

Date: 03 April 2023

Dear Councillor

Council

YOU ARE HEREBY SUMMONED to attend the Meeting of the **Council** to be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Thursday, 13 April 2023 at 18:00** to transact the business set out on the attached agenda.

Yours faithfully,



Head of Legal and Democratic Services
and Monitoring Officer

To:-

Labour Group

Councillor Dunn (Chair), Councillor Bambrick (Vice-Chair) and
Councillors Gee, Heath, L. Mulgrew, M. Mulgrew, Pearson, Pegg, Rhind, Richards,
Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

Conservative Group

Councillors Ackroyd, Atkin, Bridgen, Brown, Corbin, Dawson, Fitzpatrick, Ford,
Haines, Hewlett, Lemmon, Muller, Patten, Redfern, Smith and Watson.

Independent Group

Councillors MacPherson and Roberts.

Non-Grouped

Councillors Churchill and Wheelton.

AGENDA
Open to Public and Press

- | | | |
|-----------|---|----------------|
| 1 | Apologies | |
| 2 | To confirm the Open Minutes of the following Council Meetings held on
22 February 2023 | 6 - 14 |
| 3 | To note any declarations of interest arising from any items on the Agenda | |
| 4 | To receive any announcements from the Chair, Leader and Head of Paid Service. | |
| 5 | To receive any questions by members of the public pursuant to Council Procedure Rule No.10. | |
| 6 | To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11. | |
| 7 | To consider any notices of motion in order of which they have been received. | |
| 8 | APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE (SM01) | 15 - 17 |
| 9 | EAST MIDLANDS FREEPORT UPDATE | 18 - 21 |
| 10 | PAY POLICY STATEMENT 2023-2024 | 22 - 38 |
| 11 | LIST OF OUTSIDE BODIES | 39 - 44 |
| 12 | DRAFT CYCLE OF MEETINGS 2023-24 | 45 - 47 |
| 13 | To receive and consider the Open Minutes of the following Committees: | |

Planning Committee 03 May 2022	48 - 53
Planning Committee 31 May 2022	54 - 63
Planning Committee 28 June 2022	64 - 68
Planning Committee 26 July 2022	69 - 76
Environmental and Development Services Committee 11 August 2022	77 - 83
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Overview & Scrutiny 31 August 2022	90 - 92
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Finance and Management Committee 6 October 2022	98 - 100
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Environmental and Development Services Committee 10 November 2022	104 - 108
Overview & Scrutiny 23 November 2022	109 - 112
Finance and Management Committee 24 November 2022	113 - 120
Environmental and Development Services Committee 03 January 2023	121 - 123

Overview & Scrutiny 04 January 2023	124 - 127
Housing and Community Services Committee 05 January 2023	128 - 131
Finance and Management Committee 12 January 2023	132 - 137
Environmental and Development Services Committee 26 January 2023	138 - 142
Housing and Community Services Committee 02 February 2023	143 - 147
Overview Scrutiny 08 February 2023	148 - 150
Finance and Management Committee 09 February 2023	151 - 155
14 To review the compositions of Committees, Sub-Committees and Working Panels.	
15 To review the compositions of Substitute Panels.	
16 To review representation on Outside Bodies.	
17 To review Member Champions.	
18 The Chairman may therefore move:- 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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.	
19 To receive the Exempt Minutes of the following Council Meetings:	

22 February 2023

- 20** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 21** To receive and consider the Exempt Minutes of the following Committees:
- Finance and Management Committee 25 August 2022
- Environmental and Development Services Committee 22 September 2022
- Finance and Management Committee 06 October 2022
- Environmental and Development Services Committee 10 November 2022
- Finance and Management Committee 24 November 2022
- Finance and Management Committee 12 January 2023
- Environmental and Development Services Committee 26 January 2023
- Housing and Community Services Committee 02 February 2023
- Finance and Management Committee 09 February 2023

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way
on Wednesday, 22 February 2023
at 6:00pm

PRESENT:

Labour Group

Councillor Dunn (Chair) and Councillor Bambrick (Vice-Chair)
and Councillors Gee, Heath, L. Mulgrew, M Mulgrew, Pearson, Pegg, Rhind,
Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

Conservative Group

Councillors Atkin, Dawson, Fitzpatrick, Haines, Hewlett, Lemmon, Muller,
Redfern, Smith and Watson.

Independent Group

Councillor MacPherson

CL/115 **APOLOGIES**

Council was informed that apologies had been received from Councillors Ackroyd, Brown, Bridgen, Corbin, Ford and Patten (Conservative Group) and Councillor Roberts (Independent Group) and Councillors Churchill and Wheelton (Non-Grouped).

CL/116 **THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of Council Meeting held on 19 January 2023 (CL/95 to CL/111) were approved as a true record and signed by the Chair of the Council.

CL/117 **DECLARATIONS OF INTEREST**

On behalf of all Members, the Chair declared a pecuniary interest in relation to Item CL/129, Budget and Council Tax Setting 2023/24, in accordance with Clause 14(4)(vi) of the Members' Code of Conduct.

CL/118 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the District Council addressed Members and informed them of the events he had attended which included, the Royal Legion's Burns' Night Supper, the Beat the Street photo shoot, Melbourne's Creative Art Gallery, tree planting for the Queen's commemorative Green Canopy at Rosliston Forestry Centre and the Hosting of the Toyota City delegation. The Chair thanked the Chief Executive for his advice and guidance during his time as Chair of the District Council and thanked the Strategic Director (Corporate Resources) for his support whilst Chair of Audit Sub-Committee and wished them both well in their retirement.

CL/119 ANNOUNCEMENTS FROM THE LEADER

The Leader of the Council addressed Council and informed Members of his attendance of events alongside the Chair of the District Council and noted that Toyota had announced its commitment to UK manufacturing by moving towards carbon net zero by 2030. The Leader of the Council informed Members that whilst there were concerns regarding the recruitment and retention of staff for many local authorities the advert for Chief Executive had attract a number of high calibre candidates.

The Leader of the Council thanked the Strategic Director (Corporate Resources) for his service and expressed his gratitude for his guiding hand and all that he had achieved for the Council.

The Leader of the Council expressed his thanks for all that the Chief Executive had achieved for the Council during his service including the extensive amount of business that had been brought into the District.

Councillor Smith thanked the Strategic Director (Corporate Resources) for his support and guidance and thanked the Chief Executive on behalf of the Conservative Group for all that he had done for the Council and the residents of South Derbyshire.

Members of the Council gave thanks and applauded both the Strategic Director (Corporate Resources) and the Chief Executive for all they had done for the Council and South Derbyshire.

The Strategic Director (Corporate Resources) expressed his gratitude for the time working at the Council and thanked Members for their kind words.

CL/120 ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE

The Head of Paid Service addressed Council and updated Members regarding the Derbyshire County Council devolution issue that was moving forward following the end of the consultation period. The Head of Paid Service announced support from Derby County FC for the Chair's Charity Dinner and that it had donated a signed shirt and gifts to help raise funds for the Chair's chosen charity, the NSPCC.

The Head of Paid Service thanked Members for all their words of appreciation and thanked the Strategic Director (Corporate Resources) for all his work and dedication during his time with the Council.

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 PURSUANT TO COUNCIL PROCEDURE RULE NO. 12**

Council was informed that no motions had been received

CL/124 **PROPOSED CONTINUATION OF BANDED COUNCIL TAX REDUCTION SCHEME 2023-24**

The Strategic Director (Corporate Resources) presented the report to Council noting that it was a precursor to the Council Tax Setting and outlined the key benefits of the scheme.

Councillor Richards and Councillor Smith supported the report as it would help those residents on low incomes.

RESOLVED:

1.1 Council approved that the Council maintained a banded Council Tax Reduction Scheme for 2023/2024, to include the following changes as recommended by the Finance and Management Committee on 12 January 2023.

- ***Up-rating to the applicable amounts in line with the prescribed scheme but with the exception of non-dependent deduction for working age to remain at £5.00 for 23/24 for all cases.***
- ***Align with Housing Benefit regulations for Ukrainian Refugees regarding habitual residence to allow the payment of council tax support.***
- ***Adopt the prescribed scheme for Mixed Aged Couples.***
- ***Adopt any other changes within the prescribed scheme in accordance with the statutory instrument published in January 2023.***
- ***Current funding of £20,000 from the Welfare Reform Fund be continued to be set aside in 2023/2024 for hardship cases.***

CL/125 **CAPITAL STRATEGY 2022/23 TO 2027/28**

The Strategic Director (Corporate Resources) presented the report to the Council and sought ratification of the strategy.

RESOLVED:

1.1 Council approved the proposed Capital Strategy 2023/24 to 2027/28 as detailed in Appendix 1 of the report.

CL/126 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS 2023/24

The Strategic Director (Corporate Resources) presented the report to Council and outlined the movement of the housing debt and the management of investments. It was noted that monies out on deposit were as safe as they could be and that the Council strived to get the best interest rates it could.

Councillor Pearson and Councillor Southerd commended the report and noted the responsibility attached to investing public money and the importance of mitigating risks.

RESOLVED:

- 1.1 Council approved the Treasury Management Strategy for 2023/24 as per Appendix 1 of the report.***
- 1.2 Council approved the Prudential Indicators and Limits for 2023/24 – 2027/28 as per Appendix 2 of the report.***
- 1.3 Council approved the Investment Policy for 2023/24 including the associated counterparty (lending) list as per Appendix 3 of the report.***

CL/127 ANNUAL REPORT OF THE SECTION 151 OFFICER

The Strategic Director (Corporate Resources) addressed Council and explained how the report linked to the Council Tax Setting and set out the position of the Council now and in the future. The Housing Revenue Account was highlighted and it was made clear that the financial plan was to repay debt and maintain houses. It was clarified that the overall position of the General Fund had not changed and was in a good position. It was noted that government funding may impact on the future as funding of £1.8 million was not guaranteed past 2023/24 and the importance of having a five year plan was highlighted.

It was explained that the budget had been based on a 1% Council Tax increase following approval by Finance and Management Committee and that as the increase was lower than projected this would have a cumulative impact over the five-year financial plan.

Members commended the clear and very detailed report and recognised the importance of having a medium to long term financial plan.

RESOLVED:

- 1.2 Council considered and noted the Annual Report of the Section 151 Officer.***

- 1.3 Council would have due regard to the Annual Report when approving the Budget for 2023/24 and when considering future proposals for new spending and the utilisation of resources.**
- 1.4 Council approved that no new unfinanced spending commitments be added to the Base Budget and Medium-Term Financial Plan approved by the Finance and Management Committee on 9 February 2023.**
- 1.5 Council approved that the Medium-Term Financial Plan continued to be reviewed and updated on a quarterly basis.**

CL/128 **APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

The Chief Executive addressed Council and presented the report that allowed for succession planning with an experienced officer in post that would give a wider scope for the recruitment of the next Chief Executive.

Members commended the report.

RESOLVED:

- 1.1 Council approved the appointment of Ardip Sandhu, with effect from 23 February 2023, as the Returning Officer and Electoral Registration Officer for South Derbyshire District Council, to ensure legislative requirements be met.**

CL/129 **BUDGET AND COUNCIL TAX SETTING 2023/24**

The Leader of the Council addressed Council and proposed the level of Council Tax 2023/24 increase following approval at Finance and Management Committee.

The Leader of the Council presented a brief statement regarding the recovery of Covid and the Council's volatility due the economic situation. It was clarified that when deliberating the Council Tax, rising inflation, increases in fuel, energy and food prices and the level of salaries had all been taken into account. It was also noted that whilst the Council's overall position was considered to be healthy there was a possibility that the current level of reserves could fall quite quickly and therefore it was prudent to have a financial plan which set aside reserves.

The Leader of the Council confirmed that the Section 151 Officer's advice had been taken on board and as it was envisaged that there would be not cuts to services and to demonstrate the commitment of the Council to support the Community the Council Tax increase proposed would be as low as possible.

The Leader of the Council proposed a Council Tax increase of 1% for 2023/24 and a 2% increase for concurrent functions for Parish Councils.

The Leader of the Council thanked the Chief Executive and members of staff for their excellent work during the previous year.

Councillor Smith addressed Council and explained that following the advice from the Section 151 Officer the Conservative group could not support the proposed increase.

Councillor Pearson and Councillor Southerd supported the proposed increase stating that, taking all factors into account it was a sensible proposal and noted that there would be financial support available for those that required it.

RESOLVED:

1. ***It be noted that on 12 January 2023, the Full Council calculated the Council Tax Base 2023/24:***

- (a) ***For the whole area as 37,663 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011).***

- (b) ***For dwellings in those parts of its area to which a Parish Precept relates as 25,767.***

2. ***Calculated that the Council Tax £6,577,466.***

3. ***That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 and 36 of the Localism Act 2011:***

- (a) ***£48,064,829***

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.

- (b) ***£40,450,146***

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

- (c) ***£7,614,684***

Being the amount by which the aggregate of 3(a) above exceeds the aggregate of 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

- (d) ***£202.18***

Being the amount at 3(c) above (Item R) all divided by Item T (1a above) calculated by the Council in accordance with Section 31B of the Act,

as the basic amount of its Council Tax for the year (including Parish Precepts).

(e) £1,037,217

Being the aggregate amount of all Parish Precepts referred to in Section 34 (1) of the Act.

(f) £174.64

Being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1a above) calculated by the Council in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept relates.

- 4. Noted that Parish Councils have issued precepts to the Council in accordance with Section 41 of Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule A.***
- 5. To note that the County Council, the Police and Crime Commissioner and the Fire and Rescue Service for Derbyshire, have issued Precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule B.***
- 6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule C, as the amounts of Council Tax for 2023/24 for each part of its area and for each of the categories of dwellings, this being the aggregate of Schedules A and B.***
- 7. That in accordance with Section 52 (ZB) of the Local Government Finance Act 1992, the Council determines that the amount of council tax shown at 3 (f) of £174.64 is not excessive compared to 2022/23 and therefore there is no requirement for a local referendum.***

As required by the Council's Procedure Rules a recorded vote was taken.

The Members who voted in favour of the resolution above were:

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

The Members who voted against the resolution above were:

Councillors Atkin, Dawson, Fitzpatrick, Haines, Hewlett, Lemmon, Muller, Redfern, Smith and Watson.

CL/130 **TO REVIEW THE COMPOSITIONS OF COMMITTEE, SUB-COMMITTEES AND WORKING PANELS**

The Members reviewed the composition of Committees, Sub-Committees and Working Panels 2022-23.

RESOLVED:

Environmental and Development Services Committee

Councillor Ford to replace Councillor Dawson

Housing and Community Services Committee

Councillor Dawson to replace Councillor Ford

CL/131 **TO REVIEW THE COMPOSITIONS OF THE SUBSTITUTE PANELS**

The Members reviewed the composition of the composition of Committees, Sub-Committees and Working Panels.

RESOLVED:

Council was informed no amendments were to be made

CL/132 **TO REVIEW THE REPRESENTATION ON OUTSIDE BODIES**

Members reviewed the Outside Bodies representation list.

RESOLVED:

Council was informed no amendments were to be made.

CL/133 **TO REVIEW MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/134 **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.

THE EXEMPT MINUTES OF COUNCIL MEETINGS

The Exempt Minutes of the Council Meeting held on the 19 January 2023 (CL112-CL114) 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.

APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE

The Committee approved the recommendations within the report.

The meeting terminated at hours.19:20 hours

COUNCILLOR P DUNN

CHAIR OF THE DISTRICT COUNCIL

REPORT TO:	FULL COUNCIL	AGENDA ITEM: 8
DATE OF MEETING:	13 APRIL 2023	CATEGORY: DELEGATED
REPORT FROM:	RECRUITMENT AND SELECTION WORKING PANEL	OPEN
MEMBERS' CONTACT POINT:	COUNCILLOR KEVIN RICHARDS Kevin.richards@southderbyshire.gov.uk	DOC:
SUBJECT:	APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE (SM01)	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM05

1.0 Recommendations

- 1.1 That Council approve the appointment of Dr Justin Ives in to the post of Chief Executive and Head of Paid Services (SM01) with effect from 2 May 2023.

2.0 Purpose of the Report

- 2.1 To receive the recommendation from the Recruitment and Selection Panel on the appointment to the post of Chief Executive and Head of Paid Service (SM01).

3.0 Detail

Appointment of Recruitment and Selection Panel

- 3.1 Elected Member representatives were appointed on to the Panel by Council at its meeting held on 19 January 2023. This Panel had delegated authority from Council to complete the appointment into the post of Chief Executive and Head of Paid Service (SM01)

Recruitment of Chief Executive

- 3.2 20 applications were received for the post and eight were invited to attend a technical interview with the then current Chief Executive and Strategic Director (Corporate Resources) with support provided by the Human Resources Manager and a representative from Gatenby Sanderson, the approved recruitment partner for the post.
- 3.3 Five candidates completed the technical interview and four were recommended to be invited to the assessment centre to complete the recruitment process.

- 3.4 The assessment centre was completed over two days on 6 and 7 March 2023. All four candidates undertook two separate exercises on 6 March 2023 with a Stakeholder Panel and the Recruitment and Selection Panel.
- 3.5 On 7 March 2023, all four candidates completed a final interview with the Recruitment and Selection Panel.
- 3.6 After careful consideration of all the information presented to the Recruitment and Selection Panel it was a unanimous decision to offer the post to Dr Justin Ives.
- 3.7 The post has been offered to Dr Justin Ives subject to the completion of pre-employment checks and the approval of Council. It is proposed, that subject to the completion of these checks and approval of Council, that Dr Justin Ives will commence employment with the Council on 2 May 2023.

4.0 Financial Implications

- 4.1 There is no proposed changes to the grade for the post of Chief Executive and Head of Paid Service (SM01) so the salary budget is unaffected.

5.0 Corporate Implications

Employment Implications

- 5.1 There are no changes proposed to the existing terms and conditions of employment and duties of the post.
- 5.2 The recruitment has been completed in line with the Appointment Procedure for Chief Executive and Directors and provided a robust framework for the appointment to be completed in a fair and transparent manner.

Legal Implications

- 5.3 None directly arising from the report.

Corporate Plan Implications

- 5.4 This is the key Officer appointment for the Council and will be accountable for the delivery of the Council services that make South Derbyshire a 'great place to live, visit and invest' through the delivery of the Corporate Plan. In particular the Chief Executive and Head of Paid Service is accountable for;
- Being the lead officer for the provision of advice to Elected Members and to ensure that their strategic policy objectives are identified and achieved as effectively and economically as possible and, within the legal framework available to the Council
 - Acting as a role model to lead, motivate and inspire the organisation.
 - Effectively managing the Council's resources to achieve the highest possible performance to deliver the Council's objectives for the local community and stakeholders.
 - Building strong, visible and collaborative leadership between Elected Members, senior officers and partners which builds a supportive and positive culture,

inspires people to achieve, encourages new ways of working and supports the delivery of strategic objectives.

- Ensuring the needs of residents and service users inform the vision and strategies of the Council.
- Carrying out the statutory role of Head of Paid Service.

Risk Impact

5.5 None directly arising from the report.

6.0 Community Impact

Consultation

6.1 None directly arising from the report.

Equality and Diversity Impact

6.2 None directly arising from the report.

Social Value Impact

6.3 None directly arising from the report.

Environmental Sustainability

6.4 None directly arising from the report.

7.0 Background Papers

Appointment Procedure for the Chief Executive and Directors

REPORT TO:	COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	13 APRIL 2023	CATEGORY: DELEGATED
REPORT FROM:	MONITORING OFFICER	CATEGORY: OPEN
MEMBERS' CONTACT POINT:	LIZ PAGE elisabeth.page@southderbyshire.gov.uk	DOC:
SUBJECT:	EAST MIDLANDS FREEPORT UPDATE	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM

1.0 Recommendations

- 1.1 Members note the report and the progress in relation to the East Midlands Freeport.

2.0 Purpose of the Report

- 2.1 To update the Council on the progress of East Midlands Freeport.

3.0 Detail

Background

- 3.1 In November 2020, the Government launched the Freeport bidding prospectus, setting out plans to provide the designated areas with special tariff and duty status to fuel economic growth, 'level up' underperforming regions, and promote innovation and regeneration.
- 3.2 At the 21 January 2021 Environment and Development Committee, Members endorsed the submission of a Freeport proposal for the East Midlands to Government, including a site within South Derbyshire.
- 3.3 In March 2021, the Government announced that, subject to completing the necessary authorisation processes, bids from eight locations in England had been successful, including the East Midlands.
- 3.4 In September 2021, an Outline Business Case for an East Midlands Freeport was submitted to Government. This was assessed positively, and work progressed to develop a Full Business Case for appraisal by Government.
- 3.5 At the 14 April 2022 Council meeting, Members endorsed the recommendations for Officers to contribute to the development of the Full Business Case, and for the Leader to sign a letter of support.

- 3.6 Freeports are special areas within the UK's borders where different economic regulations apply. Freeports in England are centred around one or more air, rail, or seaport, but can extend up to 45km beyond the port(s). The Freeport model envisages a package of measures, comprising tax reliefs, customs, business rates retention, planning, regeneration, innovation and trade and investment support.
- 3.7 Eligible businesses in Freeports will enjoy a range of tax incentives, such as enhanced capital allowances, relief from stamp duty and employer national insurance contributions for additional employees. These tax reliefs are designed to encourage the maximum number of businesses to open, expand and invest in Freeports which in turn will boost employment.
- 3.8 Freeports will benefit from a range of customs measures, allowing imports to enter the Freeport custom sites with simplified customs documentation and delay paying tariffs. This means that businesses operating inside designated areas in and around the port may manufacture goods using these imports, before exporting them again without paying the tariffs and benefit from simplified customs procedures.
- 3.9 Each Freeport will be granted up to £25 million of seed capital funding, primarily to be used to address infrastructure gaps in tax and/or customs sites that are holding back investment.
- 3.10 There is no deregulatory agenda in Freeports, with respect to security, health and safety, workers' rights, data protection, biosecurity, tax avoidance and the environment. Freeports – in the same way as every other business in the UK – will have to adhere to the UK's regulatory standards. Moreover, Freeports will be subject to an annual audit, by HMRC and Border Force, to make sure security measures continue to meet the high standards expected from Freeport operators to mitigate security risks across physical, personnel, and cyber domains.

