MINUTES of the ANNUAL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 17th May 2001
at 6.00 p.m.

PRESENT:-

Labour Group
Councillor Mrs. Mead (Chair), Councillor Rose (Vice-Chair) and Councillors Bell, Brooks, Carroll, Dunn, Evens, Ford, Harrington, Knight, Lauro, Pabla, Richards, Mrs. Rose, Routledge, Sherratt, Southerd, Southern, Whyman and Wilkins.

Conservative Group
Councillors Bale, Douglas, Hood, Lemmon, Mrs. Robbins and Shaw.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Stone and Taylor (Labour Group) and Councillors Bladen, Mrs. Walton and Mrs. Wheeler (Conservative Group).

CL/1. **SHARPE'S HERITAGE AND ARTS RESOURCE CENTRE**

Members received a presentation by Mr. J. Oake, Chair of the Sharpe's Pottery Heritage and Arts Trust and Mr. P. Heath, Heritage Officer on the proposed Heritage and Arts Resource Centre. Members thanked Mr. Oake and Mr. Heath for the informative presentation.

CL/2. **APPOINTMENT OF THE LEADER OF THE COUNCIL**

It was noted pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor Whyman was to be the Leader of the Labour Group with effect from 2nd July 2001 and Councillor Lemmon was the Leader of the Conservative Group.

It was proposed, duly seconded and,

RESOLVED:-

That Councillor Dunn continue as Leader of the Council until 1st July 2001 and, upon the implementation of the new modernised committee structure with effect from 2nd July 2001, Councillor Whyman be appointed Leader of the Council for the ensuing year.

(Councillor Whyman thanked Members for the honour conferred upon him and, in particular, praised the efforts of Councillor Dunn during his period as Leader, which was reiterated by Members).

CL/3. **APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL**

It was noted pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor Carroll was to be the Deputy Leader of the

Labour Group with effect from 2nd July 2001 and Councillor Mrs. Wheeler was the Deputy Leader of the Conservative Group.

It was proposed, duly seconded and,

RESOLVED:-

That Councillors Richards and Whyman continue as Deputy Leaders of the Council until 1st July 2001 and, upon the implementation of the new modernised committee structure with effect from 2nd July 2001, Councillor Carroll be appointed Deputy Leader of the Council for the ensuing year.

(Councillor Carroll thanked Members for the honour conferred upon her).

CL/4. **MINUTES**

The Open Minutes of the Meeting of the Council held on 22nd March 2001 (Minutes Nos. CL/83 - CL/93) were taken as read, approved as a true record and signed by the Chair.

CL/5. **CHAIR'S COMMUNICATIONS**

The Chair advised that her Charity Golf Competition on 11th May 2001 had raised the sum of £700 for her nominated charities and the cheque presentations to her charities would be held on 22nd May 2001. She also outlined the Roll of Honour Certificate Awards during her year of office. The Chair advised that Councillor Bell was to compete in a ten mile sponsored run on 20th May 2001, the proceeds of which were to be donated to the Chair's Charity Appeal for next year.

The Chair expressed her thanks to Members and Officers for their support during her term of office and the Chief Executive responded on behalf of the staff.

CL/6. **REPORTS OF COMMITTEES**

RESOLVED:-

That the Open reports of the following Committees on delegated matters be received and noted, subject to any matters annotated:-

Housing and Environment Committee, 5th April 2001 (Minutes Nos. HE/111 -HE/121)

Leisure Services Committee, 12th April 2001 (Minutes Nos. LS/50 - LS/54)

Planning and Economic Development Committee, 19th April 2001 (Minutes Nos. PED/70 - PED/86)

Policy and Resources Committee, 26th April 2001 (Minutes Nos. PR/96 - PR/107)

(Minute No. PR/104, Members Allowances – It was noted that the Special Meeting of the Council would now be held on Thursday, 21st June 2001.
Minute No. PR/107, Report of Member – It was noted that the Annexe to the Minutes in respect of this matter should have indicated Special Responsibility Allowances for the Chairs of the Development Services Committee and the Community Services Committee in the sum of £4,250 and an amended Annexe was circulated accordingly, reflecting these correct figures).

