to future Council Meetings regarding the Freeport.

CL/121 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/122 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received.

CL/123 **TO CONSIDER ANY NOTICES OF MOTION IN ORDER OF WHICH THEY HAVE BEEN RECEIVED**

In Accordance with Council Procedure Rule No. 12 Councillor Wheelton moved the following motion.

“I propose the motion that when referring to councillors in all contexts (be that verbally or in writing), additional prefixes such as “Mrs” or academic achievements such as “Dr” are no longer used, except where requested by a councillor.”

RESOLVED:

The Council approved that when referring to Councillors in all contexts, additional prefixes be no longer used, except where requested by a Councillor.

In Accordance with Council Procedure Rule No. 12 Councillor Richards moved the following motion.

“This Council requires the Chief Executive to undertake a feasibility study into the potential for this Council to create a wholly owned Development Company in order that we could if necessary, build homes on our land, carry out maintenance, repairs and refurbishments to our housing stock and thus reduce our reliance on outside contractors, and to present his findings at the earliest opportunity to a future meeting of the Council.”

RESOLVED:

Council approved for the Chief Executive to undertake a feasibility study into the potential for South Derbyshire District Council to create a wholly owned Development Company in order to build homes on its land, carry out maintenance, repairs and refurbishments to its housing stock and to present his findings to a future meeting of the Council.

CL/124 **PAY POLICY STATEMENT 2021-22**

The Service Director (Corporate Resources) presented the report to Members explaining it was a statutory annual statement showing how South Derbyshire District Council determined its pay and allowances, in particular for senior staff and that it looked at pay multiples of staff.

It was noted that Councillor Pearson requested that future statements include the Hutton Benchmarking so that it would demonstrate where South Derbyshire District Council sits in relation to this.

RESOLVED:

Council approved the Pay Policy Statement for the financial year 2021/2022 for publication.

CL/125 **CONTRACT PROCEDURE RULES**

The Service Director (Corporate Resources) presented the report to Council regarding the review of Procedure Rules that are imbedded within the Council's Constitution, he explained that the rules describe how officers should procure goods and services and manage contracts.

It was noted that Councillor Pearson welcomed the update of rules and requested that Internal Audit look at the figure of £25,00 in relation to the requirement to go out to tender for contracts to ensure the figure remains at the right level.

Councillor Churchill raised queries regarding EU Law for the free movement of goods and services and British Standards and how social benefits of tenders are measured within the value for money aspect and monitored following a successful tender bid.

The Service Director (Corporate Resources) agreed to check to see if the EU legal points were still relevant and up to date. Members were informed that social value was taken into account proportionally when tenders were evaluated and that further definitive guidance of how to measure social value in procurement was expected later in the year following a national review. Members were also informed that social and environmental aspects were included within the contracts and monitored through good contract management.

RESOLVED:

The updated Contract Procedure Rules as detailed in Appendix 1 of the were approved by Council and adopted into Part 4 (Section 28) of the Constitution.

CL/126 **CYCLE OF MEETINGS 2021-22**

The Head of Legal and Democratic Services presented the report to Members and requested that the cycle of Meetings be approved.

RESOLVED:

Council approved the cycle of Meetings for 2021/22.

CL/127 **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	25 th June 2019	PL/26 – PL/39
Planning	16 th July 2019	PL/40 – PL/52

CL/128 TO REVIEW THE COMPOSITIONS OF COMMITTEES, SUB-COMMITTEES, AND WORKING PANELS

Members reviewed the composition of Committees, Sub-Committees and Working Panels for the remainder of the municipal year.

RESOLVED:

Council approved the following changes to its Committees:

Standards Committee

Councillor Southerd 3rd Nomme

CL/129 TO REVIEW THE COMPOSITION OF SUBSTITUTE PANELS

Council was informed that there were no changes to the composition of Substitute Panels.

CL/130 TO REVIEW REPRESENTATION ON OUTSIDE BODIES

Members reviewed the representation on Outside Bodies.

RESOLVED:

Council approved changes to its representation on Outside Bodies:

Derbyshire Partnership Forum

Remove Councillor Churchill and appoint Councillor Brown as the representative on the Derbyshire Partnership Forum

CL/131 TO REVIEW OF REPRESENTATION OF MEMBER CHAMPIONS

Members were informed that there were no changes to the Representation of Member Champions.

CL/132 **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 COUNCIL MEETING

The Exempt Minutes of the Council Meeting held on the 14th January 2021 (CL/62 – 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.

The meeting terminated at 19:30 hours.

COUNCILLOR D MULLER
CHAIRMAN OF THE DISTRICT COUNCIL