Update

- 3.11 The Full Business Case was submitted together with the letter of support from the Council. Subsequently, the East Midlands Freeport (EMF) started to meet as a Shadow Board. The Leader attended the Shadow Board meetings.
- 3.12 The Leader, the Council's Legal Services section and s151 Officer have been involved in the review, negotiation and approval of the EMF draft Articles of Association and Members Agreement (both subject to adoption by the Council). The Council's Legal Services section is providing input into the EMF's other required documents.
- 3.13 The members to the Members Agreement are the Council, Leicestershire County Council, Derbyshire County Council, Nottinghamshire County Council, Rushcliffe Borough Council, North West Leicestershire District Council, private sector land holders and developers within the EMF area.
- 3.14 The Government approved the Business Case and on 30 March 2023, the Department for Levelling Up, Housing and Communities confirmed final Government sign off and that the EMF was fully operational with access to the £25 million of seed funding.
- 3.15 An Operational Forum has now been established including representation from the Council. Various other forums, sub-committees, and working groups will now be established with Council representation where relevant.

- 3.16 The Council will need to adopt a Business Rates Rebate Scheme for the Freeport. It is intended that the Scheme will apply to all the relevant Billing Authorities (the Council, Rushcliffe Borough Council and North West Leicestershire District Council).
- 3.17 A report will be made to a subsequent Council meeting (hopefully June or July 2023) for approval of the Articles of Association and Members Agreement, the other related EMF documents and the draft Business Rates Relief Scheme.
- 3.18 The Leader will be appointed to the Shadow/fully constituted EMF Board at the Annual Council meeting in May.

4.0 Financial Implications

- 4.1 None in this report. Subsequent reports will provide a full analysis.

5.0 Corporate Implications

Legal Implications

- 5.1 None in this report. Subsequent reports will provide a full analysis.

Corporate Plan Implications

- 5.2 A Freeport has the potential to contribute to the achievement of the 'Our Environment' theme of the Corporate Plan, which aims to keep a clean, green District for future generations, and the 'Our Future' theme which aims to grow our District and our skills base – including the following:

- Work with residents, businesses and partners to reduce their carbon footprint.
- Attract and retain skilled jobs in the District.
- Encourage and support business development and new investment in the District.
- Influence the improvement of infrastructure to meet the demands of growth.

Risk Impact

- 5.3 None in this report. Subsequent reports will provide a full analysis.

6.0 Community Impact

Consultation

- 6.1 There are no consultations underway at this time.

Equality and Diversity Impact

- 6.2 There are no equality and diversity impacts at this time.

Social Value Impact

- 6.3 There are no social value impacts at this time.

Environmental Sustainability

6.4 There are no environmental sustainability considerations at this time.

7.0 Background Papers

None

REPORT TO:	COUNCIL	AGENDA ITEM: 10
DATE OF MEETING:	13 APRIL 2023	CATEGORY: RECOMMENDED
REPORT FROM:	HEAD OF FINANCE	OPEN
MEMBERS' CONTACT POINT:	CHARLOTTE JACKSON, (01283 595901) charlotte.jackson@southderbyshire.gov.uk	DOC:
SUBJECT:	PAY POLICY STATEMENT 2023-2024	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Pay Policy Statement for the financial year 2023/2024 (**Appendix 1**) is approved for publication.

2.0 Purpose of the Report

- 2.1 The Localism Act 2011 requires all local authorities to publish a Pay Policy Statement on an annual basis. Regulations require the Full Council to consider and approve the Statement for publication in accordance with the Code of Practice on Transparency in Local Government.

3.0 Detail

- 3.1 The Pay Policy Statement (which is attached) reflects the Council's organisation structure as at 1 April 2023.
- 3.2 The pay multiples in Section 6 of the Statement are based on the latest pay scales. The multiple between the pay of the Council's highest paid employee and the lowest paid employee is 1:6.6 which is a decrease from the 2022/2023 figure of 1:7.38.
- 3.3 The multiple between the pay of the Council's highest paid employee and the median salary is 1:5.11 which is a decrease compared to 1:5.43 in 2022/2023.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

Employment Implications

- 5.1 There are no employment implications arising from this report.

Legal Implications

5.2 None directly.

Corporate Plan Implications

5.3 None directly.

Risk Impact

5.4 None directly.

6.0 Community Impact

Consultation

6.1 None directly.

Equality and Diversity Impact

6.2 Equal Pay Audits are undertaken in line with the Council's pay structure. The Council's Equality, Diversity and Inclusion Action Plan will include a review of HR policies including those relating to pay.

Social Value Impact

6.3 The aim of the Pay Policy is to ensure that the Council's approach to setting pay is accessible and to enable local people to take an informed view of whether local decision on all aspects of remuneration are fair and make the best use of public funds.

Environmental Sustainability

6.4 None.

7.0 Conclusions

7.1 The Localism Act 2011 requires the Council to have and publish annually a Pay Policy Statement on its website.

8.0 Background Papers

8.1 Pay Policy Statement 2023/2024 attached.

Pay Policy Statement 2023/2024

**Organisational Development and Performance
April 2023**

Document Control

Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Description of Version	Effective Date
1.0	Pay Policy Statement	1 st April 2014
2.0	Pay Policy Statement 2015/2016	1 st April 2015
3.0	Pay Policy Statement 2016/2017	1 st April 2016
4.0	Pay Policy Statement 2017/2018	1 st April 2017
5.0	Pay Policy Statement 2018/2019	1 st April 2018
6.0	Pay Policy Statement 2019/2020	1 st April 2019
7.0	Pay Policy Statement 2020/2021	1 st April 2020
8.0	Pay Policy Statement	1 st April 2021
9.0	Pay Policy Statement 2022/2023	1 st April 2022
10.0	Pay Policy Statement 2023/2024	1 st April 2023

Approvals

Approved by	Date
Full Council	TBC

Associated Documentation

Description of Documentation	



1.0 INTRODUCTION

- 1.1 This Pay Policy Statement for 2023/2024 has been produced in accordance with the requirements of the Localism Act 2011, which requires that a Pay Policy Statement is published annually. The Council's statement takes into account the guidance provided as well as the provisions of the Act.
- 1.2 Local Authorities should include in their Pay Policy Statements information in relation to:
- ❑ The remuneration of their most senior employees.
 - ❑ The remuneration of their lowest paid employees.
 - ❑ The relationship between the remuneration of their most senior employees and that of other employees.
- 1.3 This Pay Policy Statement is also linked to the Council's Workforce Development Strategy.

2.0 STATUS OF THE PAY POLICY STATEMENT

- 2.1 The Act makes it clear that the Pay Policy Statement for each financial year must be approved by Full Council. The approved policy will be published on the Council's website.
- 2.2 The Pay Policy Statement is reviewed on an annual basis. Each new version of the policy will be approved by Full Council. This will take place at the nearest meeting of the Full Council to the 1st April each year.
- 2.3 The Pay Policy Statement can be amended during the course of a financial year with approval by Full Council.

3.0 TRANSPARENCY AND AUTONOMY

- 3.1 The Council recognises and welcomes the aims behind the requirement for a Pay Policy Statement which are to:
- ❑ Ensure that the Council's approach to pay is accessible for all.
 - ❑ Enable local people to take an informed view of whether local decisions by the Council are fair and make the best use of public funds.
- 3.2 The Council also welcomes the Government's recognition that each local authority remains an employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and continue to deliver value for money for the community.



4.0 **REMUNERATION OF THE COUNCIL'S SENIOR EMPLOYEES**

4.1 The Council's senior employees are:

- ❑ Chief Executive and Head of Paid Service.
- ❑ Two posts at a Director level. These posts report to the Chief Executive. The Directors are:
 - ❑ Strategic Director – Service Delivery
 - ❑ Strategic Director - Corporate Services. (This role also undertakes the role of Chief Finance Officer (CFO) in accordance with S151 of the 1972 Local Government Act that requires the Council to make arrangements for the proper administration of its financial affairs).
- ❑ Heads of Service. These twelve posts are responsible for specific service areas and report to either a Strategic Director or the Chief Executive. The Heads of Service are:
 - ❑ Head of Planning and Strategic Housing
 - ❑ Head of Cultural and Community Services
 - ❑ Head of Operational Services
 - ❑ Head of Environmental Health
 - ❑ Head of Housing
 - ❑ Head of Finance
 - ❑ Head of Customer Services
 - ❑ Head of Business Change and ICT
 - ❑ Head of Organisational Development and Performance
 - ❑ Head of Corporate Property
 - ❑ Head of Legal and Democratic Services and Monitoring Officer
 - ❑ Head of Economic Development and Growth

It should be noted that as at 1st April 2023 there is no Chief Executive or Strategic Director (Corporate Services) in post. Appointments have been made into these roles and employment will commence in May and June respectively, therefore the starting salaries of the new postholders have been used for the purposes of calculations.

4.2 For information on the Council's Monitoring Officer please see paragraph 5.11.

Background

4.3 The Chief Executive and Strategic Directors are the Council's Leadership Team. These senior employees are responsible for working with elected politicians to deliver the overall strategic direction of the Council, to manage the Council's financial and other resources, to develop the scale, nature, efficiency and effectiveness of all the



services provided by the Council and to provide day-to-day management of those services.

Overall policy on the remuneration of senior posts

- 4.4 The Council's overall approach to the remuneration of its senior posts is based on:
- ❑ Compliance with equalities (including equal pay) legislation.
 - ❑ Ensuring that its overall remuneration packages align with comparable posts in local government whilst taking into account:
 - ❑ Relevant pay data from similar authorities to allow meaningful benchmarking to be undertaken.
 - ❑ The responsibility of posts and their level in the Council.
 - ❑ The trend towards slimmer senior management structures comprising posts with wider spans of responsibilities.
 - ❑ National terms and conditions of employment that apply to senior posts.
 - ❑ External professional advice provided by the Local Government Association
- 4.5 The Council will seek to maintain this overall approach by periodically monitoring pay data provided by such organisations as the Local Government Association. This period is determined by the Council. The last review of pay for the Chief Executive and Strategic Directors was completed in December 2017 and for Heads of Service in December 2018.
- 4.6 In terms of pay differentials for its senior posts, the Council recognises that:
- ❑ The role of Chief Executive and Head of Paid Service leads the Council workforce and has the greatest level of accountability. This post therefore warrants the highest level of pay in the Council.
 - ❑ The Directors report directly to the Chief Executive. These posts have a wide span of responsibility for a number of service areas and in turn have a number of managers reporting to them. These posts therefore warrant the next highest pay level below that of the Chief Executive and Head of Paid Service.

Developing pay scales for senior posts

- 4.7 The Council has determined the pay scales for its senior posts locally. It is the Council's policy that all pay scales are approved by the Council's Finance and Management Committee. With regard to the latest review of the pay scales for senior posts the Council a Remuneration Panel was appointed consisting of Elected



Members to develop and recommend, in accordance with a project brief, the relevant pay scales.

- 4.8 An independent organisation, the Local Government Association (LGA), was commissioned by the Council to advise the Remuneration Panel.
- 4.9 Part of the LGA's remit is to assist local authorities to create pay solutions. Its work also leads to the development of national conditions of service and pay scales. The LGA has access to national pay data surveys e.g. the salary and numbers surveys for the Joint National Councils for Chief Executives and for Chief Officers. Using its experience of developing pay models and pay scales the LGA identified relevant pay data which enabled the Council's pay scales for the Chief Executive's post and the Directors posts to be benchmarked against the pay scales for similar posts in comparable District Councils.
- 4.10 Based on this information recommendations were made to the Finance and Management Committee by the Remuneration Panel on the pay scales for the Council's senior posts. The current pay scales for the Council's senior posts are discussed below.

Remuneration of Senior Posts

- 4.11 The pay scale for the Chief Executive and Head of Paid Service consists of five incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.12 The new, revised pay scale for the Council's Directors consists of four incremental points. Progression through the scale is usually on an annual basis that takes effect on 1st April each year.
- 4.13 The scales have a bar beyond which further progression is subject to the post holder meeting stated performance criteria.
- 4.14 Details of actual senior officer remuneration are included in the Council's Annual Statement of Accounts (Note 28)
- 4.15 The last national pay award for senior officers was in April 2022.

Local Government Pension Scheme (LGPS)

- 4.16 Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by legislation. When individuals are already in receipt of a local government pension they are subject to the rules on abatement of pension within the scheme.



Pay awards

- 4.17 The salaries of senior posts are increased in line with any national pay award agreed by either the Joint National Council for Chief Executives or the Joint National Council for Chief Officers whichever is appropriate. Any changes are normally implemented with effect from 1st April each year.

Overtime, etc.

- 4.18 There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments paid to the above senior posts as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.

Remuneration of Senior Employees on Recruitment

- 4.19 The Council's practice is that any newly appointed senior officer will start at the lowest pay point in the pay range for their job, other than when the particular skills and experience of the successful candidate merit a higher starting salary.
- 4.20 In line with the Council's procedure for senior officer appointments the appointment of a Chief Executive must be approved by Full Council.

5.0 EMPLOYEES IN POSTS BELOW A DIRECTOR

Key Principles

- 5.1 The Council aims to provide fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services that are cost effective and provide value for money.
- 5.2 The Council's employment policies comply with the provisions of the Equality Act 2010, which includes equal pay, and other relevant employment legislation.
- 5.3 Currently an employee's pay is based on either a pay scale, through which employees may progress until the top of the scale is reached, or a fixed salary point. In some cases progression through a grade is dependent upon specified criteria (e.g. the attainment of a required qualification). The Council's pay structure is based on the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. The national pay spine has been amended with effect from 1 April 2019 and the Council's pay structure has been amended to reflect this. This structure has been subject to Equal Pay Audits.



- 5.4 The Council reviewed its pay and grading structure for the posts below Director Level in 2018, which included undertaking a job evaluation exercise. This was carried out by an external, independent, consultant in conjunction with the recognised Trade Unions and members of the Senior Management Team. A revised pay and grading structure, for posts below Director level was implemented with effect from 1st April 2019.

National Conditions of Service

- 5.5 The employment terms and conditions of service for most of the Council's employees below Director/Chief Officer level are those of the National Joint Council (NJC) for Local Government Services as amended and/or supplemented by any local agreements with the Council. Any annual pay award is agreed by this NJC and is usually effective on 1st April each year.
- 5.6 The exception is craft employees, whose pay and conditions of service is determined by the Joint Negotiating Committee (JNC) for Local Authority Craft & Associated Employees. Pay awards are also negotiated nationally by this JNC and are normally effective from 1st April each year. During 2022/2023 changes were made to the grading structure for craft employees and a new development scheme is in place which allows incremental progression. Grades have been aligned with the existing NJC grades.
- 5.7 As a result of a TUPE transfers of staff, in April 2018, the Council also has a small number of employees on terms and conditions of employment that are outside of national conditions of service but that are protected under the terms of the TUPE regulations and existing employment law.

Definition of lowest paid employees

- 5.8 The definition of the "lowest-paid employees" for the purposes of this Pay Policy Statement is those full-time employees who are paid on Grade One, spinal column point 3.
- 5.9 The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week, is £20,812 per annum (last pay award 1st April 2022). This equates to an hourly rate of £10.78 which above the National Living Wage of £10.42 per hour.

Remuneration of lowest paid employees

- 5.10 For the purposes of this policy statement, remuneration includes the employee's basic annual salary and any allowances or other similar payments, benefits in kind,



any increases or enhancements to any pension entitlement and any termination or other severance payments.

The Council's Monitoring Officer

- 5.11 The role of Head of Legal and Democratic Services and Monitoring Officer includes the additional statutory responsibilities of Monitoring Officer. Remuneration for this additional responsibility is now included within the substantive grade for the post.

Modern Apprentices

- 5.12 The Council offers Modern Apprenticeships in line with the national scheme. Apprentices are paid less than the Council's lowest paid employees, which reflects the particular nature of their role, together with experience and training requirements. This is however above the National Living Wage.

Other elements of remuneration

- 5.13 The other elements of remuneration which it is the Council's policy to offer to its employees is set out in the table in Appendix One. The element of remuneration offered depends on the job role and any job-related requirements e.g. to have a relevant qualification or travelling in order to perform the duties of the job.

6.0 PAY RELATIONSHIPS

- 6.1 The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of each post, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior managers and of all other employees.

Pay differences - senior posts

- 6.2 The pay differential between the senior management posts has been set following research undertaken on behalf of the Council by the LGA, an independent organisation and subsequently approved by the Council's Finance and Management Committee.

Pay multiples

- 6.3 A "pay multiple" is the ratio between the highest paid salary and median average salary of the whole of the Council's workforce. On this basis, the current pay multiple



is **1:5.11** (2022/23 – 1:5.43). This is based on the median basic salary for the whole workforce of £26,845 (£24,920 in 2022/23).

- 6.4 The pay multiple between the basic salary and allowances of its highest paid employee and the lowest paid employees, as defined in this statement is **1:6.6** (2022/23 – 1:7.38)

7.0 DECISIONS ON PAY

- 7.1 The Council recognises the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.
- 7.2 When the need arises for the Council to appoint a Chief Executive and Head of Paid Service or Director, the Council will comply with its Senior Officer Appointment Procedure for external appointments. This includes the appointment of a Recruitment and Selection Panel of Elected Members.
- 7.3 The authority to delegate the appointment to a Recruitment and Selection Panel is sought in the case of:
- ❑ Head of Paid Service: From Full Council.
 - ❑ Strategic Director: From the Finance and Management Committee.
- 7.4 The appointment of the Chief Executive (Head of Paid Service) will require a decision by Full Council.
- 7.5 Appointments below Director are made by a panel of appropriate managers.

8.0 AMENDMENTS TO THIS PAY POLICY STATEMENT

- 8.1 This pay policy statement relates to the financial year 2023/2024.
- 8.2 The Council may agree any amendments to this pay policy statement during the financial year to which it relates.

9.0 PUBLICATION OF AND ACCESS TO INFORMATION

- 9.1 This pay policy statement will be published on the Council's website after it has been approved by Full Council. Any subsequent amendments made during the financial year will also be similarly published.



- 9.2 For further information about this pay policy statement please contact Charlotte Jackson, Head of Finance (01283 595901) or email charlotte.jackson@southderbyshire.gov.uk



Appendix One

OTHER PAYMENTS AND ALLOWANCES

The Council operates a transparent pay structure that reflects the relevant duties and responsibilities of each post within the organisation. The Council also recognises that it must pay other payments and allowances to certain individuals or groups of employees to reflect their duties or to attract and/or retain employees. Any payments or allowances are open to all employees. The Council considers this to be justified on the basis that to maintain services for the Community demands a properly resourced and skilled workforce.

Pay Progression

For most posts on pay scales incremental progression through each scale will be applied on the 1st April each year. Employees with less than six months service in the scale by 1st April will be granted their first increment six months after their appointment, promotion, or re-grading. The exception would be where an employee's salary on the 1st April following, promotion or re-grading would be less than one spinal column point in excess of the salary they would have received on that day in their old Scale with the Council; in which case they shall be entitled to their first increment on the 1st April.

There are some posts that have a bar that prevents incremental progression through the Scale. To go beyond the bar the post holder must satisfy certain criteria (e.g. the attainment of specified competencies or the attainment of a required qualification).

Market Supplements

The Council recognises that pressures in the labour market can mean that pay levels for a particular type of job or profession can be such that the Council's normal pay level would not be competitive to enable it to recruit or retain an employee in that function. In that case, the Council would consider the application of a market supplement.

At the present time a retention bonus is in place within Operational Services which is applicable to a small number of specified positions.

Local Government Pension Scheme (LGPS)

There are a number of discretions available under the Local Government Pension Scheme which is applicable to all employees. The details of these can be seen in the Council's published Policy Statement on Pensions Discretions.

These discretions were reviewed in June 2014, to take into consideration the changes in the Local Government Pension Scheme and which were approved by Finance and Management Committee on 26th June 2014.



The Council also has policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

Employees who are members pay a contribution to the LGPS which is based on their annual full-time equivalent pensionable pay (including pensionable allowances). Contribution rates are nationally set and currently range from 5.5% and 11.4%.

The Council's contribution towards the pension scheme for the year 2023/2024 is 20.3% of an individual's pensionable pay. In addition, the Council will make a lump sum payment during the year towards the past service deficit on the current Pension Fund. This is estimated at approximately £174,000 for 2023/2024.

Payments on Termination of Employment

The Council's approach to the termination of employment of Senior Officers (and all other employees) is set out in:

- ❑ The discretions the Council has adopted under the regulations of the Local Government Pension Scheme (see above table).
- ❑ Its policies on Flexible Retirement, Redundancy, Voluntary Redundancy and Retirement on Efficient Exercise Grounds.

All payment/costs arising from the application of the above must be approved beforehand by the Council's Finance and Management Committee.

Removal/Relocation expenses

Where employees need to move house in order to take up an appointment with the Council, the Council will reimburse their removal, legal and other associated relocation costs in accordance with its Relocation Policy. The policy requires repayment in full if the employee leaves within two years of appointment.

Additional responsibility payments

Where employees are required to undertake additional responsibilities for a temporary period of time, they may receive an additional payment in recognition of these. This policy does not apply to Directors and above.