CL/7. **JOINT CONSULTATIVE COMMITTEE - 3RD MAY 2001**

Members considered the Open Minutes of the Joint Consultative Committee held on 3rd May 2001 (Minutes Nos. JC/16 – JC/19).

RESOLVED:-

That the recommendation contained in the Open report of the Joint Consultative Committee held on 3rd May 2001 be approved and adopted.

CL/8. **SEALING OF DOCUMENTS**

RESOLVED:-

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

CL/9. **COMMITTEE STRUCTURE AND APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES**

RESOLVED:-

(1) That the current committee structure of the Urgency Sub-Committee, the Development Control Sub-Committee and any necessary Working Panels continue until 2nd July 2001 in accordance with their present compositions and any Working Panels necessary during this period report to the appropriate policy committee in the new structure.

(2) That appointments to the new structure be made at the Special Meeting of the Council to be held on 21st June 2001.

(3) That Chairs and Vice-Chairs of the following Committees to operate from 2nd July 2001 be appointed as indicated for the ensuing year:-

Committee	*Chair*	*Vice-Chair*
Development Services	*Cllr. Southerd*	*Cllr. Taylor*
Community Services	*Cllr. Southern*	*Cllr. Lauro*
Finance & Management	*Cllr. Wilkins*	*Cllr. Pabla*
Development Control	*Cllr. Brooks*	*To be appointed at first Meeting of Committee*

Committee	***Chair***	***Vice-Chair***
Community Overview & Scrutiny	***Cllr. Richards***	***Cllr. Routledge***
Corporate Overview & Scrutiny	***Cllr. Bell***	***Cllr. Harrington***

CL/10. **DRAFT PASTORAL SCHEME**

It was reported that in accordance with the Melbourne Deanery Plan, it was proposed to join the united benefice of Ticknall, Smisby and Stanton-by-Bridge with that of Barrow-on-Trent with Twyford and Swarkestone to form one united benefice. The parsonage house for the new united benefice would be the Vicarage at No. 7 Church Lane, Ticknall. The Vicarage at Barrow-on-Trent, presently used for the Industrial Chaplain, would be transferred to the Diocesan Board of Finance for diocesan purposes.

Views had been requested prior to the end of the consultation period of six weeks, which had commenced on 23rd April 2001.

RESOLVED:-

That the draft Pastoral Scheme proposed by the Diocese of Derby under the Pastoral Measure 1983 be noted.

CL/11. **COMMUNITY PLANNING – UPDATE**

It was reported that the Local Government Act 2000 was an important milestone in the Government's plans for reforming and modernising local government. Part I of the Act provided Councils with new powers to promote or improve the economic, social or environmental wellbeing of their area. This was linked to a duty to prepare community strategies within local strategic partnerships and to involve local people fully in the process. A substantial amount of guidance had now been produced by the Government to support these new arrangements and Members received an outline of several sections which highlighted several key components.

The power of wellbeing was designed to encourage innovation and closer joint working between local authorities and their partners to improve the quality of life, opportunity and health of their local communities. Whilst this power did not include any spending limits, it could not be used to raise money and in exercising the power, a local authority must have regard to its community strategy.

With regard to community strategies, each strategy would have four key elements and several guiding principles should underpin the strategy. The strategy should engage and involve communities, actively involve all Councillors, be prepared and implemented by a 'broad local strategic partnership' through which the local authority could work with other local bodies and be based on a proper assessment of needs and the availability of resources. The Government considered that the most effective method of ensuring the commitment of other organisations would involve local authorities working with other bodies through a local strategic partnership. The guidance stressed that all tiers of local government would have an important role to play in developing community strategies and it was important that the different tiers determined a joint approach to strategy

preparation before other partners were approached. This issue was currently being explored through the Derbyshire Partnership Forum which included representatives of the County Council, District Councils, the Police and Health Authorities.

