

MINUTES of the ANNUAL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 18 May 2023
at 6.00pm

PRESENT:

Councillor Bambrick (Vice-Chair) and Councillors Archer, Gee, Harrison, Haynes, Hudson, Jackson, A Jones, J. Jones, L Mulgrew, M Mulgrew, Pearson, Pegg, Redfern, Rhind, Shepherd, Singh, Storey, Stuart, Taylor, A Tilley and N Tilley.

Conservative Group

Councillors Atkin, Corbin, Fitzpatrick, Ford, Haines, Kirke, Lowe, Muller, and Watson.

Non-Grouped

Councillor Wheelton

CL/1 **COUNCILLOR GILLIAN LEMMON**

A minute's silence was held in memory of Councillor Gillian Lemmon and Members paid tribute to her service and dedication.

CL/2 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Carroll (Labour Group).

CL/3 **ELECTION**

The election of the following Members at the District Council Elections held on 04 May 2023 was reported to Council:

Aston Ward

Neil Kenneth Atkin
Daniel Corbin
Peter Watson

Church Gresley Ward

Alan Steven Haynes
Gordon Edgar Rhind
Benjamin Stuart

Etwall Ward

Andrew William Kirke
David Colin Muller

Hatton Ward

Julie Jackson

Linton Ward

Daniel Arthur Pegg-Legg
Alistair Brian Tilley

Melbourne Ward

Jane Dunster Carroll
Martin Fitzpatrick

Midway Ward

Alan Mercer Jones
Louise Ann Mulgrew
Robert William Pearson

Newhall and Stanton Ward

Sarah Anne Harrison
Sean Andrew Bambrick
Kalila Fiona Storey

Repton Ward

Kerry Marie Haines
James Anthony Lowe

Seales Ward

Gareth Leslie Jones
Amy Wheelton

Stenson Ward

David Geoffrey Shepherd
Lakhvinder Pal Singh

Swadlincote Ward

Yvonne Nora Heath
Michael Edward Mulgrew
Neil Anthony Tilley

Willington and Findern Ward

Martyn Ford
Ian Mark Hudson

Woodville Ward

Angela Archer
Malcolm Arthur Gee
Stephen Taylor

CL/4 **MINUTES OF COUNCIL**

The Open Minutes of the Council Meeting held on the 13 April 2023 (CL138/-CL/156) were approved as a true record.

CL/5 **DECLARATIONS OF INTEREST**

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

CL/6 **APPOINTMENT OF THE LEADER OF THE COUNCIL**

Pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor Pearson was Leader of the Labour Group and Councillor Corbin was interim Leader of the Conservative Group.

RESOLVED:

That Councillor Pearson be appointed Leader of the Council for the ensuing year.

Abstentions: Councillors Atkin, Corbin, Fitzpatrick, Ford, Haines, Kirke, Lowe, Muller, and Watson.

CL/7 **APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL**

Pursuant to the provisions of the Local Government and Housing Act 1989, that Councillor N Tilley was the Deputy Leader of the Labour Group and Councillor Haines was the Deputy Leader of the Conservative Group.

RESOLVED:

That Councillor N Tilley be appointed Deputy Leader of the Council for the ensuing year.

Abstentions: Councillors Atkin, Corbin, Fitzpatrick, Ford, Haines, Kirke, Lowe, Muller, and Watson.

CL/8 **ANNOUNCEMENTS FROM THE CHAIR**

The Vice-Chair of the Council congratulated all new and re-elected Councillors.

CL/9 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council joined the Chair in congratulating and welcoming all new Councillors and thanked those who elected him as Leader of the Council and thanked the Returning Officer for a flawless Election.

The Leader of the Council introduced and welcomed the new Chief Executive and noted the attendance of the new Strategic Director (Corporate Resources) who was to join the Council on 05 June 2023.

CL/10 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive welcomed the new Members thanked the Leader for his kind words. Council was informed that the Hilton Ward by-election would take place on 15 June and that the count would follow on the same date at Hilton Village Hall.

Members were requested to sign the new IT Protocol Declaration to ensure that both Members and the Council were protected.

CL/11 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/12 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received.

CL/13 **NOTICES OF MOTION IN ORDER OF WHICH THEY WERE RECEIVED**

Council was informed that no notices of motion had been received.

CL/14 **ADOPTION OF MEMBERS CODE OF CONDUCT**

The Monitoring Officer presented the report to Council noting the Local Government Associations changes to the model Code of Conduct for

Members. The Monitoring Officer sought approval of the recommendations within the report.