Mileage payments

Specific posts identified by the Council attract a Car Allowance. These are paid in accordance with nationally agreed rates set by the NJC for Local Government Services. They are:

	451 to 999cc	1000 to 1199cc	1200 to 1450cc
Essential Users			
Lump sum per annum	£846	£963	£1,239
Per mile first 8,500	36.9p	40.9p	50.5p
Per mile after 8,500	13.7p	14.4p	16.4p



Casual Users			
Per mile first 8,500	46.9p	52.2p	65.0p
Per mile after 8,500	13.7p	14.4p	16.4p

The above rates are current at 1st April 2023 but may be subject to change during the period of this Pay Policy Statement as a result of changes made by the NJC for Local Government Services.

Professional Subscriptions

The Council pays one professional subscription in relation to specific posts. This applies where it is a requirement of the post for the employee to be a member of a professional body and it is a payment of the annual membership only.

Reimbursement of Subsistence or Other Expenses

In accordance with the requirements of the National Conditions of Service set by the NJC for Local Government Services, the Council makes provision for the reimbursement, up to a maximum specified limit, of approved expenses by employees. Actual expenditure only can be claimed and the current maximum amounts claimable are as follows:

Minimum time away from normal workplace or home outside of normal working hours	Maximum Allowance
5 hours	£5.00
10 hours	£10.00
15 hours (and ongoing)	£25.00

Car Parking: Fee incurred

Certain conditions must be met for approval of reimbursement of the above expenses. The Expenses Policy was last reviewed in October 2017.

Mobile Telephones



Mobile telephones are provided to employees when necessary for them to undertake their duties effectively and safely. The Council pays the cost of line rental, and business calls. Employees are required to pay for any personal use.

Landline Telephones

A scheme of reimbursement applies to certain officers who are required to have a landline installed, in particular those officers who are listed in the Council's Emergency Plan.

Election Fees

The Head of Legal and Democratic Services receives fee payments pursuant to their appointment as Returning Officer at elections. The fees paid vary according to the type of election, the size of the electorate and the number of postal voters.

Fee payments for national, referenda and other elections are set by central government and are, in effect, not paid by the Council, as the fees are reclaimed. Separate payments are made to the Deputy Returning Officer(s) and other members of staff who work as part of the elections team and are commensurate with time spent undertaking election duties.

Payments for Additional Working

The NJC Conditions of Service make provision for employees graded up to spinal column point 22 (currently £29,439 per annum) who undertake work outside of normal working hours, to receive appropriate overtime payments. Those above point 22 are permitted to take time off in lieu for any agreed additional hours worked.

This provision is not available to senior officers whose Conditions of Service are determined by the JNC for Chief Executives or Chief Officers.



REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	13 APRIL 2023	CATEGORY: DELEGATED
REPORT FROM:	HEAD OF LEGAL AND DEMOCRATIC SERVICES AND MONITORING OFFICER	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU	DOC:
SUBJECT:	LIST OF OUTSIDE BODIES	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 That Council considers and reviews the current list of appointments to Outside Bodies and subject to the recommendations below, approves the list of Outside Bodies to be appointed to for 2023/24.
- 1.2 That the following inactive Outside Bodies are removed from the list:
 - Donnington Park Racing Circuit Liaison Committee
 - Elvaston Quarry Waste Disposal Site Liaison Committee
 - Pingle Artificial Turf Pitch Management Group
 - South Derbyshire Mental Health Association

2.0 Purpose of Report

- 2.1 The purpose of this report is to enable Council to review the list of Outside Bodies requiring Elected Member representation during 2023/24.
- 2.2 The appointment of representatives for the revised list of Outside Bodies will be considered at the Annual Meeting of the Council.

3.0 Detail

- 3.1 The Council makes appointments to a number of Outside Bodies each year. Such appointments ensure that the Council's and residents' interests are represented within key agencies.
- 3.2 Those Outside Bodies that require a Council representative as part of their governance arrangements are identified as essential on the schedule attached.

4.0 Financial Implications

- 4.1 None directly arising from this report

5.0 Corporate Implications

5.1 None directly arising from this report.

6.0 Equity and Equalities

6.1 There are no specific equalities implications arising from this report.

7.0 Background Papers

7.1 No background papers were used in the preparation of this report.

**SCHEDULE OF PERSONS NOMINATED FOR SERVICES AS
REPRESENTATIVES OF THE COUNCIL ON OUTSIDE BODIES FOR 2022/23**

Organisation	Current representative(s)	Active/inactive	Tick if essential
1. Acre Lane, Shardlow Sand & Gravel Site Liaison Committee	Councillor P Watson	Active	
2. Arts Derbyshire	Councillor G Rhind	Active	
3. Active Derbyshire	Councillor D Pegg	Active	
4. Association of Retained Council Houses Ltd. (ARCH)	Councillor D Rhind Strategic Director (Service Delivery)	Active	
5. Central Midlands Audit Partnership Board	Councillor P Dunn Audit Sub-Committee Vice-Chair (sub)	Active	
6. Citizens Advice Mid Mercia	Councillor G Rhind	Active	
7. Community Arts Project ("People Express") Management Committee	Councillor V Heath	Active	
8. Community Transport (Swadlincote) Management Committee	Councillor N Tilley	Active	
9. D2 Joint Committee For Economic Prosperity	Councillor K Richards Councillor T Southerd (sub)	Active	
10. Derby Airfield Consultative Committee	Councillor M Ford	Active	
11. Derby and Derbyshire Strategic Leadership Forum	Councillor K Richards Councillor T Southerd (sub) Chief Executive Monitoring Officer (sub)	Active	
12. Derby and Sandiacre Canal Trust Ltd	Councillor P Watson	Active	

13. Derbyshire Hate Crime Practitioners Network Meeting	Councillor L Singh	Active	
14. Derbyshire Health and Wellbeing Board	Councillor G Rhind	Active	
15. Derbyshire Partnership Forum	Councillor K Richards	Active	
16. Derbyshire Police and Crime Panel	Councillor G Rhind Councillor M Mulgrew (sub)	Active	✓
17. Donnington Park Racing Circuit Liaison Committee	Councillor P Watson Councillor N Atkin (sub)	Inactive	
18. East Midlands Airport Independent Consultative Committee	Councillor S Taylor Councillor M Fitzpatrick	Active	
19. East Midlands Airport Liaison Committee	Aston, Melbourne, and Repton Ward Members	Active	
20. East Midlands Arts	Councillor S Taylor	Active	
21. East Midlands Councils	Councillor K Richards	Active	✓
22. Elvaston Quarry Waste Disposal Site Liaison Committee	Councillor P Watson	Inactive	
23. Environmental Education Project Steering Group	Councillor D Pegg	Active	✓
24. Goseley Community Centre Committee	Councillor M Gee Councillor S Taylor	Active	
25. Heart of the Forest Forum	Councillor S Taylor	Active	
26. Hilton Harriers Mease Management Committee	Councillor Patten	Active	
27. Family Support Derbyshire (previously Homestart)	Councillor V Heath	Active	

28. Local Government Association (London)	Councillor K Richards (General Assembly) Councillor T Southerd (Rural Commission) Councillor S Taylor (Urban Commission)	Active	✓
29. Local Government Information Unit	Councillor K Richards Councillor T Southerd (sub)	Active	✓
30. Melbourne Sporting Partnership	Strategic Director (Service Delivery)	Active	
31. New Albion Revised Liaison Committee	Councillor S Taylor	Active	
32. Parking and Traffic Regulations (outside London) Adjudication Joint Committee	Councillor R Pearson	Active	
33. Pingle Artificial Turf Pitch Management Group	Councillor M Mulgrew	Inactive	
34. Relate	Councillor T Southerd	Active	
35. Rosliston and Caldwell Village Hall Management Committee	Councillor D Pegg	Active	
36. Rosliston Forestry Centre Management Executive	Councillor G Rhind Councillor S Taylor	Active	
37. Rosliston Forestry Community Group	Councillor Wheelton	Active	
38. Rural Action Derbyshire	Councillor T Southerd	Active	
39. Safer South Derbyshire Partnership Strategic Group	Councillor K Richards Councillor G Rhind (sub)	Active	✓
40. Shardlow Heritage Trust Council of Management	Councillor N Atkin	Active	

41. Sharpe's Pottery Heritage & Arts Trust Ltd.	Councillor S Taylor Councillor G Rhind Project Liaison Officer	Active	✓
42. Sir John Port and John Osbourne Almshouses Charitable Trust	Councillor D Muller	Active	
43. Social Care Forum	Councillor G Rhind Councillor M Mulgrew	Active	
44. South Derbyshire CVS	Councillor G Rhind Councillor K Richards	Active	
45. South Derbyshire Mental Health Association	Councillor TBA	Inactive	
46. South Derbyshire Music Trust Management Committee	Councillor S Taylor	Active	
47. South Derbyshire Partnership	Councillor K Richards Councillor T Southerd Councillor A Wheelton Strategic Director – Service Delivery	Active	
48. South Derbyshire Strategic Sports Group	Councillor N Tilley Councillor R Pearson (sub)	Active	
49. Swarkestone Pit, Barrow-on-Trent Sand and Gravel Site Liaison Committee	Councillor P Watson Councillor A MacPherson	Active	
50. Toyota Community Liaison Committee	Councillor K Richards Councillor S Taylor	Active	
51. Willshee's Skip Hire Ltd Site Liaison Committee	Councillor D Pegg	Active	
52. Central Building Control Partnership – Partnership Advisory Board	Councillor S Taylor	Active	

REPORT TO:	COUNCIL	AGENDA ITEM: 12
DATE OF MEETING:	13 APRIL 2023	CATEGORY: DELEGATED
REPORT FROM:	HEAD OF LEGAL & DEMOCRATIC SERVICES	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU (ext.5715) ardip.sandhu@southderbyshire.gov.uk	DOC:
SUBJECT:	DRAFT CYCLE OF MEETINGS 2023-24	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

1.1 That the Cycle of Meetings for 2023/24 be approved.

2.0 Purpose of Report/Detail

2.1 To consider the cycle of Meetings for 2023/24 attached at **Appendix A**.

3.0 Financial Implications

3.1 None.

4.0 Corporate Implications

4.1 None.

5.0 Community Implications

5.1 None.

6.0 Background Papers

6.1 None.

COMMITTEE AND COUNCIL MEETINGS 2023-24

Committee	Day	Date
ANNUAL COUNCIL	Thursday	18.05.23
CIVIC COUNCIL	Thursday	25.05.23
Environmental & Development Services	Tuesday	30.05.23
Housing & Community Services	Thursday	01.06.23
Planning	Tuesday	06.06.23
Finance & Management	Thursday	08.06.23
Overview & Scrutiny	Wednesday	14.06.23
Audit Sub-Committee	Wednesday	21.06.23
COUNCIL	Thursday	22.06.23
Planning	Tuesday	27.06.23
Etwall JMC	Wednesday	05.07.23
Finance and Management (Special)	Thursday	20.07.23
Planning	Tuesday	25.07.23
Environmental & Development Services	Thursday	10.08.23
Housing & Community Services	Thursday	17.08.23
Planning	Tuesday	22.08.23
Finance & Management	Thursday	24.08.23
Overview & Scrutiny	Wednesday	30.08.23
Audit Sub-Committee	Wednesday	06.09.23
COUNCIL	Thursday	14.09.23
Planning	Tuesday	19.09.23
Etwall JMC	Wednesday	20.09.23
Environmental & Development Services	Thursday	21.09.23
Housing & Community Services	Thursday	28.09.23
Finance & Management	Thursday	05.10.23
Overview & Scrutiny	Wednesday	11.10.23
Planning	Tuesday	17.10.23
Audit Sub-Committee (Special) –	Wednesday	18.10.23
Finance & Management (Special) -	Thursday	19.10.23
COUNCIL	Thursday	02.11.23
Environmental & Development Services	Thursday	09.11.23
Planning	Tuesday	14.11.23
Housing & Community Services	Thursday	16.11.23
Overview & Scrutiny	Wednesday	22.11.23
Finance & Management	Thursday	23.11.23
Audit Sub-Committee	Wednesday	06.12.23
Planning	Tuesday	12.12.23
Environmental & Development Services (Special - Budget)	Thursday	04.01.24
Housing & Community Services (Special – Budget)	Monday	08.01.24
Planning	Tuesday	09.01.24
Etwall JMC	Wednesday	10.01.24
Finance & Management (Special – Budget)	Thursday	11.01.24
Overview & Scrutiny (Special – Budget)	Wednesday	17.01.24
COUNCIL	Thursday	18.01.24

COMMITTEE AND COUNCIL MEETINGS 2023-24

Environmental & Development Services	Thursday	25.01.24
Housing & Community Services	Thursday	01.02.24
Planning	Tuesday	06.02.24
Overview & Scrutiny	Wednesday	14.02.24
Finance & Management	Thursday	15.02.24
COUNCIL	Wednesday	28.02.24
Environmental & Development Services	Thursday	29.02.24
Planning	Tuesday	05.03.24
Audit Sub-Committee	Wednesday	06.03.24
Housing & Community Services	Thursday	07.03.24
Finance & Management	Thursday	14.03.24
Overview & Scrutiny	Wednesday	27.03.24
Planning	Tuesday	02.04.24
COUNCIL	Thursday	11.04.24
Environmental & Development Services	Thursday	18.04.24
Housing & Community Services	Tuesday	23.04.24
Etwall JMC	Wednesday	24.04.24
Finance & Management	Thursday	25.04.24
Planning	Tuesday	30.04.24
ANNUAL COUNCIL	Thursday	16.05.24
CIVIC COUNCIL	Thursday	23.05.24

PLANNING COMMITTEE

03 May 2022

PRESENT:

Labour Group

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Gee, Pearson and Southerd

Conservative Group

Councillors, Bridgen, Lemmon, Muller, Redfern (Substitute for Cllr Brown) and Watson.

Independent Group

Councillors Dawson and MacPherson

Non-Grouped

Councillor Wheelton.

In attendance

Councillor Haines
Councillor Smith
Councillor Taylor

PL/145 **APOLOGIES**

The Committee was informed that apologies had been received from: Councillor Brown (Conservative Group).

PL/146 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

PL/147 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**PL/148 REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/149 CREATION OF A NEW DISABLED ACCESS, SECURITY GATE AND ERECTION OF AN EXTERNAL WALL TO CREATE A NEW OUTDOOR AMENABLE SPACE AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF

The Planning Delivery Team Leader presented the report to the Committee noting that land was owned by Derbyshire District Council. The Planning Delivery Team Leader and sought approval for the recommendations within the report.

Members supported the improvement works that would benefit the residents.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/150 LISTED BUILDING CONSENT FOR CREATION OF A NEW DISABLED ACCESS, SECURITY GATE AND ERECTION OF AN EXTERNAL WALL TO CREATE A NEW OUTDOOR AMENABLE SPACE AT MELBOURNE ASSEMBLY ROOMS, LEISURE CENTRE, HIGH STREET, MELBOURNE, DERBY DE73 8GF

The Planning Delivery Team Leader presented the report to the Committee noting that land was owned by Derbyshire District Council. The Planning Delivery Team Leader outlined the application noting that there were no objections from the Conservation Officer and sought approval for the recommendations within the report.

Members supported the new access and requested that building materials be considered and were to be in keeping with the existing building.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery)

PL/151 THE PRUNING OF AN OAK TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 533 ON LAND AT SK2531 3702, LUCAS LANE, HILTON, DERBY

The Planning Delivery Team Leader presented the report to the Committee noting the 5.5 meter reduction of the tree with the removal of a number of tertiary and secondary branches, to enable access for lorries to the site. It

was noted that a number of objections had been received but that the Council's Tree Officer had no objections to the limited works.

An Objector attended the meeting and addressed the Committee regarding the application.

Members sought clarity regarding the need for a 5.5 meter reduction and whether a compromise could be reached.

RESOLVED:

That planning permission be deferred to allow for the applicant to consider a reduced level of pruning.

PL/ 152 **THE VARIATION OF CONDITION NO. 2 OF PERMISSION REF. 9/2017/1402 (RELATING TO THE LAYOUT OF CABINS) FOR THE ERECTION OF 8 NO. HOLIDAY CABINS, TO SEEK MINOR MATERIAL AMENDMENTS TO THE ACCESS ROAD, SIZE OF CABINS, LAYOUT OF CABINS AND ASSOCIATED ENTRANCE GATE AT LAND AT SK2923 5475 (KNIGHTS LODGES), KNIGHTS LANE, BRETBY, DERBYSHIRE, DE15 0RT**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee noting the amendment to the layout of previously approved application, the Committee was informed that the construction and scale of the cabins were broadly similar to those approved. The Committee was advised that a condition would restrict the occupation as holiday lets only.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As Local Ward Member Councillor Haines addressed the Committee raising concerns on behalf of the local residents regarding the biomass boiler that would be used to heat the complex.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/153 **THE ERECTION OF LEISURE BUILDING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING ON LAND AT KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head Planning and Strategic Housing addressed the Committee and outlined the main points regarding the variations to the previously approved design, that included a revised T shaped building with an increase in size. It was

explained that the building would house a swimming pool to be used by residents staying at the lodges.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

Members raised concerns about the increase in size which appeared to be excessive and overbearing for the site and the impact on the landscape.

Councillor Wheelton sought clarification regarding the need for parking when it was for resident use only.

The Head of Planning and Strategic Housing explained that spaces were to be used during the changeover days and for guests of those legitimately using the lodges.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the excessive scale of the building in a countryside setting that would be visually intrusive and harmful to the rural landscape.

PL/154 **RETROSPECTIVE APPLICATION FOR THE ERECTION OF 8 HOLIDAY LODGE BUILDINGS (APPLICATION DMPA/2019/1305 RELATES) ON LAND AT KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee summarising the key points within the report that included the size of the permanent units, hot tubs and seating areas. The Committee was requested to approve the recommendations within the report.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As the Local Ward Member Councillor Haines addressed the Committee on behalf of the local residents and raised concerns about the permanent builds.

Councillor Southerd raised concern regarding the permanent construction of the lodges compared to the temporary build nature of the other approved lodges on site.

Councillor Wheelton raised concern regarding the lack of biodiversity on site, the size which was too imposing and that the design was outside of the previously approved development.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the scale of the build and the harmful impact on the rural character and appearance on the landscape.

PL/155 **CHANGE OF USE OF EXISTING RESIDENTIAL ANNEXE TO A SEPARATE DWELLING TOGETHER WITH SINGLE STOREY AND FIRST FLOOR EXTENSIONS AND THE ERECTION OF A DETACHED GARAGE WITH LIVING ACCOMMODATION OVER AT THE OLD RECTORY, CHURCH ROAD, EGGINTON, DERBY, DE65 6HP**

The Head of Planning and Strategic Housing outlined the report to the Committee and noted that the applicant was Councillor Brown.

Members supported the application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery),

PL/156 **THE ERECTION OF ONE DWELLING WITH NEW ACCESS, PARKING AND ASSOCIATED WORKS AT SUNNYSIDE BUNGALOWS, 38 MAIN STREET, NEWTON SOLNEY, BURTON ON TRENT, DE15 0SJ**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee summarising the main point within the report highlighting the long term financial benefits for the Arms Housing Charitable Trust, improved parking, the removal of trees, the loss of open space and the build of a new bungalow. It was further noted that it was a finely balanced scheme.

An Objector and the Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As a Local Ward Member, Councillor Haines attended the meeting and addressed the Committee raising concerns on behalf of the residents.

Members raised concerns regarding the loss of established trees, the loss of open space, the loss of allotments, the impact on a war memorial and over development in a conservation area.

It was noted that the war memorial could be protected if registered by either residents or planning.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery), due to the loss of trees, the adverse impact on amenity of existing residents and the character and appearance of the area, the war memorial, the lack of overriding beneficial impact, the loss of open green space, landscaping and the conservation area.

PL/157 DEED OF VARIATION LAND AT BOULTON MOOR

The Planning Delivery Team Leader presented the report to the Committee regarding an application approved in July 2020. It was explained following submission of a viability report the variation requested sought reduce the number of affordable housing provided on site.

Members raised concerns that there was no evidence that less affordable housing was required.

RESOLVED:

1.1 The Committee approved to defer the decision to allow for further discussions with the Applicant with the view to an improved offer of affordable housing.

PL/158 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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/159 EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.

The Committee was informed that no questions had been received.

The meeting terminated at hours. 19:50 hours

COUNCILLOR N TILLEY

CHAIR

PLANNING COMMITTEE

31 May 2022

PRESENT:

Labour Group

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors, Richards (Substitute, for Councillor Dunn) Rhind (Substitute for Councillor Pearson) Southerd and Taylor (Substitute for Councillor Gee)

Conservative Group

Councillors, Ackroyd (Substitute for Councillor Haines) Bridgen, Brown, Dawson, Lemmon (Substitute for Councillor Smith) and Redfern.

Non-Grouped

Councillor Wheelton.

In Attendance

Councillor Bambrick

PL/01 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Dunn, Gee and Pearson (Labour Group) and Councillors Haines and Smith (Conservative Group)

PL/02 **DECLARATIONS OF INTEREST**

The Committee was informed that Declarations of Personal Interest had been received from Councillor Tilley regarding PL/12 by virtue of the applicant being related to him.

The Committee was informed that Declarations of Personal Interest had been received from Councillor Brown regarding PL/05.

PL/03 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/04 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/05 **APPROVAL OF RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) PURSUANT TO OUTLINE PERMISSION REF. DMPA/2019/1143 ON LAND AT SK2531 3702, LUCAS LANE, HILTON**

The Senior Planning Officer updated the Committee regarding the response from the National Wildlife Trust in relation to the Great Crested Newts and the Ecological Plan and outlined additional conditions for the Committee to consider.

The Senior Planning Officer presented the report to the Committee noting that the Highways Agency raised no objections and that the landscaping and biodiversity 10 percent net gain with the offsite area of mitigation were acceptable to the National Wildlife Trust. The Committee was informed that there was a Tree Preservation Order in place and that an additional method statement had been received that would help to reduce the impact on the tree.

An Objector and the Applicant attended the Meeting and addressed the Committee regarding the application.