The new duty to prepare a community strategy linked to the new power of wellbeing was likely to have a significant impact on the way in which the Council conducted its business and on its relationship with partners in the public, private and voluntary sectors. It was therefore proposed that a seminar should be organised in order to inform Members of the latest guidance and developments and to explore methods of progressing this important issue. There would be a small cost associated with the seminar, which could be met from existing budgets.

RESOLVED:-

That the report be noted and Officers be authorised to arrange a seminar for Members on the new duty to prepare community strategies and the new power of wellbeing.

CL/12. **'WORKING WITH OTHERS TO ACHIEVE BEST VALUE' – CONSULTATION PAPER**

It was reported that the Department of the Environment, Transport and the Regions (DETR) had issued a Consultation Paper entitled "Working with Others to Achieve Best Value". This set out the Government's proposals to use its powers under the provisions of Section 16 of the Local Government Act 1999 to facilitate partnership working under Best Value. Essentially, the powers under Section 16 would enable the Secretary of State to modify or exclude existing legislation applying to Best Value authorities if he was satisfied that such action would remove a provision which restricted a Best Value authority's ability to achieve its statutory duties under Best Value, and confer on Best Value authorities a power to do anything which he considered necessary or expedient to permit or to facilitate the achievement of Best Value.

The aim of the Government's proposals was to facilitate partnerships between Best Value authorities, and between them and other organisations in the public, private and voluntary sectors. In particular, Best Value authorities would be enabled to provide financial assistance to other bodies in the public, private and voluntary sectors and enter into agreements with them for the purposes of pooling budgets, taking a lead commissioning role and commissioning the delivery of goods and services; form and participate in local authority corporate structures, including companies; provide a wider range of goods and services to partners, whether in the public or private sector; and, in the case of waste management, enable authorities to explore options other than divestment to the private sector or arms' length companies.

The Government wished to ensure that Best Value authorities were able to consider a wide range of options as to how they delivered Best Value, including those that involved partnership working with others. According to the consultation paper, the provision of a new power to promote the economic, environmental and social wellbeing of an area had progressed considerably to achieving this target. However, there were other issues, such

as local trading, delegation and charging, which were not addressed through the wellbeing power. The current proposals were designed to tackle these issues.

Clearly, partnership working was an important service delivery option, especially for small councils. Therefore, the Government's aim of providing a robust legal framework that ensured proper accountability to local people was commendable. However, in terms of detail, the proposals appeared to have several shortcomings. These were highlighted in the policy briefing produced by the Local Government Information Unit (LGIU), which was considered by Members. Of particular concern was the relationship between Section 16 powers and the new wellbeing power.

RESOLVED:-

That the views expressed by the LGIU be endorsed as the basis of a response to the DETR.

CL/13. **PARLIAMENTARY AND COUNTY COUNCIL ELECTIONS 2001 – DESIGNATED POLLING PLACES**

It was reported that prior to each election, the Council designated a list of premises to be used as polling stations. Provisional bookings had been made for those premises used as polling stations for the elections held in 1999, subject to one alteration involving the inclusion of Scropton Riding Centre following the completion of alterations. Members considered the schedule of designated polling places to be used for this year's Parliamentary and County Council Elections and several Members expressed concerns at the locations identified relating to problems experienced at previous elections. The Chief Executive advised that these matters would be investigated accordingly and addressed in preparation for the District and Parish Elections in 2003.

RESOLVED:-

(1) That the list of designated polling places for the 2001 Parliamentary and County Council Elections, as submitted, be approved.

(2) That investigations be made into the issues raised by Members and such matters be considered in the preparation of a designated list of polling places for future elections.

CL/14. **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 22nd March 2001 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted:-

Housing and Environment Committee, 5th April 2001

Leisure Services Committee, 12th April 2001

Planning and Economic Development Committee, 19th April 2001

Policy and Resources Committee, 26th April 2001

Joint Consultative Committee, 3rd May 2001

MRS. J. MEAD

CHAIR