Councillor Fitzpatrick sought clarity regarding the recruitment of Independent Persons.

The Monitoring Officer informed Council that it was a requirement of the Localism Act that each authority had at least one Independent Person and explained that South Derbyshire District Council had two. .

Councillor Pearson welcomed the report and noted the importance for Members to abide by Code of Conduct as it protected both the public and Members.

RESOLVED:

1.1 Council adopted the Local Government Association's (LGA) Model Councillor Code of Conduct ('the Code') (attached as Appendix 1 to the report) and its associated documents.

1.2 Council approved delegated authority to the Monitoring Officer, to review the role, re-appointment and/or recruitment of future Independent Persons.

CL/15 **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2022/23**

The Chair of Overview and Scrutiny addressed Council and sought approval for the Annual Report.

RESOLVED:

Council received the Annual Report of the Overview and Scrutiny Committee for 2022/23

CL/16 **TEMPORARY APPOINTMENT OF DISTRICT COUNCILLORS TO PARISH COUNCILS - DALBURY LEES PARISH COUNCIL AND STENSON FIELDS PARISH COUNCIL**

The Chief Executive presented the report to Council and outlined the recommendations.

RESOLVED:

1.1 Council approved that the Chief Executive be authorised to appoint District Councillors to Dalbury Lees Parish Council and Stenson Fields Parish Council, in accordance with the procedure set out in Appendix 1 to the report.

1.2 Council approved that the Chief Executive report any such appointments to the next meeting of Council.

CL/17 CYCLE OF MEETINGS 2023/24

The Monitoring Officer presented the report to Council and sought approval for the 2023/24 Cycle of Meetings.

RESOLVED:

1.1 In accordance with Council Procedure Rule No. 1.1 (g) of the Council's Constitution, Council approved the Cycle of Meetings for 2019/2020 (Appendix A to the report).

CL/18 POLITICAL PROPORTIONALITY

It was reported that the Council's duty to determine the allocation of seats was prescribed by the Local Government and Housing Act 1989, as modified by the Local Government (Committees and Political Groups) Regulations 1990.

A report was submitted which confirmed the political composition of the Council. It also set out the requirements to review representation of the different political groups at, or as soon as practicable after, the Annual Meeting of the Council.

RESOLVED:

- (1) Council approved and adopted the recommended allocation of seats to the Political Groups for the municipal year 2023/24.***
- (2) Council allocated seats between the Political Groups as set out at Annexe 'A' of the report and invited the two Groups to make nominations to fill the seats.***

CL/19 APPOINTMENT OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS 2023/24

Members reviewed the composition of Committees, Sub-Committees and Working Panels for 2023/24.

RESOLVED:

- (1) That the nominations of Members to serve on Committees, Sub-Committees and Working Panels for the ensuing year, as set out at Annexe "B" to these Minutes be received and noted.***
- (2) That the appointments of Chair and Vice be approved as indicated.***

CL/20 COMPOSITION OF SUBSTITUTE PANELS

Members reviewed the composition of the Substitute Panels for 2023/24.

RESOLVED:

That the nominations of Members to serve on Substitute Panels, as set out at Annexe “C” to these Minutes, be received and noted.

CL/21 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2023/24**

The Leader of the Council announced a number of revisions to the Outside Bodies representation list.

RESOLVED:

Council approved the amended schedule of persons nominated to serve on Outside Bodies for 2023/24 as set out at Annexe “D” to these Minutes.

CL/22 **APPOINTMENT OF MEMBER CHAMPIONS**

The Leader of the Council announced a number revisions to the schedule of Member Champions.

RESOLVED:

Council approved the amended schedule of persons nominated to serve as Members Champions for 2023/24 as set out in Annexe “E” to these Minutes.

CL/23 **APPOINTMENT OF CHAIRS AT AREA FORUMS**

RESOLVED:

That the following Chairs be appointed to the Area Forums as indicated below:

***Etwall Area Forum – Councillor D Muller
Linton Area Forum – Councillor A Tilley
Melbourne Area Forum – Councillor N Atkin
Newhall Area Forum – Councillor K Storey
Repton Area Forum – Councillor I Hudson
Swadlincote Area Forum – Councillor M Mulgrew***

CL/24 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

EXEMPT MINUTES OF THE COUNCIL

The Exempt Minutes of the Council Meeting held on 13 April 2023 (Minute Nos.CL/157-CL/159) were approved as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

The meeting terminated at. 18:35 hours.

COUNCILLOR S BAMBRICK

VICE-CHAIR OF THE DISTRICT COUNCIL