The Senior Planning Officer confirmed that there was license in place for the Great Crested Newts and that the design approach to noise attenuation has been acceptable to the Environment Officer.

Members raised concerns regarding the timing of the outline permissions approval in relation to the Local Neighbourhood Plan and comments made by the Local Flood Agency. Members also queried the number of trees to be planted.

The Senior Planning Officer confirmed that the outline permission was given prior to the approval of the Local Neighbourhood Plan and that there were conditions in place to address drainage concerns. The Committee was informed that there were no issues with the landscaping and the applicant had included additional trees in the play area.

RESOLVED:

That planning permission be approved as per the recommendations, in the report of the Strategic Director (Service Delivery). subject to three additional conditions regarding wheel washing facilities, highways construction details, drainage, bin collection and a condition regarding compliance with the LEMP.

PL/06 **THE PRUNING OF AN OAK TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 533 ON LAND AT SK2531 3702, LUCAS LANE, HILTON, DERBY**

The Senior Planning Officer presented the report to the Committee and advised of the amendment to condition 3 that would reduce the crown lift height to a maximum of 4 metres.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an amendment to Condition 3 to stipulate a 4 metre crown lift.

PL/07 **APPROVAL OF RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) PURSUANT TO OUTLINE PERMISSION REF. 9/2014/0886 (RESIDENTIAL DEVELOPMENT FOR UP TO 68 DWELLINGS TOGETHER WITH ASSOCIATED HIGHWAY WORKS, PUBLIC OPEN SPACE, LANDSCAPING, ASSOCIATED DRAINAGE INFRASTRUCTURE AND CREATION OF PEDESTRIAN AND CYCLE WAYS) ON LAND AT SK2720 7907 (SITE A) PARK ROAD, CADLEY PARK, SWADLINCOTE**

The Senior Planning Officer presented the report and updated the Committee regarding amendments to Condition 1 and additional conditions regarding footways, drainage, parking spaces, gate openings and bin collection points.

The Senior Planning Officer informed the Committee that the landscaping and ecology were acceptable with conditions regarding bird and bat boxes. It was noted that surface water runoff would be dealt with via SUDS ponds and that there were strict conditions in place regarding the surface water mitigation that had been agreed at the outline permission stage.

The Applicant's Agent attended the Meeting and addressed the Committee regarding the application.

Members raised concerns regarding the play area and sought clarity regarding biodiversity net gain.

The Senior Planning Officer informed the Committee that he would liaise with the Agent regarding the play area details and confirmed that the 10 per cent biodiversity net gain would be achieved and was subject to conditions to ensure it.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an amendment to Condition 1 to refer to Plan Rev, N .and an additional condition in relation to highways construction details, parking, gates and bin collection points.

PL/08 **THE VARIATION OF CONDITION NOS. 2, 5, 6, 9, 10, 12, 14 AND 15 OF PERMISSION REF. DMPA/2020/1117 'FOR REMOVAL OF CONDITIONS 13 AND 15 AND VARIATION OF CONDITION 7 OF 9/2018/1375, FOR CHANGE OF USE FROM AGRICULTURAL LAND TO STORAGE AND DISTRIBUTION USE (USE CLASS B8) ALONG WITH DEMOLITION OF EXISTING BUILDINGS AND LAYING OF HARDSTANDING' AT FORMER MIDLANDS PIG PRODUCERS, WOODYARD LANE, FOSTON, DERBY, DE65 5DJ**

The Head of Planning and Strategic Housing presented the report to the Committee explaining that the amendments to the conditions would provide better access and remove the bund and that no objections had been received from the Highways Authority and the National Wildlife Trust.

The Applicant's Agent attended the Meeting and addressed the Committee regarding the application.

Members raised concerns regarding the removal of the bund but noted that the changes to the access would improve safety to the site.

The Head of Planning and Strategic Housing noted that the removal of the bund would not have any significant ecological impact.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/09 **REPLACEMENT OF EXISTING RAISED DECKING TO REAR GARDEN AT 2 BISHOPS COURT, MELBOURNE, DERBY, DE73 8LN**

The Head of Planning and Strategic Housing presented the report to the Committee outlining the key points noting that no objections had been received.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/10 **PROPOSED SHOPFRONT AND FACADE REFURBISHMENT WITH MINOR INTERNAL ALTERATIONS. 1 HIGH STREET, SWADLINCOTE, DE11 8JG**

The Head of Planning and Strategic Housing presented the report to the Committee outlining the key points within the application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/11 **THE PROPOSED CONSTRUCTION OF A DROPPED KERB, DRIVE ACCESS AND THE PROPOSED ERECTION OF BRICK PILLARS AND SINGLE STOREY DETACHED GARAGE AT 1 YEW TREE LANE, THULSTON, DERBY, DE72 3FG**

The Head of Planning and Strategic Housing presented to the report to the Committee and sought approval from the Members for the recommendations within the report.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

Councillor Tilley left the Chamber at 19:45 hours.

PL/12 **OUTLINE APPLICATION (MATTERS OF ACCESS TO BE CONSIDERED NOW WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR THE ERECTION OF THREE DWELLINGS AT LAND TO THE REAR OF 69A AND 69B, REPTON ROAD, HARTSHORNE, SWADLINCOTE, DE11 7AF**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented to the report to the Committee highlighting the Tree Preservation Order and key issues that included properties that whilst were outside the village boundary were very close to properties within the proximity of the village. It was noted that highways were content with parking, visibility and the hardstanding surface proposed and that the Wildlife Trust was content subject to conditions regarding bat/bird boxes. The Committee was informed that there would be no significant impact on neighbouring amenity.

Members raised concerns regarding height restrictions for the third property and sought clarity regarding Permitted Development Rights.

The Head of Planning and Strategic Housing confirmed that there would be a condition in place to limit the height of the third property and that Permitted Development Rights would be removed.

As a Local Ward Member, Councillor Taylor addressed the Committee and found the proposals to be acceptable.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

Councillor Tilley returned to the Chamber 19:55 hours.

PL/13 **THE ERECTION OF A SINGLE STOREY REAR AND TWO STOREY SIDE EXTENSION AT 11 SANDCLIFFE PARK, MIDWAY, SWADLINCOTE, DE11 7PX**

The Head of Planning and Strategic Housing presented to the report to the Committee noting that the applicant was an employee of the Council and there would be no significant impact on existing property and the proposed design was acceptable.

RESOLVED:

That planning permission be refused as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/14 **DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND THE ERECTION OF TWO DWELLINGS AT BROADFIELD, THORN TREE LANE, NEWHALL, SWADLINCOTE, DE11 0LW**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing presented the report to the Committee it was explained that an appeal had been submitted prior to determination of the Committee. The Head of Planning and Strategic Housing outlined the key areas within the report noting that the County Highways had raised concerns regarding vehicle and pedestrian access and the increase of traffic from the site, that the Coal Authority deemed investigations necessary and that it would impact on the appearance of the countryside.

An Objector attended the Meeting and addressed the Committee regarding the application.

The Head of Planning and Strategic Housing clarified that the site could be accessed from the south with a number of appropriate conditions and that and construction management plan could also be subject to conditions.

Councillor Richards and Councill Taylor addressed the Committee and raised concerns regarding the very narrow lanes that would be used for access and noted that it was in opposition to the Local Plan and urged Members to refuse the application.

As Local Ward Member Councillor Dunn addressed the Committee and raised concern that trees and hedgerows had been removed.

Members raised concerns regarding the vast amount of work that had already taken place on site.

RESOLVED:

That the Council advise the Planning Inspectorate that planning permission would have been refused as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/15 **THE VARIATION OF CONDITION NO. 2 OF PERMISSION REF. 9/2016/1227 (THE CHANGE OF USE FROM FORMER FARM BUILDINGS TO WEDDING VENUE, FORMATION OF INCIDENTAL CAR PARKING AREAS, IMPROVEMENTS TO VEHICULAR ACCESS) AT GRANGEFIELDS FARM, LONG LANE, THURVASTON, ASHBOURNE, DE6 5BH**

The Head of Planning and Strategic Housing presented to the report to the Committee and outlined the proposal and noted that whilst noise was a key concern of the residents, the proposed Noise Assessment with a few minor changes had been found to be acceptable by the Environmental Health Officer.

Members requested that the Decision Notice not be published until after the close of the consultation period.

Councillor Bridgen addressed the Committee on the behalf of the Local Ward Member and sought confirmation that, as residents still had concerns regarding the impact of noise, the proposals would reduce the noise sufficiently.

The Head of Planning and Strategic Housing confirmed that the proposed noise mitigations would improve the situation.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery, subject publication of the Decision once consultation had expired on 4 June 2022,

PL/16 **THE ERECTION OF EXTENSIONS AND ALTERATION INCLUDING RENDER TO THE SIDE AND REAR ELEVATION OF 9B SOUTH STREET, WOODVILLE, SWADLINCOTE, DE11 7DW**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing delivered the report to the Committee and outlined the key points of the application that included the distance of the extension in relation to the neighbouring property.

Councillor Brown raised concern regarding the retention of the confer hedge.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an additional condition safeguarding the conifer hedge.

PL/17 **NSIP CONSULTATION FOR OAKLANDS SOLAR FARM**

The Senior Planning Officer presented the report regarding consultation of a national solar farm proposal. The Senior Planning Officer sought comments from Members so that a joint response could be submitted with Derbyshire County Council.

The Senior Planning Officer outlined the impacts identified that included heritage assets, landscapes, biodiversity and the loss of agricultural land. It was further noted that noise was a concern and that Parish Councils felt that that there were other locations far more suitable.

Members raised concerns about Tenant Farmers and the loss of valuable agricultural land, the increase in traffic, noise pollution. It was suggested that there were other more suitable places that were not too far away that included brownfield sites. Members raised apprehension regarding the submission of a joint response and discussed the merits of the Council submitting its own response on behalf of its Members and residents. It was further noted by Members that technical assistance would help to strengthen the Council's response.

Members sought clarity regarding the assessment of consultation feedback and what weight the Local Plan would have. The Head of Planning and Strategic Housing informed the Committee that an inspector would have to look at all concerns and points raised that would need to be addressed and confirmed that courts would consider the weight of a Local plan.

RESOLVED:

The Committee delegated authority to the Head of Planning and Strategic Housing in consultation with the Chair to submit concerns raised by Members and all other consultees in time for the 6 June 2022 deadline.

PL/18 **CONSULTATION FROM THE COUNTY COUNCIL ON APPLICATION REF. CD9/0222/34**

The Head of Planning and Strategic Housing presented the report and noted that the planning application had been submitted in line with master plan and that Elvaston Castle would retain the listed buildings and would assist with attracting additional visitors to the area.

RESOLVED:

1.1 The Committee agreed to provide a response to the County Council's consultation on the application which drew attention to the following considerations:

- **Highways impact and the subsequent amenity impact on the residents of Thulston and Elvaston**
- **Impact on trees and biodiversity**
- **Drainage and land contamination**
- **Impact on Listed Buildings**

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing in consultation with the Chair to agree the finer detail and wording of the response.

PL/19 **DEED OF VARIATION – LAND TO THE EAST OF ACRESFORD ROAD, OVERSEAL**

The Head of Planning and Strategic Housing presented the report and noted that the variation was a minor but sensible amendment.

RESOLVED:

1.1 The Committee approved the request to amend the Section 106 Agreement (S106) and subsequent Deed of Variation (DoV) to include amendments to be made to the definition of the Education Contribution to be payable in accordance with the Third Schedule of the Section 106 Agreement– Financial Contribution. This was based upon recommendations that had been received from Derbyshire County Council.

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the Deed of Variation.

PL/20 **DEED OF VARIATION – LAND ATSK3430 7732 DEEP DALE LANE,
BARROW ON TRENT**

The Senior Planning Officer presented the report to the Committee and outlined the amendments to the Section 106 Agreements.

RESOLVED:

- 1.1 The Committee approved the request to amend the Section 106 Agreement (S106) by means of a Deed of Variation (DoV) to include amendments to the Schedule Two (Management Company). This was based upon a request received from Taylor Wimpey Homes and following a discussion with colleagues at Derby City Council.***
- 1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the amendments to Schedule 2 of the Section 106 Agreement to be secured under the Deed of Variation.***

PL/21 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/22 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO
COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at 20:40 hours.

COUNCILLOR N TILLEY

CHAIR

PLANNING COMMITTEE

28 June 2022

PRESENT:

Labour Group

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Dunn, Pearson, Rhind (Substitute for Councillor Gee) and Southerd

Conservative Group

Councillors, Bridgen, Brown, Dawson, Haines, Muller (substitute for Councillor Redfern and Smith.

Non-Grouped

Councillor Wheelton.

In Attendance

Councillor Bambrick
Councillor Fitzpatrick
Councillor Hewlett
Councillor Mulgrew
Councillor Stuart

PL/23 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Gee (Labour Group) and Councillor Redfern (Conservative Group)

PL/24 **DECLARATIONS OF INTEREST**

The Committee was informed that no Declarations of Interest had been received.

PL/25 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETING**

The Open Minutes of the following Meetings 20 July 2021, 17 August 2021, 14 September 2021, 29 September 2021 12 October 2021 and 09 November 2021 were reviewed, considered as a true record and signed by the Chair.

PL/26 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/27 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members, as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/28 **DEMOLITION OF EXISTING SINGLE STOREY SHOP AND ERECTION OF NEW 2 STOREY BUILDING TO ACCOMMODATE 2 SELF CONTAINED FLATS AT 160B PARLIAMENT STREET, NEWHALL, SWADLINCOTE, DE11 0SG**

The Committee was informed that Members attended a site visit earlier today.

The Planning Delivery Team Leader presented the report to the Committee replace a vacant property with two, two bedroom flats it was noted that there would be no off street parking, there were no outstanding objections from statutory consultees but objections had been received regarding design, parking and additional traffic.

The Applicants Agent attended the Planning Committee meeting and addressed the Committee regarding the application.

Cllr Bambrick addressed the Committee as the Local Ward Member and raised concerns regarding parking, the position of the bus stop outside the property and noted that the property had not been used for 10 years.

Members raised concerns regarding parking issues and considered different options and design solutions available that could alleviate concerns.

The Head of Planning and Strategic Housing advised the Committee that County Highways had raised no objections to the application.

RESOLVED:

That planning permission be deferred to allow a discussion with the applicant and Highways regarding the provision of off street parking.

PL/29 **CHANGE OF USE FROM RESTAURANT (CLASS E) TO RESTAURANT (CLASS E) / PUBLIC HOUSE (SUI GENERIS)(FLEXIBLE USE) AT THE MANDARIN CHINESE RESTAURANT, EGGINTON ROAD, HILTON, DERBY, DE65 5FJ**

The Planning Delivery Team Leader presented the report to the Committee regarding the change of use and advised that due to a late submission of an updated site plan Condition 2 was to be amended to include revision B instead of revision A. The Committee was informed that no objections had been received from statutory consultees but that 10 representations had been

submitted in objection to the reopening as a gastro pub in a recently newly built residential location.

The Applicants Agent attended the meeting and addressed the Committee in relation to the application.

As Local Ward Member, Councillor Smith addressed the Committee and raised concerns in relation to carparking no sufficient and the entrance to the car park and enquired to whether electrical vehicle charging points could be considered.

The Planning Delivery Team Leader advised the Committee that the access from Egginton road had been closed as part of highways safety and that the carparking was deemed sufficient.

Members supported the application and discussed the installation of Electric Vehicle charging points and outside lighting.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to amendments to condition 2 to included 'revision B and condition 3 to included details of an external lighting scheme and the provision of two Electric Vehicle Charging Points.

PL/30 **OUTLINE APPLICATION (MATTERS OF ACCESS AND LAYOUT TO BE CONSIDERED NOW WITH MATTERS OF SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR LATER CONSIDERATION) FOR THE ERECTION OF ONE DWELLING AT 29 BURTON ROAD, OVERSEAL, SWADLINCOTE, DE12 6LQ**

The Committee was informed that Members attended a site visit earlier today.

The Head of Planning presented the report to the Committee noting changes to Condition 4 that related to a late meeting between the Council and North West Leicestershire District Council regarding waste water drainage connecting to main drains and the Section 106 Agreement funding contribution towards the River Mease Scheme.

Councillor Wheelton, as Local Ward Member addressed the Committee and raised concerns on behalf of local residents and requested that due to the sloping nature of the land the proposed dwelling be a single storey building only.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery), subject to amendments to Condition 4 to include connection to the main drainage

system, an additional Condition in relation to the development of a single storey property and Section 106 Agreement contribution to the River Mease DCS.

PL/31 **APPROVAL OF DETAILS REQUIRED BY CONDITION 1 ATTACHED TO REF. DMPA/2020/0915 (TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION ALONG WITH ATTACHED GARAGE) AT 247 HEARTHCOTE ROAD, SWADLINCOTE, DE11 9DU**

The Head of Planning and Strategic Housing presented the report to the Committee and outlined salient points that included tree planting, hard and soft landscaping and noted that concerns regarding Tree Preservation Orders were a separate application and not for the Committee to consider.

The Head of Planning informed the Committee that the soft landscaping proposed the of replacement trees, 6 new trees at the rear and others including silver birch with additional planting proposed to front. It was noted that the Council's Tree Officer was content with the proposals and there had been a request from the neighbouring property for boundary wall to be erected for privacy.

An Objector and the Applicants Agent attended the Planning Committee meeting and addressed Members in relation to the application. .

As the Local Ward Member Councillor M Mulgrew fought addressed the Committee and raised concerns of local residents.

Members raised concerns regarding the removal of trees and discussed the request for a wall to erected.

RESOLVED:

That the planning decision be deferred to allow for a site visit.

PL/32 **THE REMOVAL OF CONDITION NO. 7 (RELATING TO THE PERMISSIVE FOOTPATH) OF PERMISSION REF. 9/2015/0543, RELATING TO THE ERECTION OF A DWELLING AND A FORESTRY BUILDING WITH SOLAR PV ALONG WITH INSTALLATION OF ACCESS TRACK, HARDSTANDINGS, DRAINAGE POND AND CREATION OF GARDEN SPACE AT LAND AT BROADSTONE HOLT, BOG LANE, MELBOURNE, DERBY, DE73 8HU**

The Head of Planning and Strategic presented the report to the Committee and summarised the reasons for the need to remove condition 7, that could not be enforced as it related to a permissive footpath and explained that it was not a public right of way

An Objector and the Applicants Agent attended the Planning Committee meeting and addressed Members

As Local Ward Members Councillor Hewlett and Councillor Fitzpatrick addressed the Committee and raised concerns on behalf of local residents.

Members discussed the legality of the condition and recognised that permissive access could not be considered to be a public right of way.

RESOLVED:

The Committee approved the recommendations within the report of the Strategic Director (Service Delivery).

PL/32 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/33 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at 19:55 hours.

COUNCILLOR N TILLEY

CHAIR

PLANNING COMMITTEE

26 July 2022

PRESENT:

Labour Group

Councillor Tilley (Chair), Councillor Shepherd (Vice-Chair) and Councillors Dunn, Gee, Pearson and Southerd

Conservative Group

Councillors, Bridgen, Brown, Dawson, Haines, Muller and Smith

Non-Grouped

Councillor Wheelton.

PL/34 **APOLOGIES**

The Committee was informed that apologies Councillor Redfern (sub Muller)

PL/35 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Wheelton declared a personal interest in item PL/ (Solar Farm) by virtue of being Secretary of Lullington Parish Council Meeting.

PL/36 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO.11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

PL/37 **REPORT OF THE STRATEGIC DIRECTOR (SERVICE DELIVERY)**

The Strategic Director (Service Delivery) submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update Members as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/38 **DEMOLITION OF EXISTING SINGLE STOREY SHOP AND ERECTION OF NEW 2 STOREY BUILDING TO ACCOMMODATE 2 SELF CONTAINED FLATS AT 160B PARLIAMENT STREET, NEWHALL, SWADLINCOTE, DE1 0SG.**

The Planning Delivery Team Leader presented the report and informed the Committee that alternative parking arrangements had been considered and but were not possible and sought approval of the recommendations.

The Planning Delivery Team Leader read out a summary statement on behalf of Applicant who had previously addressed to the Committee.

Members were content that alternative parking arrangements had been fully considered.

RESOLVED:

That planning permission be approved as per the recommendations, subject to conditions, in the report of the Strategic Director (Service Delivery).

PL/39 **APPROVAL OF DETAILS REQUIRED BY CONDITION 1 ATTACHED TO REF. DMPA/2020/0915 (TWO-STOREY SIDE AND SINGLE STOREY REAR EXTENSION ALONG WITH ATTACHED GARAGE) AT 247 HEARTHCOTE ROAD, SWADLINCOTE, DE11 9DU**

It was reported that Members of the Committee had visited the site earlier in the day.

The Head of Planning and Strategic Housing outlined the appeal decision and the condition in relation to the development to both hard and soft landscaping to be approved by the Committee.

The Head of Planning and Strategic Housing read out summary of statements submitted by an Objector and the Applicant's Agent who attended a previous meeting and addressed the Committee.

Members discussed and considered the replacement of the Ash trees with an alternative species.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to an request to be submitted to the applicant to replace the Ash trees with an alternative species.

PL/40 **THE INSTALLATION OF GROUND MOUNTED SOLAR PHOTOVOLTAIC PANELS WITH ASSOCIATED INFRASTRUCTURE AND WORKS, INCLUDING SUBSTATIONS, CONVERTERS, INVERTERS, ACCESS TRACKS, SECURITY FENCING, BOUNDARY TREATMENT AND CCTV AT LAND NORTH OF LULLINGTON, SWADLINCOTE**

It was reported that Members of the Committee had visited the site earlier in the day.

The Senior Planning Officer addressed the Committee and presented updated information received from Derbyshire County Council and Natural England and confirmed that both had raised no objections. The Senior Planning Officer summarised the application's key points that included the area and type of land proposed to be used and the changes proposed.

An Objector and the Applicant's Agent attended the meeting and addressed the Committee regarding the application.

As the Local Ward Member Councillor Wheelton addressed Committee and on behalf of the residents of Lullington. Councillor Wheelton raised many concerns that included the loss of Best and Versatile farming land that would impact on the lives of a number of tenant farmers, the loss of amenity and the impact on Lullington, one of the few heritage villages in South Derbyshire and a number of highway concerns.

Members commended the report but supported the issues raised by Councillor Wheelton and discussed the merits of the application along with the negative impact on Lullington, the farming land and future tourism.

The Senior Planning Officer addressed the Committee and advised that that the benefits would outweigh any impact and that the need to address the current climate emergency should be considered. It was also highlighted that the loss of agricultural land was temporary as it would be returned to the current state after 40 years.

Councillor Richards addressed the Committee and advised that DEFRA had warned local councils to stay away from the use of farming land that produced sustainable food productions in relation to solar farms and that along with the loss of farming land the Committee should also consider the number of other solar farms proposed in the area.

Members discussed the importance of green energy and considered the impact of the loss of good food production farming land and the impact on carbon footprints. Members also raised concern regarding the loss of local farming jobs and that the land could not be returned to its current condition following 40 years of use as a solar farm.

The Head of Planning and Strategic Housing informed the Committee that the information contained within the report was considered to be the best information available and that Natural England had paid due regard to the Best and most Versatile Land. The Committee was advised that the quality

of the other land proposed to be used in the application could be investigated further if needed and that it was considered that sufficient information was available to enable a decision to be reached on the application.

RESOLVED:

That planning permission refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to the loss of Best and Most Versatile land, the impact of the landscape, the historic village and its listed church and that it was contrary to local plan policies in these regards.

PL/41 **THE ERECTION OF A REPLACEMENT PORCH AT 79 MAIN STREET, KINGS NEWTON, DERBY, DE73 8BX**

The report was presented by the Planning Delivery Team Leader who noted that it was before Committee at the request of Councillor Fitzpatrick.

The Committee was advised regarding late items received in relation to updated plans and the challenge of ownership that had been referred to Land Registry but advised that ownership of land was not for the Committee to consider. The Planning Delivery Team Leader summarised the plans that formed part of a previously refused application. It was noted that objections received related to parking, harm of a preserved historical nature and the loss of privacy. The Committee was advised that the Planning Delivery Team Leader considered that there would be no harm of a preserved historical nature and no loss of privacy.

An Objector attended the meeting and addressed the Committee regarding the application. The Planning Delivery Team Leader read out the statement on behalf of the Applicant's Agent.

As Local Ward Member Councillor Fitzpatrick addressed the Committee and raised concerns on behalf of the residents that included the size of the porch, proposed parking arrangements and the loss of light and privacy on a neighbouring property.

Members sought clarity regarding the registration of land.

The Head of Planning and Strategic Housing advised that because the Council sought confirmation of an issue of land registration it did not make the application invalid.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery) subject to amendment to condition 2 to include the updated plans.

PL/42 **CONSTRUCTION OF 2 PAIRS OF SEMI DETACHED HOUSES WITH ACCESS AND PARKING AREA AT 69 WOODVILLE ROAD, OVERSEAL, SWADLINCOTE, DE12 6LU**

It was reported that Members of the Committee had visited the site earlier in the day.

The report was presented by the Planning Delivery Team Leader to the Committee who highlighted key points of the development and advised that any impact on the River Mease could be mitigated.

As the Local Ward Member Councillor Wheelton addressed the Committee on behalf of local residents and raised concern of over development, access issues and the lack of green space.

Members considered Councillor Wheelton's concerns and discussed the merits of the application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/43 **THE ERECTION OF A PROPOSED ROOF AND REAR EXTENSION AT 3 FISHPOND LANE, EGGINTON, DERBY, DE65 6HJ**

It was reported that Members of the Committee had visited the site earlier in the day.

The report was presented by the Head of Planning and Strategic Housing who informed the Committee that County Highways had raised no objections but objections had been received from a neighbouring property and members of the public. The Committee was advised that that. the extension would increase the footprint but was of an acceptable design and was not within a conservation area. The Head of Planning and Strategic Housing noted that neighbouring amenity would be not impacted and that conditions would be in place to ensure that it would be a single residential property.

The Head of Housing and Strategic Housing read out a summary of the Objector's statement who had attended a previous meeting and addressed Committee.

The Applicant attended the meeting and addressed the Committee regarding the application.

Councillor Brown addressed Committee as the Local Ward Member and raised concerns of overbearing, loss of amenity for the neighbouring property and the design and scale of the proposals.

Members raised concerns regarding parking the design and the impact on the neighbouring amenity.

RESOLVED:

That planning permission be refused contrary to the recommendations in the report of the Strategic Director (Service Delivery) due to character and size of the proposal, the use of inappropriate materials, contrary to the Design Guide and Policy BNE1 and the impact on the neighbouring amenity.

PL/44 **RETAIN AN ADVENTURE PLAYGROUND WITH THE FOLLOWING EQUIPMENT: INCLUSIVE SWING, INCLUSIVE ROUNDABOUT, STANDING SWING, COMBINED CLIMBING TOWER AND SLIDE, 2 ZIP WIRES, 2 CLIMBING POLES AND A CALISTHENICS CENTRE AS SHOWN ON UPLOADED DRAWING AT HILTON VILLAGE HALL, PEACROFT LANE, HILTON, DERBY, DE65 5GH**

The report was presented by the Planning Delivery Team Leader presented and highlighted the key points of the proposal including equipment and landscaping.

A Supporter attended the meeting and addressed the Committee regarding the application.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/45 **RETROSPECTIVE PLANNING PERMISSION FOR EXISTING STABLE BLOCK WITH EXTENSION TO PROVIDE A NEW TORTOISE HOUSE AND CHANGE OF USE OF LAND TO MIXED USE DEVELOPMENT TO INCLUDE ZOO AND ANIMAL SANCTUARY AT MELBOURNE HALL, CHURCH SQUARE, MELBOURNE, DERBY, DE73 8EN**

The report was presented to the Committee by the Head of Planning and Strategic Housing who outlined the key points within the report and noted that Councillor Fitzpatrick as Local Ward Member was in full support of the application. The Committee was advised of objections received from Historic England.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/46 **LISTED BUILDING CONSENT FOR RETROSPECTIVE PLANNING PERMISSION FOR EXISTING STABLE BLOCK WITH EXTENSION TO PROVIDE A NEW TORTOISE HOUSE (AMENDED DESCRIPTION) AT MELBOURNE HALL, CHURCH SQUARE, MELBOURNE, DERBY, DE73 8EN**

The report was presented by the Head of Planning and Strategic Housing and the key points we outlined for the Committee.

RESOLVED:

That planning permission be approved as per the recommendations in the report of the Strategic Director (Service Delivery).

PL/47 **THE ERECTION OF LEISURE BUILDING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT KNIGHTS LODGES, KNIGHTS LANE, BRETBY, BURTON ON TRENT, DE15 0RT**

The report was presented by the Head of Planning and Strategic Housing who informed the Committee of amended plans that increased internal and external areas. It was noted that the application was time driven due to the potential loss of grant funding. The Head of Planning and Strategic Housing informed the Committee that Bretby Parish Council had not enough time to consider plans and had requested that a decision be made after its meeting on 28 September. The Committee was advised that the proposed application's floor area was broadly correct and only marginally bigger to that approved. The Head of Housing and Strategic Housing outlined the additional landscaping proposal and advised that the previous refused applications were subject to appeal.

The Applicant's Agent attended the meeting and addressed the Committee regarding the application.

The Head of Planning and Strategic Housing read out a statement from the Local Ward Member, Councillor Churchill, that requested that the Committee considered the local community interest and the request by Bretby Parish Council.

RESOLVED:

That planning permission be deferred to allow for the consultation period to expire and to give time for the Parish Council to consider and respond.

PL/ 48 **DEED OF VARIATION – LAND AT THULSTON**

The report was presented by the Planning Delivery Team Leader to the Committee and the main points within the report were outlined and noted that

a decision would not be issued until July 2022 to enable an agreed way forward and the increased provision of 12% affordable housing.

RESOLVED:

1.1 The Committee approved an amendment to the Section 106 agreement (S106) by means of a Deed of Variation (DoV) to accept total financial contributions of £6,356,145 along with the provision of 12% on site affordable dwellings (66).

1.2 The Committee delegated authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the DoV.

PL/49 **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 as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

PL/50 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE No 11.**

The Committee was informed that no questions had been received.

The meeting terminated at hours. 21:15 hrs

COUNCILLOR N TILLEY

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

11 August 2022

OPEN

Labour Group

Councillor Taylor (Chair), Councillor Pegg (Vice Chair) and Councillors, Heath, Singh, Southerd and Tilley

Conservative Group

Councillors Ackroyd (Substitute for Cllr Redfern), Brown, Dawson, Fitzpatrick, Haines and Lemmon

Non-Grouped

Councillor Wheelton

EDS/10

APOLOGIES

The Committee was informed that apologies have been received from Councillor Redfern (Conservative Group) and Councillor Singh (Labour Group).

EDS/11

DECLARATIONS OF INTEREST

The Committee was informed that no declarations of interest had been received.

EDS/12

QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10

The Committee was informed that no questions from Members of the Public had been received.

EDS/13

QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**EDS/14 CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 1 – 1 APRIL TO 30 JUNE)**

The report was introduced to the Committee by the Chief Executive who highlighted the impact of the Covid Pandemic.

The Head of Environmental Services addressed the Committee and gave an update of the service area noting that the e log reading had helped with the regulatory action.

The Head of Planning and Strategic Housing informed the Committee how targets had been impacted by recruitment and retention issues. The Committee was updated regarding planning applications being dealt with by the Planning Team and was advised that regular updates would be reported to the Committee.

Members requested an update on the appointment of the Tree officer.

The Chief Executive advised that an exit strategy had been looked into for the existing Tree Officer and the recruitment for a replacement and timeframes were to be confirmed.

RESOLVED:

- 1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 The Committee reviewed the Risk Register for the Committee's services.***

EDS/15 ANNUAL REVIEW OF THE COUNCIL'S CLIMATE AND ENVIRONMENT ACTION PLAN (2021-30)

The Climate and Environment Officer presented the report to the Committee giving updates on Carbon Emissions and the review of Audit recommendations. It was noted that the in house carbon emissions had reduced from 2018/19 to 2021/22 which was in part due to the replacement of refrigerants, the increase in a low carbon fleet that included the use of Hydrogen and the installation of Electric Vehicle charging points. The Committee was informed that carbon emissions had increased in 2022 due to staff returning to the office.

Members commended the report and raised queries regarding Green Bank Leisure Centre and suggested a quarterly update report on the Climate Change Policy.

The Chief Executive confirmed that the new Head of Cultural and Community Services would be responsible for the Climate Change Policy update report.

The Climate and Environment Officer informed the Committee that following an audit there was a 25 point plan drawn up to make improvements at Green Bank Leisure Centre.

RESOLVED:

- 1.1 The Committee noted the current progress made in reducing carbon emissions as described in the 2021/22 Annual Carbon Reduction Progress Report, attached as Appendix 1 to the report.***
- 1.2 The Committee approved the recommendations set out in the Annual Review of the Climate and Environment Action Plan 2021-30 attached as Appendix 2 to the report.***
- 1.3 The Committee approved the proposed amendments to the Climate and Environment Action Plan attached as Appendix 3 to the report.***
- 1.4 The Committee welcomed the innovative approach that the Council was taking in reviewing its Climate and Environment Action Plan 2021-30 (hereafter referred to as 'C&E Action Plan'). To ensure continuous improvements are made, new priorities are to be set and achievements to be recognised in the Council's journey to reach its carbon neutral commitments.***
- 1.5 The Committee acknowledged that there were co-benefits of reducing carbon emissions, the most significant being the reduction in energy consumption. This co-benefit was recognised at the current time of high energy costs for supporting energy efficiency and the reduction in energy costs.***
- 1.6 The Committee recognised that the carbon reductions achieved to date were encouraging, but that the reductions necessary to achieve the net zero commitment in the Climate Emergency will require difficult future decisions and significant investment and expenditure.***

EDS/16 ANNUAL ENFORCEMENT AND COMPLIANCE REPORT 2021-22

The Head of Environmental Services presented the report to the Committee highlighting key points within the report that included Covid Compliance, the increase of fly tipping during the pandemic, the backlog of food inspections and illegal dog breeding.

Members raised concerns regarding the foster carers for dogs, the cost to the Council and the management of non-traditional food businesses.

The Head of Environmental Services informed the Committee that independent checks were carried out by a fostering charity which reduced the Council's costs by 90%. It was explained that new food businesses would need to register and that officers gave advice and guidance on compliance and food hygiene.

Councillor Smith raised a query regarding littering.

The Head of Environmental Services confirmed that the standard fine was £75 but was reduced if payment was made within 30 days of the fine being issued.

RESOLVED:

- 1.1 The Committee noted the contents of the report and approved that the Council used its regulatory powers in a way proportionate to the demands for all regulatory services it provided.***

EDS/17 ARCHAEOLOGICAL CONSULTANCY SERVICES

The Head of Planning and Strategic Housing presented the report summarising the key points and sought approval of the recommendations within the report noting an amendment to the date that should have read 31 March 2025.

RESOLVED:

- 1.1 The Committee agreed to the Council entering into a revised Service Level Agreement with Derbyshire County Council attached as per Appendix 1 to the report for the next three years to 31 March 2025 for the provision of archaeological services to assist in the determination of planning and other applications.***

EDS/18 **BIODIVERSITY CONSULTANCY SERVICES**

The Head of Planning and Strategic Housing presented the report and noted that the Wildlife Trust had requested an extension to the end of July 2023. It was confirmed that the financial implications would be minor with a 3% uplift. It was explained that the Service Level Agreement gave a full year to see how well it worked and could be extended if necessary.

RESOLVED:

- 1.1 The Committee agreed to the Council entering into a revised Service Level Agreement with Derbyshire Wildlife Trust to 31 July 2023 attached as Appendix 1 to the report for the provision of biodiversity advice to assist in the determination of planning and other applications.***

EDS/19 **AMENDMENTS TO THE PLANNING APPLICATION VALIDATION PROCESS**

The Head of Planning and Strategic Housing presented the report to the Committee outlining the proposal that would reduce the length of the process and have a list of approved planning agents, which would remove the need for checks prior to allocation to an office. It was noted that it would reduce the process time by two to three weeks and would put the onus on the planning agent to ensure the application was completed correctly.

Members raised concerns regarding the potential to cut corners and sought clarity regarding advice to agents.

The Head of Planning and Strategic Housing confirmed that there would be no risk of cutting corners and advised that the process should free up time for technicians. It was further confirmed that the website would be updated to reflect the new requirements

RESOLVED:

- 1.1 The Committee agreed the amendments to the planning application validation process as outlined in the main report***

EDS/20 CENTRAL BUILDING CONTROL PARTNERSHIP PERFORMANCE REPORT

The Head of Planning and Strategic Housing presented the report and sought approval of the recommendations within the report.

RESOLVED:

1.1 The Committee endorsed the Partnership Board Report which provided a review of the performance for years 2 and 3 of the Central Building Control Partnership; and

1.2 The Committee delegated authority to the Strategic Director (Service Delivery) to confirm a continuation of the partnership arrangements with an annual update to the Committee to assess arrangements on an ongoing basis.

EDS/21 COMMITTEE WORK PROGRAMME

The Chief Executive presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme

EDS/22 The Chairman may therefore move:

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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

EDS/23 EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 19:40 hours

COUNCILLOR TAYLOR

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

25 August 2022

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Rhind (Vice-Chair) and Councillors M. Mulgrew, Richards and Taylor.

Conservative Group

Councillors, Bridgen, Dawson, Fitzpatrick, Ford, Haines and Lemmon

Independent Group

Councillors MacPherson

Non-Grouped

Councillor Churchill

In Attendance

Councillor L Mulgrew

Councillor Smith

Councillor Wheelton

FM/32 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Southerd (Labour Group).and Councillor Ackroyd and Councillor Corbin (Conservative Group).

FM/33 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Ford declared a personal interest in relation to FM/48 by virtue of being a County Councillor.

FM/34 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/35 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that Councillor Richards raised the following question:

“I would ask the Chief Executive to advise Members of the Committee as to the present position regarding [Page 84 of 155](#) of the Strategic Director (Service

Delivery), including the Members who will sit on the Sub-Committee regarding the appointment of the new Director.”

The Chief Executive informed the Committee that the position had been advertised and that there had been a number of potential applicants that had expressed an interest in the position. It was further confirmed that the recruitment process would be shared once potential candidates had been selected. It was also noted that the recommendation for the panel was to include the Chairs from Finance and Management, Housing and Community Services and Environmental and Development Committees.

Councillor Ford and Councillor Fitzpatrick sought further clarity following the confusion in relation to political proportionality at the previous Finance and Management Committee meeting.

Following further discussions in relation to the panel Members it was agreed that the Chief Executive would clarify the HR advice regarding the numbers and panel configuration and the Leader of the Council would consult with the Leaders of each political group.

FM/36 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

MATTERS DELEGATED TO COMMITTEE

FM/37 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 1 – (1 APRIL TO 30 JUNE))**

Head of Organisational Development and Performance presented the report to the Committee and noted that 71% of objectives of the Corporate Plan were on track and that out of the 11 measures for the Committee 2 were red which were commercialisation and operational services. The Head of Organisational Development and Performance highlighted key areas within the report which included in the increase in apprenticeships in the Council and the risk register.

Members raised queries regarding the priority of commercialisation and residents being able to contact customer services.

The Head of Organisational Development and Performance Committee advised that a report would be brought to the Committee regarding the proposals for commercialisation of services and clarified that whilst social media use to contact the Council was increasing this was alongside traditional means of contact.

The Chief Executive addressed the committee and confirmed that commercialisation would be included as a priority in the advertisement for the Strategic Director (Service Delivery).

RESOLVED:

- 1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 The Committee reviewed the Risk Register for the Committee's services.***

FM/38 REVENUE FINANCIAL MONITORING 2022-23

The Head of Finance presented the report to the Committee explained that the deficit increase was due to the 2022/23 pay award. It was noted that agency costs were being offset by salary savings and vacancies and that the increase in fuel costs for older vehicles had been offset by increased income.

RESOLVED:

- 1.1 The Committee considered and approved the latest revenue financial position for 2022/23 as detailed in the report.***
- 1.2 The Committee approved that an additional £16,399 be set-aside as a provision in the Medium-Term Financial Plan (MTFP) due to the delay in the implementation of the Route Optimisation Project.***
- 1.3 The Committee approved the additional costs of £216,887 to finance the 2021/22 pay award in the Medium-Term Financial Plan.***
- 1.4 The Committee approved the increase to the provision of £135,454 for the 2022/23 pay award in the Medium-Term Financial Plan.***

FM/39 COLLECTION FUND 2022-23

The Head of Finance presented the report the Committing noting that the tax base increase would mean a year-end surplus for Business Rates for 2022/23.

RESOLVED:

The Committee considered and approved the latest Collection Fund position as detailed in the report.

FM/40 HOUSING REVENUE ACCOUNT REVENUE FINANCIAL MONITORING 2022-23

The Head of Finance delivered the report outlining the updated financial plan's main variants of salaries and vacant posts, rent income that had been impacted by voids and rent rebates from the previous year. It was explained that the rent rebates had been subject to an Audit by the rent regulator that had discovered an error with the calculation of rents that had affected 80 properties, it was further noted the 26 out 28 councils had been affected by a similar error.

RESOLVED:

The Committee considered and approved the latest revenue financial position for 2022/23 as detailed in the report.

FM/41 CAPITAL FINANCIAL MONITORING 2022-23

The Head of Finance presented the report to the Committee noting that schemes were progressing and on track for completion by the yearend.

Councillor Fitzpatrick sought clarity regarding Community Grants.

The Head of Finance confirmed that there were funds still available.

RESOLVED:

1.1 The Committee considered and approved the latest capital financial position for 2022/23 as detailed in the report.

1.2 The Committee noted the balance of Section 106 Agreement funding available for use by the Council for capital projects as detailed in Appendix 2 of the report.

FM/42 TREASURY MANAGEMENT UPDATE 2022-23

The Head of Finance delivered the report to the Committee and explained that due to the increase in interest rates more income had been generated due to a good return on dividend loans.

Councillor MacPherson commended the report.

1.1 The Committee considered and approved the latest Treasury Management Update for quarter 1 2022/23 as detailed in Appendix 1 of the report.

1.2 The Committee approved the updated Counterparty List for investments and bank deposits as detailed in Appendix 2 of the report.

FM/43 TRANSFORMATION AND BUSINESS CHANGE

The Head of Business Change and ICT presented the report to the Committee outlining the continuation of work that supported the delivery of the Corporate Plan. The Committee was informed that following Covid, 4 key projects had been identified which were, planning system improvement, modernisation of the housing systems, an improvement programme for the depot and customer access to the Council.

Members raised queries regarding data storage and potential cyber-attacks, the timeframe for and impact on the Planning team's workload in relation to the improvements to the Planning system.

The Head of Business Change and ICT confirmed that during the last few years cyber-attacks had increased but that the Council had in place software that had repelled these attack and it was noted that there were data storage boxes off site and there was cloud back up in place for the servers. The Committee was informed that it was expected that the improvements would take in the region of 6 months and that the work commitments of the planning team would be considered.

RESOLVED:

The Committee considered progress as set out in the Transformation and Business Change Plan 2020 to 2024 and agreed the annual work programme 2022-23 following the mid-term review.

FM/44 **FINANCIAL CONTRIBUTION TOWARDS AN ACTIVE SCHOOLS PARTNERSHIP PE & SCHOOL SPORT APPRENTICE THROUGH AMBER VALLEY SCHOOL SPORT PARTNERSHIP (AVSSP)**

The Head of Cultural and Community Services addressed the Committee and outlined the main points of the report that had been approved by the Housing and Community Services Committee. It was noted that the role would be split between South Derbyshire District Council and Amber Valley Borough Council with half a day attendance at college.

RESOLVED:

- 1.1 The Committee approved a financial contribution set out in section 4 of the report, towards funding a PE and School Sport Apprentice post to be employed directly by the Amber Valley School Sports Partnership (AVSSP).***
- 1.2 The Committee approved the recruitment of further PE and School Sport Apprentices through any appropriate partner moving forward, subject to service demand.***

FM/45 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Service Delivery) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/46 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed no questions had been received.

BETTER CARE FUNDING ALLOCATION – FINANCIAL POSITION

The Committee approved the recommendations in the report.

CUSTOMER SERVICES UPDATE AND REVIEW OF STRUCTURE

The Committee approved the recommendations in the report.

FINANCIAL ARRANGEMENTS FOR THE SALE OF TICKETS AND OTHER PRODUCTS

The Committee approved the recommendations in the report.

INSURANCE PROVISION: CONTRACT RENEWAL 2022 to 2027

The Committee approved the recommendations in the report.

STATUTORY MONITORING OFFICER – RESOURCING

The Committee approved the recommendations in the report.

The meeting terminated at 19:35 hours

COUNCILLOR R PEARSON

CHAIR

OVERVIEW AND SCRUTINY COMMITTEE

31 August 2022

PRESENT: -

Labour Group

Councillor Bambrick (Chair) and
Councillors Gee and Stuart

Conservative Group

Councillors Hewlett and Muller

Independent Group

Councillor MacPherson

OS/11 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Atkin and Smith (Conservative Group).

OS/12 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no Declarations of Interest had been received.

OS/13 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/14 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**OS/15 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) REPORT ON USAGE**

The Strategic Director (Corporate Resources) presented the report the Committee summarising the key points and sought approval for the recommendation.

RESOLVED:***1.1 The Committee noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.*****OS/16 COMMITTEE WORK PROGRAMME**

The Chief Executive addressed the Committee regarding updates on Land Charges and the Redevelopment of Swadlincote Town Centre. It was noted that funding had been received to assist with recruitment and that a task force would be put in place to complete the work required for the transfer of Land Charges.

The Committee was informed that work on Delph was due to commence the following day and that Local Members had been on a visit and made suggestions to improve visibility of bollards.

Phase 1 works in relation to Bank House were outlined and it was noted that with Phase 2 which was the lighting for the outdoor space / parking area there was a sewer that needed to be diverted.

Members raised queries regarding work specifications, materials to be used – and drainage in relation to the Delph.

The Chief Executive advised the Committee the tender packs which would give information requested would be completed by the end of the week and once received specifications would be shared with Members. It was also noted that Chinese granite would be used due to its availability.

The Strategic Director (Corporate Resources) addressed the Committee updating on other Work Programme items and advised the Committee that the Council had been unable to arrange for representation from the GP Service to attend the Committee which was due to a shortage of resources.

Members raised their concerns and frustrations regarding the shortage of doctors in the district. The Chair of the Committee proposed to write a letter to the Leader of the Council requesting an update on the situation and informing them that this was something that Overview and Scrutiny Committee was keen to move forward with.

Councillor MacPherson sought an update on staff working from home position and the current increase in energy prices.

The Strategic Director (Corporate Resources) that there was plan for staff to return to the offices.

RESOLVED:-

That the Committee considered and approved the updated work programme.

OS/17 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

OS/18 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 19:05 hours

COUNCILLOR S BAMBRICK

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

22 September 2022

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair), Councillor Pegg (Vice Chair) and Councillors, L Mulgrew, Rhind (substitute for Councillor Heath), Singh and Shepherd (substitute for Councillor Southerd)

Conservative Group

Councillors Brown, Fitzpatrick, Haines, Lemmon, Patten (substitute for Councillor Dawson) and Redfern

Non-Grouped

Councillor Wheelton

In attendance

Councillor Corbin and Councillor Gee

EDS/24 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Heath (Labour Group), Councillor Southerd (Labour Group) and Councillor Dawson (Conservative Group).

EDS/25 **MINUTES**

The Open Minutes of the Meetings held on 4 January 2022, 25 January 2022, 3 March 2022, 20 April 2022 and 26 May 2022 were noted and approved as a true record and signed by the Chair.

EDS/26 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Patten declared a personal interest in the item EDS/31 by virtue of being a County Councillor.

The Committee was informed that Councillor Redfern declared personal interest in item EDS/31 by virtue of being a County Councillor.

EDS/27 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL
PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/28 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL
PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

EDS/29 **LOCAL PLAN ISSUES AND OPTIONS CONSULTATION AND
DRAFT SCOPING REPORT**

The Report was presented to the Committee by the Head of Planning and Strategic Housing. It was noted that the working group which included Members and officers was to ensure that Members were informed and had time to look at the issues and options prior to the formal recommendations before the Committee.

It was noted that all parish councils would receive the documentation and some information had been sent in advance of the public consultation, it was further noted that all parishes would have sufficient time to provide information prior to any decisions.

The Head of Planning and Strategic Housing explained that the Scoping report was procedurally different and would be a technical assessment used as evidence to support to the Local Plan and prepare a sustainability appraisal. The Committee was informed of the consultation timeframes and that the consultation events would be spread geographically across the District.

Members commended the report and thanked the working group for the significant amount of work undertaken.

Councillor Wheelton raised queries regarding the working group, the timeframe for completion and the key issues within table G of the report.

The Head of Planning and Strategic Housing informed the Committee that the key issues within the report followed on from the previous local

plans, outlined the involvement of the working group and confirmed that consultation would be underway prior to the Christmas period.

Councillor Haines addressed the Committee and noted how well the working group had worked together and further to suggested amendments it was happy with the draft and thanked officers for their input.

Members expressed concern regarding the Scoping document as it had not been subject to scrutiny and noted the importance of Members having the opportunity to view the document.

The Head of Planning proposed that authority be delegated to the Chair of the Committee along with the Head of Planning and Strategic Housing in relation to the Issues and Options document and that final changes to the Scoping document followed any recommendations from the working group and noted that consultation would take place following the working group meeting.

Members sought clarity regarding the consultation with residents.

The Head of Planning and Strategic Housing informed the Committee that the Council had a database of residents who had expressed an interest in the local plans who would be contacted and that all parishes would be emailed to notify them of when consultation events would take place in their area. It was noted that documents would also be available online and hard copies available at the events. In addition, hard copies would be available in libraries and at the Civic Offices and officers would also be available at the Civic Offices during office hours on a Tuesdays and Wednesdays during the consultation period.

Members raised concerns regarding consultation in rural areas and hard to reach residents and noted that a variety of communication routes should be used.

The Chair noted the comments regarding communication with residents.

RESOLVED:

- 1.1 *The Committee authorised the Local Plan Issues and Options document attached as Appendix 1 to the report for public consultation in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.***

1.2 The Committee authorised the publication of the associated draft Scoping Report document attached as Appendix 2 to the report, for a statutory five-week consultation with the 'Consultation Bodies' and other appropriate stakeholders.

1.3 The Committee granted delegated authority to the Chair of the Committee and the Head of Planning and Strategic Housing to agree any final changes required to the Issues and Options document, and to agree any final changes required to the draft Scoping Report document following a meeting of the Local Plan Working Group taking on board any recommendations therefrom.

EDS/27 **COMMITTEE WORK PROGRAMME**

The report was presented to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/28 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS

The exempt minutes of the meetings held on 25 January, 3 March and 20 April 2022 were received by the Committee.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

SOUTH DERBY GROWTH ZONE

The Committee approved the recommendations within the report.

The meeting terminated at 19:05 hours

COUNCILLOR TAYLOR

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

6 October 2022

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Rhind (Vice-Chair) and Councillors M. Mulgrew (substitute for Cllr Tilley) Richards Southerd and Taylor.

Conservative Group

Councillors, Ackroyd, Dawson, Fitzpatrick, Lemmon, Smith and Watson (substitute for Cllr Ford)

In Attendance

Councillor Wheelton

FM/52 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Tilley (Labour Group), Councillor Ford (Conservative Group) and Councillor Churchill (Non-Grouped)

FM/53 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received

FM/54 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/55 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the council had been received.

FM/56 **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEE**

The Committee was informed that no reports of Overview and Scrutiny Committee had been received.

FM/57 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/58 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed no questions had been received.

SOUTH DERBY GROWTH ZONE

The Committee approved the recommendations in the report.

ROSLISTON FORESTRY CENTRE STAFFING

The Committee approved the recommendations in the report.

REGRADE OF POSTS -PROJECT OFFICER (HEATING) AND HO143 AND PROJECT OFFICER (BUILDING)HO129

The Committee approved the recommendations in the report.

HGV DRIVERS AND HGV MECHANICS

The Committee approved the recommendations in the report.

LEGAL AND DEMOCRATIC SERVICES RESTRUCTURE

The Committee approved the recommendations in the report.

The meeting terminated at 19:00 hours

COUNCILLOR R PEARSON

CHAIR

OVERVIEW AND SCRUTINY COMMITTEE

12 October 2022

PRESENT: -

Labour Group

Councillor Bambrick (Chair) and Stuart (Vice-Chair)
Councillors Gee and L Mulgrew

Conservative Group

Councillors Atkin and Hewlett

In Attendance

Councillor Wheelton

OS/19 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Corbin and Muller (Conservative Group).

OS/20 **MINUTES**

The Open Minutes of Meetings held on 09 February 2022 and 15 June 2022 were noted and signed by the Chair of the Committee.

OS/21 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no Declarations of Interest had been received.

OS/22 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/23 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**OS/24 NOVUS PRESENTATION**

The Novus representatives made a presentation to the Committee on performance, contract information and customer satisfaction reports. The Committee received the information and followed up with questions to the visitors.

Members requested further information about complaints received by Novus; the current contract and any financial changes; training of sub-contractors; the relationship between Novus and the Council; certification for electrical installation works and traceability; statistics; householder reports and communication.

The Head of Housing informed the Committee that the contract was three plus two years ending July 2024 and confirmed no financial changes had been made due to rising inflation. The partnering between Novus and the Council was robust with both sides understanding each other's challenges. A report of complaints was provided by Novus on a regular basis and the Head of Housing asked Members for copies of specific householder comments which would be investigated. Members praised the communication between the customers and the contractors.

OS/25 COMMITTEE WORK PROGRAMME

The Strategic Director (Corporate Resources) presented the Work Programme to the Committee and noted that the East Midlands Airport representative would attend the next Committee. It was noted that Parish Councils would be invited and could submit questions with the Chair's permission. The update from Planning would be deferred to a future Committee.

RESOLVED:

That the Committee considered and approved the updated work programme.

OS/26 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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

OS/27 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER
COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 19:45 hours

COUNCILLOR S BAMBRICK

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

10 November 2022

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair) and Councillors, M Mulgrew, Rhind, Shepherd, Singh and Southerd

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Lemmon, Patten, and Watson

Non-Grouped

Councillor Wheelton

EDS/32 **APOLOGIES**

The Committee was informed that apologies have been received from Councillor Pegg and Councillor Heath (Labour Group) and Councillor Haines (Conservative Group)

EDS/33 **DECLARATIONS OF INTEREST**

The Committee was informed that Councillor Wheelton declared a personal interest regarding Item EDS/44.

EDS/34 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/35 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

EDS/36 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 2 – 1 APRIL TO 30 SEPTEMBER)**

The Chief Executive presented the report to the Committee and sought approval of the recommendations within the report.

Councillor Wheelton raised a query regarding biodiversity net gain in relation to planning applications.

The Head of Planning and Strategic Housing informed the Committee that Biodiversity Net Gain was requested on all major applications and whatever was considered to reasonable for smaller applications and that the Local Plan would also have to be taken into account.

Councillor Brown raised concern regarding the adoption of Sustainable Drainage Systems.

The Planning Policy Assistant advised the Committee that in the future Sustainable Drainage Schemes would only be adopted in the future following completion of works that agreed with Severn Trent. The Chief Executive addressed the Committee and confirmed that only those Sustainable Drainage Systems that were of an adoptable standard and previously agreed would be adopted by the Council.

RESOLVED:

1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.

1.2 The Risk Register for the Committee's services were reviewed.

EDS/37 **PUBLIC SPACES PROTECTION ORDERS**

The Head of Environmental Services presented the report to the Committee and outlined the key points within the report and sought approval of the recommendations.

Members raised queries regarding prosecutions for littering

The Head of Environmental Services informed the Committee that the Police and Crime Commission was considering the County wide littering issues but noted that they would have to be mindful of legalities.

RESOLVED:

- 1.1 The Committee approved the proposed three-year extension of seven Public Spaces Protection Orders for South Derbyshire as detailed in the report.***

EDS/38 **APPROVAL OF THE INFRASTRUCTURE FUNDING STATEMENT 2021-22**

The Planning Policy Assistant presented the Report to the Committee noting the requirement to publish the statement annually that set out what Section 106 Agreement funding had been allocated and what was to be allocated. The Committee was informed that during the previous year the Council had entered into £3.4million worth of Section 106 Agreement funding and that it was estimated that in 2022/23 the Council would receive £6 million worth of Section 106 Agreement funding.

Members commended the report and thanked the Planning Policy Assistant for the work undertaken.

Members raised queries regarding updates on unspent funding and requested that Local Ward Members be copied in to communication with Parish Councils.

The Planning Policy Assistance advised the Committee that quarterly reports were shared with the Finance and Management Committee and regular updates could be shared with the Environmental and Development Services Committee.

RESOLVED:

- 1.1 The Committee approved the Infrastructure Funding Statement (IFS) for the 2021-22 financial year.***

EDS/39 **PROPOSED BAN ON RELEASE OF BALLOONS ON SDDC LAND**

The Report was presented to the Committee by the Head of Cultural and Community Services, who explained that the report was a follow up to a ban on lanterns. The damage that could be caused and the injury inflicted to live stock and wildlife due to the balloons was highlighted. The Head of Cultural and Community Services sought approval of the recommendations within the report and explained how a national approach was required and that South Derbyshire District Council would be the first in Derbyshire to issue a statement that would hopefully encourage other councils to do the same.

Members commended the report and the work undertaken.

RESOLVED:

- 1.1 The Committee noted the environmental damage caused by balloon plastic, wire and string litter to livestock and wildlife. Also, Sky lanterns and balloons released posed a danger to aircraft.***
- 1.2 The Committee agreed to issue a statement that the deliberate or accidental release of balloons of any kind was not permitted on South Derbyshire District Council owned or managed land, to suggest alternative ways of fundraising or commemoration and insist that any balloons used at events should always be tied securely and disposed of appropriately. This was to be supported by educational messages on the unintended associated environmental impact of balloon releases.***
- 1.3 The Committee agreed that the report and recommendations be shared with Derbyshire County Council and Parish Councils who were significant landowners in the District to encourage similar statements.***

EDS/40 **COMMITTEE WORK PROGRAMME**

The Chief Executive presented the report and sought approval of the updated Committee Work Programme.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/41 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

COMMERCIALISATION RESTRUCTURE OF ENVIRONMENTAL SERVICES

RESOLVED

The Committee approved the recommendation within the report.

SHARED PROSPERITY FUND

RESOLVED

The Committee approved the recommendation within the report.

REVIEW OF PLANNING SERVICES STRUCTURE

RESOLVED:

The Committee approved the recommendation within the report.

The meeting terminated at 19:45 hours

COUNCILLOR TAYLOR

CHAIR

OVERVIEW AND SCRUTINY COMMITTEE

23 November 2022

PRESENT: -

Labour Group

Councillor Bambrick (Chair) and Stuart (Vice-Chair)
Councillors Gee and L Mulgrew

Conservative Group

Councillors Atkin Hewlett and Muller

In Attendance

Councillor

OS/28 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Ackroyd (Conservative Group)

OS/29 **MINUTES**

The Open Minutes of Meetings held on 09 February 2022 and 15 June 2022 were noted and approved as true record and signed by the Chair.

OS/30 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no Declarations of Interest had been received.

OS/31 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/32 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

OS/33 EAST MIDLANDS AIRPORT PRESENTATION

East Midlands Airport representatives attended the Committee meeting and delivered a presentation regarding general business updates, noise action plan and the airspace change project.

An East Midlands Airport representative advised the Committee that the last year business had seen a strong recovery from the Covid pandemic and in October 2022 that passenger volumes were at 84% of the 2019 volumes. It was noted that research commissioned earlier in the year in relation to nature of cargo travelling through the airport found that East Midlands Airport had either direct or indirect connectivity to major nodes of the global networks and that the movement of cargo served 75% of alpha cities and 50% of beta cities.

Members raised queries regarding the Freeport.

An East Midlands Airport representative informed the Committee that it was the only airport centred freeport in the country and would be part of a Tax site to encourage investment it was noted that the feedback regarding the Freeport Full Business Case was positive

An East Midlands Airport representative outlined the noise action plan 2019-23 noting that set controls within action plan were approved by secretary of state and that as it was the tail end of the action plan a review would begin at the beginning of 2023. The East Midlands Airport representative gave an overview of measuring and monitoring noise, aircraft technology that was driving quieter operations, reducing noise at source and the opportunities available to help the airport manage noise.

Members raised queries regarding night flights times, widening the parameters for noise monitoring in Melbourne and types of aircraft used for night flights.

The Committee was informed that throughout the year night flight times were between 23:00hrs and 07:00hrs and that the noise monitoring method would be carried out over a 12 month period and the monitoring and model were as accurate as possible. It was further noted that preferential runways were used for taking off which reduced the number of flights over Melbourne and that noise monitors had been placed in Melbourne, Kegworth and Castle Donnington to build up a better picture about how noise impacted on residents.

The Committee was advised during covid there was a big upsurge in capacity and for a period time old version jumbo jets were used but the airport was working hard with airlines so that it would only be temporary and advised that those aircraft would not routinely be in operation.

EMA \do have charging schemes for night flights and noiser aircrafts pay more.

The East Midlands Airport representative presented an overview of the airspace change timeline from 2019/2020 until 2027 onwards, which included flight paths and improved technology on aircraft.

The presentation concluded with the airports approach to corporate responsibility that included a commitment to a more sustainable future and playing a leading role in decarbonising the aviation sector. The Committee was informed of a number of sustainable projects the airport was involved with that included an Eco Garden competition with 25 schools and the National Wildlife Trust and the planting of 1,000 trees in new Cadley Park.

The Chair of the Committee and Members thanked the representative for attending the Committee and invited them to return for following year for an update.

OS/34 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the Work Programme to the Committee. The Committee was advised that as concern had been raised regarding agency costs and vacant posts a report would be presented at the next Finance and Management Committee. The Chair of Overview and Scrutiny advised that he would attend Finance and Management Committee and request that an action plan be kept under review by Overview and Scrutiny.

RESOLVED:

That the Committee considered and approved the updated work programme.

OS/35 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

OS/36 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 19:10 hours

COUNCILLOR S BAMBRICK

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

24 November 2022

PRESENT:

Labour Group

Councillor Pearson (Chair), Councillor Rhind (Vice-Chair) and Councillors Tilley (substitute for Cllr M. Mulgrew) Richards Southerd and Taylor.

Conservative Group

Councillors Dawson, Fitzpatrick, Ford, Lemmon, Smith and Watson

In Attendance

Councillor Wheelton
Councillor Bambrick

FM/66 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Tilley (Labour Group), and Councillor Churchill (Non-Grouped)

FM/67 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of meeting held on 13 January 2022 were noted and approved as true record and signed by the Chair.

FM/68 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received

FM/69 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

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

The Committee was informed that no questions from members of the council had been received.

FM/71 **REPORTS OF OVERVIEW SCRUTINY**

The Committee was informed that no questions from members of the council had been received.

FM/72 **CORPORATE PLAN 2020-24: PERFORMANCE REPORT (2022-2023 QUARTER 2– (1 APRIL TO 30 SEPTEMBER))**

The Strategic Director (Corporate Resources) presented the report to the Committee and noted that all indicators were on track, sickness absence was falling and the number of Modern Apprenticeships was moving into double figures. The Committee was informed that commercialisation was the only red indicator which should be shared across all of the Council and that it was progressing as much as possible with the current resources.

RESOLVED:

- 1.1 The Committee approved progress against performance targets set out in the Corporate Plan 2020 - 2024.***
- 1.2 The Committee reviewed the Risk Register for the Committee's services.***

FM/73 **REVENUE FINANCIAL MONITORING 2022/23**

The Head of Finance presented the report to the Committee and noted that the pay award had not created a deficit but had changed the amount of reserves that would not have an immediate impact but could do so over the long term.

Members raised a query regarding agency costs.

The Strategic Director (Corporate Resources) informed the Committee that a report regarding agency costs was going Overview and Scrutiny Committee in January 2023.

RESOLVED:

- 1.1 The Committee considered and approved the latest revenue financial position for 2022/23 as detailed in the report.***
- 1.2 The Committee considered and approved the updated Medium Term Financial Plan.***

FM/74 **HOUSING REVENUE ACCOUNT REVENUE FINANCIAL MONITORING 2022-23**

The Head of Finance delivered the report highlighting the options appraisal and noting the impact of the pay award. The Committee was informed that variances to budget included the loss of rent due to voids that was expected to be in the region of £400K.

Members discussed the issue of voids and the related loss rental income and the need for the issue to be addressed as soon as possible and therefore proposed that it should be taken up by Overview and Scrutiny Committee.

The Chair of Overview and Scrutiny Committee agreed that the Committee would take up the issue.

The Chief Executive advised the Committee that a report regarding voids would be presented to Overview and Scrutiny.

Councillor Southerd sought clarification regarding the moving of Careline to digital from analogue and if that meant a move from landline.

The Strategic Director (Corporate Resources) informed the Committee that the question would be referred to an officer for a technical response.

RESOLVED:

- 1.1 The Committee considered and approved the latest revenue financial position for 2022/23 as detailed in the report.***
- 1.2 The Committee approved that at an additional £23,000 costs for an options appraisal of Smallthorn Place in the Medium-Term Financial Plan (MTFP).***

FM/75 **COLLECTION FUND 2022-23**

The Head of Finance presented the report to the Committee and summarised the key points noting that all was on track and on budget

RESOLVED:

- 1.1 The Committee considered and approved the latest Collection Fund position as detailed in the report.***

FM/76 **CAPITAL FINANCIAL MONITORING 2022/23**

The Head of Finance addressed the Committee and presented the second quarter report noting that all was progressing as expected and that the Section 106 Agreement funded project options for spending were being appraised.

Members supported the report and looked forward to an update following the Section 106 Agreement spending appraisal.

RESOLVED:

- 1.1 The Committee considered and approved the latest capital financial position for 2022/23 as detailed in the report.***
- 1.2 The Committee noted that the balance of Section 106 Agreement Funding available for use by the Council for capital projects, as detailed in Appendix 2 to the report.***

FM/77 TREASURY MANAGEMENT UPDATE 2022-23

The Head of Finance delivered the report noting the good news on investments there were gaining with 3.5% interest on the Council's loans and informed the Committee that the Thurrock Council's loans would be repaid.

The Chair of the Committee noted the importance of the Thurrock Council finance reports and that the level of scrutiny was key for South Derbyshire District Council.

Councillor Wheelton sought clarity regarding loans with other councils

The Head of Finance confirmed that deposits with any local authority, were very low risk.

RESOLVED:

- 1.1 *The Committee considered and approved the latest Treasury Management Update for quarter 2 2022/23 as detailed in Appendix 1 to the report.***
- 1.2 *The Committee approved the updated Counterparty List for investments and bank deposits as detailed in Appendix 2 to the report.***

FM/78 A REVIEW OF SPECIFIC AND EARMARKED RESERVES

The Strategic Director (Corporate Resources) presented the report to the Committee and noted the level of earmarked reserves that had been reported in a lot of detail which had never been reported before. The external funding and external investment spending reserves highlighted along with reserves where resources had been set aside awaiting the potential recall of underspent government funding. Members were asked to consider the request to that the level of reserves be kept under review until January 2023.

Members supported the recommendations to hold back on reserves and sought clarity regarding the financial settlement from the government.

The Strategic Director (Corporate Resources) confirmed that the government's financial settlement was expected during the week leading up to the Christmas period.

RESOLVED:

- 1.1 *The Committee considered the Council's Specific and Earmarked Reserves and approved the recommendations regarding the potential reallocation and future utilisation regarding certain reserves as highlighted in Appendix 1 to the report.***

1.2 The Committee approved the level of Reserves to be kept under review pending the 2023/24 Budget Round and the impact on the Council's Medium-Term Financial Plan.

FM/79 **ANNUAL HEALTH AND SAFETY REPORT 2021-22 AND ACTION PLAN 2022-23**

The. Head of Organisational Development and Performance presented the report and sought approval for the action plan and acknowledgement of the work undertaken. The Committee was reminded how the landscape changed in March 2020 and how work had been put on hold in response to the pandemic.

The. Head of Organisational Development and Performance summarised work undertaken during Covid including control measures for those attending the office, delivery of services and training, inspections and audits undertaken.

It was noted that there had been a reduction in RIDDOR and that any actions had been undertaken.

Members raised queries regarding support in relation to mental health and wellbeing and training.

The Committee was informed by the Head of Organisational Development and Performance that there were a number of male and female mental health 1st aiders across the Council supporting staff that the platforms for the delivery of training were being reviewed and advised that line managers were informed of non-attendance at mandatory training.

Members raised the importance of reporting near misses and how it should be actively encouraged.

Councillor Richards raised the issue regarding residents needing access to the building and what additional protection was required for reception staff.

RESOLVED:

1.1 The Committee noted the key health and safety achievements and performance for the year ending 31 March 2022.

1.2 The Committee approved the Health and Safety Action Plan for 2022/23 as detailed in Appendix 2 to the report.

FM/80 **COMMENTS, COMPLIMENTS, COMPLAINTS AND FOI REQUESTS: APRIL 2022 TO SEPTEMBER 2022**

The. Strategic Director (Corporate Resources) presented the report to the Committee and noted the increase of compliments and the reduction in complaints received, it was further noted that there was a slight increase in Freedom of Information requests submitted.

RESOLVED:

- 1.1 The Committee noted and approved the comments, compliments, complaints, and Freedom of Information requests, as detailed in the report.***

FM/81 APPOINTMENT OF A RECRUITMENT AND SELECTION PANEL

The Chief Executive presented the report to the Committee noting its similarity to the report for the Strategic Director (Service Delivery). It was explained that due to the current political balance the total number of Members would be 6 along with Leading Officers and that the nominations would be confirmed by the Leader of the Council following consultation with group leaders.

RESOLVED:

- 1.1 The Committee approved that the appointment and recruitment into the post of Strategic Director (Corporate Resources) (SM02) be delegated to a panel of Six (6) Members from the Committee along with the Chair or Vice Chair of the employing Committee in accordance with the Appointment Procedure for the Chief Executive and Directors.***
- 1.2 The Committee confirmed that nominations for the Panel that reflected the current political balance of the Council would be confirmed by the Leader of the Council.***
- 1.3 The Committee approved that final arrangements regarding the recruitment and selection procedure to be followed including timescales, along with determining the selection process for the final appointment, to be agreed between the Chief Executive and Elected Members of the Panel.***
- 1.4 The Committee approved that the Chief Executive appoints an external recruitment partner to support the recruitment process in line with the Council's Financial Procedures rules.***

FM/82 D2N2 FUNDING PROGRAMME FOR A PILOT HYDROGEN FUELLED WASTE COLLECTION SERVICE – AMENDED RECOMMENDATION.

The Head of Environmental Services present the report noting a change in location from that which was previously approved by the committee.

As Chair of Environmental and Community Services Committee Councillor Taylor endorsed the report that had been discussed and approved at the Environmental and Community Services Committee.

Councillor Fitzpatrick raised a query in relation to scuffing.

The Head of Environmental Services advised the Committee that the technical information would be sought and shared with Members.

Councillor Taylor and Councillor Wheelton requested that if available, could information from other local authorities such as Glasgow City Council that had experience of using hydrogen vehicles be made available.

RESOLVED:

1.1 The Committee accepted the amended terms of the D2N2 Future Funding Programmes Grant.

FM/83 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the updated work programme to the Committee.

RESOLVED:

The Committee considered and approved the updated work programme.

FM/84 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS

The Exempt Minutes of the Meetings held on 13 January 2022 were received.

Exempt questions rule 11

The Committee was informed no questions had been received.

CUSTOMER SERVICES REVIEW OF STRUCTURE – GRADING OF POSTS

RESOLVED:

The Committee approved the recommendations in the report.

COMMERCIALISATION RESTRUCTURE OF ENVIRONMENTAL SERVICES

RESOLVED:

The Committee approved the recommendations in the report.

SHARED PROSPERITY FUND

RESOLVED:

The Committee approved the recommendations in the report.

REVIEW OF PLANNING SERVICE STRUCTURE

RESOLVED:

The Committee approved the recommendations in the report.

**DELETION OF QUANTITY SURVEYOR POST CREATION OF FINANCE
AND CONTRACTS OFFICER**

RESOLVED:

The Committee approved the recommendations in the report.

The meeting terminated at 19:15 hours

COUNCILLOR R PEARSON

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE – (Special Budget)

3 January 2023

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair)
and Councillors M Mulgrew, Shepherd (substituting for Councillor Heath),
Singh, Southerd and Tilley (substituting for Councillor Pegg).

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Haines, Patten (substituting for
Councillor Lemmon) and Watson.

Non-Grouped

Councillor Wheelton

In attendance

Councillor Smith

EDS/46 **APOLOGIES**

The Committee was informed that apologies had been received from
Councillors Heath and Pegg (Labour Group) and Councillor Lemmon
(Conservative Group).

EDS/47 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations had been made.

EDS/48 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL
PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public
had been received.

EDS/49 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL
PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the
Council had been received.

MATTERS DELEGATED TO COMMITTEE**EDS/50 SERVICE BASE BUDGETS 2023-24**

The report was presented to the Committee by the Head of Finance highlighting the larger spend areas of waste collection and other environmental services together with income from the provision of services. The Committee noted increased costs in fuel, waste disposal and vehicles.

The Chair noted the report and that a separate report on the Environmental Education Service would be welcome given the risks to funding in that area. Members raised questions regarding any approved new planning validation, savings or noticeable updates to the budget and that the Medium Term Financial Plan should be closely inspected. The Chair confirmed that the new Planning structure was at the implementation stage and that there were no figures available at this point in the process.

Members questioned the introduction of commercialisation to gain more income from Developers. The Chair confirmed that last year a good service was provided by Planning and that pre-application services fees needed to be reviewed.

Members queried the cost and performance of the Building Control Service as a concern and would any data be available to analyse the services delivered. The Strategic Director (Corporate Resources) confirmed that the Annual Report due in July would provide the trends and income from the consortium.

Members queried if there was a plan to look at Land Charges costs and the budget that had already been spent. The Strategic Director informed the Committee that this was still under review.

RESOLVED:

1.1 The Committee approved that the proposed income and expenditure revenue budget for the Committee's services for 2023/24 as detailed in Appendix 1 to the report, was considered and recommended to the Finance and Management Committee for approval.

1.2 The Committee considered and approved the proposed fees and charges as detailed in Appendix 2 to the report for 2023/24.

EDS/51 COMMITTEE WORK PROGRAMME

The Strategic Director (Corporate Resources) presented the report to the Committee.

Members requested that Committee dates be added to the items in the Work Programme.

RESOLVED:

The Committee considered and approved the updated work programme.

EDS/52 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EDS/53 **EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The meeting terminated at 18:30 hours

COUNCILLOR TAYLOR

CHAIR

OVERVIEW AND SCRUTINY COMMITTEE

04 January 2023

PRESENT:

Labour Group

Councillor Bambrick (Chair) and Stuart (Vice-Chair)
and Councillors Gee and L Mulgrew.

Conservative Group

Councillors Atkin, Hewlett and Muller.

In Attendance

Councillor

OS/36 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Ackroyd.

OS/37 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no Declarations of Interest had been received.

OS/38 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/39 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**OS/40 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – REPORT ON USAGE**

The Strategic Director (Corporate Resources) presented the report to the Committee and informed Members no covert surveillance had been arranged during the period covered by the report.

RESOLVED:

To note the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/41 COUNCIL HOUSE LETTINGS AND VOID PROPERTIES

The Head of Housing presented the report highlighting the forward plan for empty properties and the targets for re-letting each property. The Committee was informed that recruitment of qualified electrical and gas safety engineers had been difficult and that agency workers were covering those tasks.

Members enquired about common reasons why tenancies were terminated, waiting list times, the demand for each type of property and alternative housing available for people on the waiting list. The Head of Housing informed the Committee that the main reasons tenancies were terminated were due to the death of the occupant, downsizing and tenants moving into alternative supported accommodation. It was noted that waiting list were being managed in accordance with preference of housing type and location.

Members sought clarity about the re-letting plan and how the Council compared with other authorities, the Right to Buy scheme and valuations, staffing levels in the Housing team and energy saving improvements.

The Head of Housing advised the Committee that the re-letting plan would be shared with Members. It was noted that other authorities had better results, however, circumstances were different and in the case of North-West Leicestershire, for example, the skillset of their in-house team was far greater than the local authorities within South Derbyshire. The Head of Housing informed the Committee that properties sold through the Right to Buy scheme were valued by independent Estate Agents and that there were approximately 20 applications per year. The Committee was also advised that the staffing situation was improving with project inspectors and a Fire and Building Safety person being recruited for the Repairs team and that energy saving improvements were undertaken whilst the tenant was in-situ.

RESOLVED:

1.1 That the contents of the report and the Improvement Plan are noted by the committee.

1.2 That a progress report be brought back to the Housing and Community Services committee on 25 April 2023.

OS/42 VACANT POSTS AND AGENCY COSTS

The Strategic Director (Corporate Resources) presented the report to the Committee indicating that the position shown was in September 2022 and that the latest figures for December 2022 were that vacant posts had reduced from 70 to 61 and the number of agency staff was down from 57 to 55.

Members queried if any posts were shared with other authorities and if there was a general trend in staffing levels among other authorities, and if salary levels were benchmarked with other councils and the private sector.

The Strategic Director (Corporate Resources) informed the Committee that a shared service existed with Lichfield District Council for Land Charges, that there was a general shortage of personnel in the public sector and that salary levels were compared with other authorities including unitary authorities, private companies and housing associations, noting that other terms and conditions were also taken into consideration such as flexible working.

RESOLVED:

1.1 That the analysis of vacant posts and agency costs as detailed in the report is considered and any recommendations referred back to Finance and Management Committee.

OS/43 COMMITTEE WORK PROGRAMME

The Strategic Director (Corporate Resources) presented the Work Programme to the Committee.

RESOLVED:

That the Committee considered and approved the updated work programme.

OS/44 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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

OS/45 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER
COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 19:15 hours

COUNCILLOR S BAMBRICK

CHAIR

HOUSING & COMMUNITY SERVICES COMMITTEE

05 January 2023

OPEN

PRESENT:

Labour Group

Councillor Rhind (Chair) and Councillor M. Mulgrew (Vice-Chair) and Councillors Richards, Shepherd, Southerd (Substitute for Councillor Dunn) and Tilley (Substitute for Councillor Heath).

Conservative Group

Councillors Corbin, Fitzpatrick (Substitute for Councillor Lemmon), Ford, Haines (Substitute for Councillor Redfern), Patten and Smith.

In attendance

Councillors Bambrick and Wheelton.

HCS/55 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Dunn and Heath (Labour Group), Councillors Lemmon and Redfern (Conservative Group) and Councillor Roberts (Independent Group).

HCS/56 **DECLARATIONS OF INTEREST**

The Committee noted that no Declarations of Interest had been received.

HCS/57 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

HCS/58 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE**HCS/59 SERVICE BASE BUDGETS 2023-24**

The Head of Finance presented the report to the Committee highlighting that the budget was based on current service levels and that the report focused on changes on the current base budget compared to 2023-24 and that Heads of Service had been involved in scrutinising the spend details.

The current cost of Utilities, including Water, was under negotiation and other increases were noted for Subscriptions and Fees, Events Equipment Hire and Grounds Maintenance. The Head of Finance also gave an overview of earmarked reserves available to the Committee and highlighted the risks of future funding.

Members questioned if the two events for Festival of Leisure and Liberation Day could be combined to reduce costs, the number of allotments managed by the Council and if travelling fairs could be charged a ground rent. The Strategic Director (Corporate Resources) informed the Committee that further investigation was required in the matter of the events, the number of allotments would be obtained and Members were advised that Legal would look into the possibility of charging travelling fairs.

RESOLVED:

1.1 The proposed income and expenditure revenue budget for this Committee's services for 2023/24 as detailed in Appendix 1 was considered and recommended to the Finance and Management Committee for approval.

1.2 The Committee considered and approved the proposed fees and charges as detailed in Appendix 2 for 2023/24.

1.3 The Committee considered and approved an increase of 2% in Grants to Voluntary Bodies in 2023/24.

HCS/60 HOUSING REVENUE ACCOUNT BUDGET, FINANCIAL PLAN AND PROPOSED RENT 2023-24

The Head of Finance presented the report to Members which included the options for setting rents. The rent cap, at the time of the meeting, had been set at 7% by the Government. Given that the rent cap had only recently been confirmed by the Government, it was recommended that further options would to be discussed at Housing and Community Services Committee on 2 February 2023 with full analysis to be presented by the Head of Finance.

RESOLVED:

- 1.1 The Committee noted the report and recommendations and agreed to reconsider on 2 February 2023.***

HCS/61 DECARBONISATION OF THE COUNCIL'S HOUSING STOCK

The Strategic Director (Corporate Resources) presented the report to Members confirming that the bid had been put forward.

RESOLVED:

- 1.1 The Committee approved the Council bidding for funding of £1.8 million from "Wave 2.1" of the Government's Social Housing Decarbonisation Grant fund informed by the findings of Nottingham City report on energy efficiency and subsequent bid for Wave 1 funding.***
- 1.2 That in the event the bid is successful the Council agreed to making the required landlord contribution of 50% of the total cost of improvements that would be delivered by this scheme (approximately £876,000 over 3 years***
- 1.3 That in the event of a successful bid the Council approved the acceptance and receipt of any bid funding***
- 1.4 That the financial implications of submitting the bid are referred to the Finance and Management Committee for approval.***

HCS/62 COMMITTEE WORK PROGRAMME

The Strategic Director (Corporate Resources) presented to report to the Committee.

RESOLVED:

That the Committee considered and approved the updated work programme.

HCS/63 LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)

The Chairman may therefore move:

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 as it is likely, in view of the nature of the

business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

ANY EXEMPT QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

REVISED STRUCTURE – STRATEGIC HOUSING TEAM

RESOLVED:

That the Committee approved the recommendations in the report.

The meeting terminated at 16:40 hours

COUNCILLOR G RHIND

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

12 January 2023

PRESENT:

Labour Group

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

Conservative Group

Councillors Dawson, Fitzpatrick, Ford, Lemmon, Smith and Watson

Non-Grouped

Councillor Churchill

In Attendance

Councillor Atkin
Councillor Wheelton

FM/92 **APOLOGIES**

The Committee was informed that no apologies had been received from

FM/93 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of the meeting held on 10 February 2022 were noted and approved as a true record and signed by the Chair.

FM/94 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received

FM/95 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/96 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the council had been received.

FM/97 REPORTS OF OVERVIEW SCRUTINY

The Committee was informed that no questions from members of the council had been received.

FM/98 SERVICE BASE BUDGETS 2023 / 2024

The Head of Finance presented the report to the Committee and highlighted the variances for employee costs that included restructuring and professional fees and also included potential increased costs for the external audit. It was explained that investment income would be expected to be a surplus and noted that the increased pension contributions for 2023/24 would require a new valuation. It was recommended that the Parish Council increase for concurrent functions be 2%.

RESOLVED:

- 1.1 The Committee considered the proposed revenue income and expenditure for 2023/24 as detailed in Appendix 1 of the report for the Committee's Services and approved for inclusion in the consolidated proposals for the General Fund.***
- 1.2 The Committee considered and approved the proposed fees and charges as detailed in Appendix 2 of the report for 2023/24.***
- 1.3 The Committee approved a 2% increase in contributions to Parish Councils in 2023/24 for Concurrent Functions.***

FM/99 COUNCIL TAX BASE 2023/24 AND SURPLUS 2022/23

The Head of Finance presented the report to the Committee and outlined recommendations and noted that the Council Tax base had increased due to the increased number of properties.

RESOLVED:

- 1.1 The Committee approved the Council Tax Base for 2023/24 of 37,663 (equivalent Band D) properties as detailed in Appendix 1 of the report.***
- 1.2 The Committee approved that a Council Tax Surplus of £500,000 for 2022/23 be declared on the Collection Fund and that the Council's proportion of £50,000 be transferred to the General Fund in 2023/24.***

FM/100 ANNUAL STATEMENT OF ACCOUNTS 2020-21

The Strategic Director (Corporate Resources) presented the report to the Committee and explained that the auditors had approved the accounts of March 2021 and raised no issues. The Committee was requested to approve the accounts to allow sign off for publication.

It was noted that the Audit Sub-Committee had raised concerns regarding financial governance with accounts being signed off so late and that a report would be brought to the Finance and Management Committee on 09 February 2023.

RESOLVED:

- 1.1 The Committee approved that the Council's Annual Statement of Accounts for 2020/21 as per Appendix 1 of the report and were signed by the Chair of the Committee for publication.***

FM/101 **PROPOSED CONTINUATION OF BANDED COUNCIL TAX REDUCTION SCHEME FOR 2023-2024**

The Head of Customer Services presented the report and outlined the scheme and the changes for the Ukrainian refugees. The Committee was informed that since the publication of the report the government had announce new funding which added a further £50 to Council Tax claims.

Councillor Richards commended the very detailed report and the exemplar service offered by the Council.

RESOLVED:

- 1.1 The Committee supported the continuation of a banded Council Tax Reduction Scheme for 2023/2024, as well as other changes proposed, that included:***

- Upating to the applicable amounts in line with the prescribed scheme but with the exception of non-dependent deduction for working age which would remain at £5.00 for 23/24 for all cases.***
- Align with Housing Benefit regulations for Ukrainian Refugees regarding habitual residence to allow the payment of council tax support.***
- Adopt the prescribed scheme for Mixed Aged Couples.***
- Adopt any other changes within the prescribed scheme in accordance with the statutory instrument due to be published in January 2023.***
- Current funding of £20,000 from the Welfare Reform Fund be continued to be set aside in 2023/2024 for hardship cases.***

- 1.2 The Committee recommended to Full Council the continuation with a Council Tax Reduction banded scheme and approved all other changes proposed on 22 February 2023 date.***

FM/102 DECARBONISATION OF THE COUNCIL'S HOUSING STOCK

The Head of Housing presented the report to the Committee and sought approval of recommendations following approval by the Housing and Community Services Committee on the 05 January 2023. It was noted that following a successful bid for the first wave of funding a project was underway that included 100 Council properties. It was explained that the second wave of funding would be split 50:50 with Council and would enable the Council to undertake more work per property than it would be able to without the funding. The Committee was informed that the Council had received positive feedback from residents.

RESOLVED:

- 1.1 The Committee ratified the approval of the report given by the Housing and Community Services Committee on 5 January 2023.***
- 1.2 The Committee approved the Council bidding for funding of £1.8 million from "Wave 2.1" of the Government's Social Housing Decarbonisation Grant fund informed by the findings of Nottingham City report on energy efficiency and subsequent bid for Wave 1 funding.***
- 1.3 The Committee approved that, in the event the bid was successful, the Council agreed to make the required landlord contribution of 50% of the total cost of improvements that would be delivered by the scheme (approximately £876,000 over 3 years***
- 1.4 The Committee approved that in the event of a successful bid that the Council approved the acceptance and receipt of any bid funding***
- 1.5 The Committee agreed that the financial implications of submitting the bid be referred to the Finance and Management Committee for approval.***

FM/103 COMMITTEE WORK PROGRAMME

The Strategic Director (Corporate Resources) presented the report to the Committee

RESOLVED:

The Committee considered and approved the updated work programme.

FM/104 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 as it is likely, in view of the nature of the business to be

transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS:

The minutes of the 10 February 2022 were received.

Exempt questions rule 11

The Committee was informed no questions had been received.

REVISED STRUCTURE – STRATEGIC HOUSING TEAM

RESOLVED:

The Committee approved the recommendations in the report.

COLLECTION RATES, DEBT RECOVERY AND WRITE OFFS

RESOLVED:

The Committee approved the recommendations in the report.

FUTURE SERVICE DELIVERY AND EMPLOYMENT MODELS UPDATE

RESOLVED:

The Committee approved the recommendations in the report.

PREMISES IN MELBOURNE

RESOLVED:

The Committee approved the recommendations in the report.

LAND AT NETHERSEAL

RESOLVED:

The Committee approved the recommendations in the report.

LONG TERM LEASE TO EGGINTON PARISH COUNCIL

RESOLVED:

The Committee approved the recommendations in the report.

The meeting terminated at 20:10 hours

COUNCILLOR R PEARSON

CHAIR

ENVIRONMENTAL AND DEVELOPMENT SERVICES
COMMITTEE

26 January 2023

OPEN

PRESENT:

Labour Group

Councillor Taylor (Chair) and Councillor Pegg (Vice-Chair) and
Councillors Heath, M Mulgrew, Singh and Southerd

Conservative Group

Councillors Brown, Dawson, Fitzpatrick, Haines, Lemmon and Watson.

Non-Grouped

Councillor Wheelton

In attendance

Councillor Gee
Councillor Smith

EDS/54 **APOLOGIES**

The Committee was informed that no apologies had been received.

EDS/55 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations had been made.

EDS/56 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL
PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public
had been received.

EDS/57 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL
PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the
Council had been received.

MATTERS DELEGATED TO COMMITTEE**EDS/58 CORPORATE ENVIRONMENTAL SUSTAINABILITY GROUP**

The Head of Environmental Services presented the report to the Committee which gave an update of work carried out during the previous 12 months. The Committee was informed that the proposed amended terms of reference was the result of an audit request.

Members raised queries regarding training, staff travel and the use of electric bikes.

The Head of Environmental Services informed the Committee that internal training was to be considered and that staff travel figures would be updated following the 2022 Staff Travel Survey.

The Strategic Director (Service Delivery) addressed the Committee and confirmed that progress was being made regarding the use of electric bikes and that a report would be presented to the Committee in the future when necessary.

Members commended the report and the work that had been undertaken.

RESOLVED:

- 1.1. The Committee noted the progress made in improving the environmental performance of the Council further to the Committee establishing a Corporate Environmental Sustainability Group in August 2018.***
- 1.2. The Committee approved the amended terms of reference for the Corporate Environmental Sustainability Group.***
- 1.3. The Committee noted the content of the report and approved that the Corporate Environmental Sustainability Group was making good progress in delivering the environmental improvements contained within its terms of reference.***

EDS/59 AUTHORITY MONITORING REPORT

The report was presented to the Committee by the Head of Planning and Strategic Housing regarding progress the Council had made in relation to policies and the Local Plan. It was noted that the 5 year land supply and housing completions were good. The Head of Planning and Strategic Housing outlined the key points that included employment land take up, allocated housing sites requirements and a review being undertaken noting that housing figures and distribution would be included.

Members commended the report and congratulated the Council on the success of the 5 year plus housing plan and the delivery of 919 homes per year. Concern was raised by Members regarding the quality of builds, the infrastructure, the use of brownfield sites and affordable housing.

The Head of Planning and Strategic Housing confirmed that the quality of the housing was ensured and covered by policies. It was noted that dialogue had taken place with healthcare providers and that where necessary, commuted sums were paid to assist with the delivery of healthcare provision. It was noted that brownfield sites had been used predominantly for employment land but consideration would be given to the use for housing provision.

It was noted that where affordable housing was not possible then a commuted sum would be paid. The Head of Planning and Strategic Housing explained that it was the Council's intention to increase the amount of affordable housing and that new policies for housing would be considered.

RESOLVED:

1.1 The Committee noted the content of the Authority Monitoring Report (AMR) and authorised the publication of the document on the Council's website.

EDS/60 **DESIGNATION OF NEIGHBOURHOOD AREA**

The report was presented to the Committee by the Planning Policy Assistant regarding the request from Etwall Parish Council to enable them to create a Local Neighbourhood Plan. It was noted that there was no known reason why Etwall should not be designated as a neighbourhood area.

As a Local Ward Member Councillor Brown addressed the Committee in support of the application.

RESOLVED:

1.1. The Committee formally designated the Etwall Neighbourhood Area in accordance with the application from Etwall Parish Council.

EDS/61 **REVISION TO ACTION PLAN FOR NATURE WORK PROGRAMME**

The Head of Cultural and Community Services presented the report to the Committee and gave an overview of the Action Plan and the 5 key objectives and targets. Nature works and main schemes and projects were highlighted along with consideration of biodiversity net gain.

Members raised queries regarding the National Forest, grass verges and the role of the new biodiversity officer.

The Head of Cultural and Community Services addressed the Committee and confirmed that the Council worked closely with the National Forest, and that the planting of wild flowers in grass verges was to be expanded.

The Head of Planning and Strategic Housing informed the Committee it was the intention to expand the role of biodiversity with a parks and greens spaces officer.

RESOLVED:

- 1.1 The Committee acknowledged the work completed under the Action Plan for Nature (APN) Work Programme, during 2022.***
- 1.2 The Committee approved the revised Work Programme for 2023 as per Appendix 1 of the report.***

EDS/62 **TOYOTA CITY**

The Head of Economic Development and Growth addressed the Committee and summarised the report noting the importance of Toyota manufacturing in the area and how 90% of production was exported overseas. The Head of Economic Development and Growth outlined the history, friendships and benefits that Toyota brought to the area. The Committee was requested to consider and approve the recommendations within the report.

Members commended the report and the excellent partnership that the Council had with Toyota.

RESOLVED:

- 1.1 The Committee recognised the importance of the relationship with Toyota City to South Derbyshire, particularly in terms of inward investment and employment.***
- 1.2 The Committee approved that the activities of the Toyota City Partnership Board continued to be supported.***
- 1.3 The Committee approved that a one-off budget of £20,000 be allocated from General Fund Reserves to support the further development of the successful relationship for the benefit of the local economy.***

EDS/63 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee and confirmed that other reports would be added to the Work Programme once dates had been confirmed.

RESOLVED:

1.1 The Committee considered and approved the updated work programme.

EDS/64 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

ENVIRONMENTAL EDUCATION PROGRAMME (EEP) CONTRACTS AND FUNDING

The Committee approved the recommendations within the report.

The meeting terminated at 19:05 hours

COUNCILLOR TAYLOR

CHAIR

HOUSING & COMMUNITY SERVICES COMMITTEE

02 February 2023

OPEN

PRESENT:

Labour Group

Councillor Rhind (Chair) and Councillor M. Mulgrew (Vice-Chair) and Councillors Dunn, Richards, Shepherd, (Dunn) and Tilley (Substitute for Councillor Heath).

Conservative Group

Councillors Corbin, Fitzpatrick (Substitute for Councillor Smith), Ford, Lemmon, Patten and Watson (Substitute for Councillor Redfern).

In attendance

Councillor Muller
Councillor Taylor
Councillor Wheelton

HCS/66 **APOLOGIES**

The Committee was informed that apologies had been received from Councillors Heath (Labour Group), Councillors Redfern and Smith (Conservative Group) and Councillor Roberts (Independent Group).

HCS/67 **MINUTES**

The Open Minutes of meetings held on 18 August 2022, 29 September 2022 and 17 November 2022 were received and signed by the Chair of the Committee.

HCS/68 **DECLARATIONS OF INTEREST**

The Committee noted that no Declarations of Interest had been received. Cllr

HCS/69 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

HCS/70 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

HCS/71 HRA BUDGET AND RENT SETTING 2023-24 AND FINANCIAL PLAN TO 2033

The Head of Finance presented the report to the Committee noting there were no variances following the previous Committee meeting. The Head of Finance confirmed the funding and broke down the rent increase variations and the impact of voids.

Councillor Richards addressed the Committee and recommended a rent increase of 3% as proposed in the report.

Councillor Corbin suggested that 0% increase should be considered and Councillor Fitzpatrick raised a query regarding the projections for the Housing Revenue Account.

The Strategic Director (Corporate Resources) informed the Committee that the projections were considered to be the worst case scenario and that due to the level of reserves any deficits would be covered but if there was a 0% rent increase it would remove any contingency to cover the on-going impact of rent loss in the current financial year and noted that the figures within the report were based upon a 3% rent increase.

Councillor Richards announced that a 0% increase could not be supported as it would potentially put the Housing Revenue Account into jeopardy and noted that at 3% South Derbyshire district Council's rent increase would be one of the lowest.

Members discussed a variety of rent increases and the impact of each proposal.

RESOLVED:

- 1.1 The Committee considered the options for Council House Rents for 2023/24 as detailed in Appendix 1 of the report and approved a rent increase of 3% for 2023/24.**
- 1.2 The Committee considered and approved the proposed revenue income and expenditure for 2023/24, for the Housing Revenue Account (HRA).**
- 1.3 The Committee approved that the Housing Revenue Account be kept under review and measures identified to mitigate the**

financial risks detailed in the report and to maintain a sustainable financial position.

- 1.4 The Committee approved that the final Housing Revenue Account position as per Appendix 2 of the report and a proposed rent increase of 3% for 2023/24 be referred to Finance and Management Committee on 9 February 2023.***

HCS/72 **HOME UPGRADE GRANT PHASE 2**

The Head of Environmental Services presented the report to the Committee noting the benefits to applying for the grant funding collaboratively and explained that the Council was expecting to hear in the near future regarding the bid for £2.2million

Councillor Watson sought clarity regarding the number of properties that qualified.

The Head of Environmental Services informed the Committee that 2000 properties had been contacted that may be eligible to claim.

RESOLVED:

- 1.1 The Committee approved the bid made to Midlands Net Zero Hub (MNZH) for £2,178,000 for Home Upgrades Grant Phase 2 funding to decarbonise and improve energy efficiency in off-gas private sector properties.***

HCS/73 **REGULATOR OF SOCIAL HOUSING-TENANT SATISFACTION INDICATORS**

The Head of Housing presented the report to the Committee and outlined the reasons for changes to the survey frequency and the prescribed formatting used and sought approval of the recommendations within the report.

The Head of Housing informed the Committee that both staff and Member training would be undertaken to ensure all understood and had sight of the new regulatory regime.

RESOLVED:

- 1.1 The Committee approved that all Council tenants be invited to take part in an annual satisfaction survey for the year 2023/24.***

1.2 The Committee approved that after the survey, subsequent annual surveys be carried out based on a representative sample of tenants

1.3 The Committee approved that the first three years' surveys be completed by externally procured market research specialists.

HCS/74 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented to report to the Committee.

RESOLVED:

That the Committee considered and approved the updated work programme.

HCS/75 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

The Chairman may therefore move:

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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meetings held on 18 August 2022, 29 September 2022, and 17 November 2022 were received.

ANY EXEMPT QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

ROSLISTON FORESTRY CENTRE UPDATE

RESOLVED:

That the Committee approved the recommendations in the report.

ENVIROMENTAL EDUCATION PROJECT CONTRACTS AND FUNDING

RESOLVED:

That the Committee approved the recommendations in the report.

The meeting terminated at 19:05 hours

COUNCILLOR G RHIND

CHAIR

OVERVIEW AND SCRUTINY COMMITTEE

08 February 2023

PRESENT:

Labour Group

Councillor Bambrick (Chair) and Stuart (Vice-Chair)
and Councillors Gee and L Mulgrew.

Conservative Group

Councillors Atkin, Hewlett and Muller.

OS/46 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Ackroyd.

OS/47 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

The Committee was informed that no Declarations of Interest had been received.

OS/48 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee was informed that no questions from members of the Public had been received.

OS/49 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

OS/50 **BUDGET SCRUTINY 2023-24**

The Strategic Director (Corporate Resources) presented the report to the Committee giving an overview of the budgets for 2023-24, noting that following consultation with local businesses no questions had been raised. The proposed Council Tax levels and rent increase were outlined.

The Committee was informed that reserves were expected to drop below £1.5 million in 2026/27, and that 2023/24 government funding had reduced but would

be compensated by the growth in the Council Tax Base and a guaranteed grant payment from the Government of £1.8 million. It was further noted that earnings from investment interest was higher than projected.

The Strategic Director (Corporate Resources) summarised the current cost pressures and mitigation measures and updated the Committee regarding Medium Term financial Plan noting the projected reserves.

The Housing Revenue Account was outlined highlighting the repayment of the national housing debt and risks and cost pressures, that included voids and relets, council house sales and funding uncertainty.

Members raised queries regarding investments, pension contributions, reserves and asset reduction.

The Strategic Director informed the Committee that interest accrued was used to offset debts and that the Council strived to get the best return on investments and invested as safely as it could. The Strategic Director (Corporate Resources) explained that the government had made changes to the pension fund which made pensions less attractive and that every 3 years the pension fund was independently revalued and noted the Council was at 100% which meant that currently all pensions could be paid if the Council no longer existed and noted that the Council's contribution had risen up to 20%.

The Strategic Director (Corporate Resources) confirmed that void costs would be covered by reserves. It was explained how some reserves were set aside for specific things such as vehicle replacements, IT and planned maintenance and that some reserves were set aside to protect service provision such as the funding of temporary staff etc. The Committee was informed that asset reduction had been considered and many assets have been passed across to Parishes which reduced liabilities for the Council.

RESOLVED:

1.1 The Committee considered the proposed budgets of the Council for 2023/24.

1.2 The Committee considered the medium-term financial plans of the General Fund and Housing Revenue Accounts.

OS/51 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the Work Programme to the Committee.

RESOLVED:

That the Committee considered and approved the updated work programme.

OS/52 **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 as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

OS/53 **EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 19:05 hours

COUNCILLOR S BAMBRICK

CHAIR

FINANCE AND MANAGEMENT COMMITTEE

09 February 2023

PRESENT:

Labour Group

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

Conservative Group

Councillors Corbin (substitute for Councillor Lemmon) Dawson, Fitzpatrick, Ford, Smith and Watson

Non-Grouped

Councillor Churchill

In Attendance

Councillor Bambrick
Councillor Wheelton

FM/113 **APOLOGIES**

The Committee was informed that apologies had been received from Councillor Lemmon (Conservative Group).

FM/114 **TO RECEIVE THE OPEN MINUTES OF THE FOLLOWING MEETINGS:**

The Open Minutes of the meeting held on 17 March 23, 28 April 2023, 09 June 2023 and 21 July 2023 were noted and approved as a true record and signed by the Chair.

FM/115 **DECLARATIONS OF INTEREST**

The Committee was informed that a declarations of personal interest had been received from Councillor Smith regarding Item CL/119 by virtue of being a Parish Councillor.

FM/116 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

FM/117 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the council had been received. [Page 151 of 155](#)

FM/118 REPORTS OF OVERVIEW SCRUTINY

The Committee was informed that no questions from members of the council had been received.

FM/119 GENERAL FUND CONSOLIDATED BUDGET REPORT 2023/24 AND MEDIUM-TERM FINANCIAL PLAN TO 2027/28

The Head of Finance presented the report to the Committee and outlined the the proposed medium term financial plan and Government settlement for 2023/24. The Committee received updates regarding the reduction of reserves, the government funding guarantee of £1.8 million and the New Homes Bonus.

The Head of Finance requested that the Committee considered an increase for Parish Council concurrent functions and voluntary bodies grants as well as the Council Tax increase for 2023/24.

The Committee was informed of the changes to the budget that included the reduced energy tariff from January 2023, the increased investment income that off set additional expenses and the increase of the pension contribution of up to 20% on salaries.

Councillor Richards addressed the Committee and proposed a 2% increase for Parish Councils and voluntary bodies grants and informed the Committee that a 1% increase for 2023/24 Council Tax was considered sufficient due to the increase in investment and confirmation that the New Homes Bonus would be received until 2024/25.

RESOLVED:

- 1.1 The Committee considered and approved the estimates of revenue income and expenditure on the General Fund for 2023/24 as detailed in the report.**
- 1.2 The Committee considered and approved a 2% increase for grants to voluntary bodies and Parish Councils for concurrent functions in 2023/24.**
- 1.3 The Committee considered and recommended to Full Council a Council Tax increase of 1% for 2023/24.**
- 1.4 The Committee approved the updated five-year financial projection for the General Fund to 2027/28 as detailed in Appendix 2 of the report, and all the associated assumptions and risks as included in the report.**
- 1.5 The Committee approved that the Council's National Non-Domestic Rates return (NNDR1) for 2023/24 showing retained business rates be reported to Finance and Management Committee on 16 March 2023.**

FM/120 HOUSING REVENUE ACCOUNT BUDGET, FINANCIAL PLAN AND PROPOSED RENT 2023-24

The Head of Finance presented the report to the Committee noting the 3% increase in rents and gave an update on utility costs, the increase in pension contributions and the impact on the medium term plan predicting a £1.5 million reserve over the 10-year plan.

RESOLVED:

- 1.1 The Committee considered and approved the proposed revenue income and expenditure for 2023/24, for the Housing Revenue Account (HRA) as detailed in Appendix 1 to the report.***
- 1.2 The Committee approved that the HRA be kept under review and measures identified to mitigate the financial risks detailed in the report and to maintain a sustainable financial position.***

FM/121 CAPITAL BUDGET TO 2028

The Head of Finance addressed the Committee and sought approval of the recommendations within the report. The Committee was updated on the Better Care Fund, Community Project grant, Green Homes grant and Corporate projects. An overview of the Public Buildings Budget and the programme of works was presented to the Committee. It was also noted that the updated Capital Budget included repairs, decarbonisation, council house developments and a vehicle replacement schedule.

Councillor Richards raised a query regarding the Disabled Adaptions Grant.

The Head of Finance confirmed that any remaining funds were carried over but it was envisaged that all would be spent by the end of the financial year.

Councillor Ford raised concern regarding the Occupational Health Service.

The Strategic Director (Corporate Resources) confirmed that that the issue had been resolved with the County Council.

RESOLVED:

- 1.1 The Committee considered and approved the capital programme expenditure and funding to 2028.***
- 1.2 The Committee approved the Public Buildings Planned Maintenance Programme as at Appendix 2 of the report.***

FM/122 AUDIT OF ACCOUNTS AND FINANCIAL STATEMENTS

The Strategic Director (Corporate Resources) addressed the Committee and presented the report noting concerns raised by the Audit Sub-Committee regarding the delays with the external audits. The Strategic Director (Corporate Resources) assured the Committee that there was no reason to believe that any

issues would be found with the Council and noted there was very little the Council could do but noted that the government had appointed a specialist body to look into the issues. In addition, the Committee was informed that the costs of the external audit were expected to rise.

Councillor Wheelton attended the meeting and addressed the Committee as Chair of Audit Sub-Committee and sought advice from the Section 151 Officer regarding placing the issue of delayed external audits on the risk register.

Members discussed the reasons for the issue to be placed on the risk register in the future.

The Chief Executive addressed the Committee and explained that it would be a cumulative risk but should be discussed with and agreed by the Section 151 Officer as to whether it was to be placed on the Risk Register.

RESOLVED:

1.1 The Committee considered the position regarding the external audit of the Council's Accounts and Financial Statements.

FM/123 **TOYOTA CITY**

The Head of Economic Development and Growth attended the meeting and presented the report to the Committee following its approval by Environmental and Development Services Committee. The Head of Economic Development and Growth noted how Toyota worked alongside a variety of community groups and businesses in the area and that 2023 would mark 25 years of the partnership and that there were a number of events planned in celebration. The Committee was requested to approve the recommendations outlined within the report.

Members commended the report and recognised the importance of the partnership with Toyota and the way in which the company supported the Council's intention to become carbon neutral by 2023.

RESOLVED:

1.1 The Committee recognised the importance of the relationship with Toyota City to South Derbyshire, particularly in terms of inward investment and employment.

1.2 The Committee approved that the activities of the Toyota City Partnership Board continued to be supported.

1.3 The Committee approved that a one-off budget of £20,000 be allocated from General Fund Reserves to support the further development of the successful relationship for the benefit of the local economy.

FM/124 **COMMITTEE WORK PROGRAMME**

The Strategic Director (Corporate Resources) presented the report to the Committee

RESOLVED:

The Committee considered and approved the updated work programme.

FM/125 **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

TO RECEIVE THE EXEMPT MINUTES OF THE FOLLOWING MEETINGS:

The minutes of the 17 March 2022, 28 April 2022, 09 June 2022 and 21 July were received.

Exempt questions rule 11

The Committee was informed no questions had been received.

ENVIROMENTAL EDUCATION PROJECT CONTRACTS & FUNDING

RESOLVED:

The Committee approved the recommendations in the report.

FUTURE SERVICE DELIVERY AND EMPLOYMENT MODELS UPDATE

RESOLVED:

The Committee approved the recommendations in the report.

The meeting terminated at 19:30 hours

COUNCILLOR R PEARSON