

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 7th July 2011
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Stanton (Chairman), Councillor Bale (Vice-Chairman) and Councillors Atkin, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Mrs. Hood, Jones, Lemmon, Murray, Mrs. Patten, Mrs. Plenderleith, Roberts, Mrs. Watson, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley and Wilkins.

APOLOGY

An apology for absence from the Meeting was received from Councillor Smith (Conservative Group).

CL/23. **MINUTES**

The Open Minutes of the Annual Meeting of the Council held on 19th May 2011 (Minutes Nos. CL/1 – CL/19) and of the Civic Meeting of the Council held on 26th May 2011 (Minutes Nos. CC/1 – CC/5) were taken as read, approved as true records and signed by the Chairman.

CL/24. **PRESENTATION FROM THE NATIONAL FOREST COMPANY**

The Chairman welcomed Sophie Churchill OBE, from the National Forest Company and congratulated her on the recent recognition in the Queen's Honours. Mrs. Churchill gave a presentation on the growth of the National Forest. This had increased from 6% coverage in 1995 to a current level of 18.8%, equating to 6,500 hectares of woodland. The presentation also covered the multi-purpose objectives of the woodland, creating the National Forest, funding aspects and future plans, including those for a long-distance trail. There was recognition of the joint work with the Council, the implications of the big society and the potential for Swadlincote to become the Civic Centre of the National Forest. Mrs. Churchill was thanked for the presentation.

CL/25. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had circulated an extract of his diary, listing the events attended by himself and the Vice-Chairman. He reported with regret, the death of Private Gareth Bellingham, serving with the 3rd Battalion, the Mercian Regiment and Members observed a Minute's silence in his memory. The

Chairman then spoke about the County Council Excellence Awards and encouraged Members to submit nominations for both these awards and the Young Peoples' Achievement Awards later in the year. The Chairman also highlighted the Festival of Leisure and asked the Chief Executive to pass on his thanks to the staff involved in organising the event.

CL/26. **LEADER'S ANNOUNCEMENTS**

The Leader reported with concern the recent announcements regarding Bombardier. He spoke of the impact for those who would lose their jobs and companies in the wider supply chain, together with concern for the long-term industrial base of the region. He then spoke of the Council's duty to assist, questioning whether it was legally possible for the Government to reconsider the award of the Thameslink contract. He welcomed the proposal by the Leader of Derbyshire County Council to bring forward a contract for Crossrail and was proposing to write to the Secretary of State for Transport on these issues, to which Members signified their support.

Next, the Leader explained planned consultation about the future of Area Forums and he gave an outline of the proposals for discussion. Finally, the Leader referred to the School Sport Olympics, praising the young people participating and Officers involved in organising this event.

CL/27. **HEAD OF PAID SERVICE ANNOUNCEMENTS**

The Chief Executive gave an update on the Pipeworks development off High Street, Swadlincote. He publicised the stores that would be located on this development and the benefits to the local economy. He then referred to the Council's efforts to ensure a Post Office remained in Swadlincote and gave an update to Members on this.

CL/28. **REPORTS OF COMMITTEES**

RESOLVED:-

That the Open reports of the following Committees be received and noted and any recommendations contained therein be approved and adopted, subject to any matters annotated:-

Licensing and Appeals Sub-Committee, 28th April 2011 (Minute No. LAS/22)

***Planning Committee, 31st May 2011 (Minutes Nos. PL/1 – PL/15)
(Minute No. PL/7 – In response to a Member's question and request for an update, the Chief Executive spoke about this decision of the Planning Committee, which had been proper and weighted. He referred to current site use, the skills base, the subsequent sale of the applicant company and there was no evidence that the current use would not continue.)***

***Environmental and Development Services Committee, 9th June 2011
(Minutes Nos. EDS/1 - EDS/9)***

Housing and Community Services Committee, 16th June 2011 (Minutes Nos. HCS/1 – HCS/7)

Planning Committee, 21st June 2011 (Minutes Nos. PL/16 – PL/23)

Finance and Management Committee, 23rd June 2011 (Minutes Nos. FM/1 – FM/14)

(In presenting these Minutes, the Committee Chairman highlighted the appointment of Councillor Bell as a second Health and Safety Champion and the decisions reached regarding Members' eligibility to join the Local Government Pension Scheme.)

Overview and Scrutiny Committee, 29th June 2011 (Minutes Nos. OS/1 – OS/2)

(Minute No. OS/2 – A Member sought clarification on a decision regarding further consultation on the Committee's Work Programme, which was duly provided.)

Finance and Management Committee (Special), 30th June 2011 (Minutes Nos. FM/20 – FM/24)

CL/29. **SEALING OF DOCUMENTS**

RESOLVED:-

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

CL/30. **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 following the District Council Elections on 5th May 2011 and more recently, the sale of the Bretby Crematorium with the associated Joint Committee now to be dissolved. The total number of committee seats on the Council would therefore be reduced and this was reflected in the annexe to the report.

RESOLVED:-

- (1) *That the dissolution of the Bretby Crematorium Joint Committee be approved, together with any consequential amendments to the Council's Constitution.***
- (2) *That the Council approves and adopts the revised recommended allocation of seats to the Political Groups, as set out at Annexe 'A' to these Minutes, for the remainder of the municipal year 2011/12.***

CL/31. COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**RESOLVED:-**

- (1) *That Councillor Mrs. Hood replaces Councillor Wheeler as a Member of the Environmental and Development Services Committee.***
- (2) *That Councillor Ford replaces Councillor Wheeler as a Member of the Housing and Community Services Committee.***

CL/32. COMPOSITION OF SUBSTITUTE PANELS

There were no amendments to the compositions of Substitute Panels.

CL/33. REPRESENTATION ON OUTSIDE BODIES**RESOLVED:-**

- (1) *That Councillor Stanton be appointed as the Council's representative on the Destination Management Partnership for Derbyshire "Visit Peak District and Derbyshire".***
- (2) *That Councillor Stanton replaces Councillor Murray as the Council's representative on the Derby and Sandiacre Canal Trust Limited.***
- (3) *That Councillor Mrs. Plenderleith be appointed as the Council's representative on the Hilton Village Hall Committee.***

CL/34. ANNUAL REPORT 2010-2011

The Council was asked to approve the Draft Annual Report for 2010-11. This document summarised what the Council provided, together with the operational and priority actions for the current year and financial performance of the Council. It had been designed to be both appealing and understandable to the public, partners and to businesses in the District.

This Annual Report drew upon the second year of the Council's Corporate Plan, end of year performance reports and the financial out-turn figures. The Council had now produced three Annual Reports and the style of presentation of information proposed in the report had been well received by residents and key stakeholders. The Annual Report captured the outcomes from the work that had been done by the Council and that achieved in partnership with others over the past year. It was important for the Council to continue to inform the community, businesses and partners on the work that had been completed and plans for the future. The Annual Report would be launched on the Council's website and a limited number of printed copies would be produced.

RESOLVED:-

That Council approves the Draft Annual Report as submitted.

CL/35. **LDF CORE STRATEGY: PUBLIC ENGAGEMENT ON GROWTH OPTIONS AND TIMETABLE UPDATE**

It was reported that progress on the Local Development Framework Core Strategy had been advancing well, with extensive consultation on major site options completed in May 2010. However, the Localism Bill introduced in December 2010 had major implications for the process. Accordingly, a round of public engagement on “localism”, community infrastructure needs and neighbourhood planning was completed in May 2011. With the anticipated demise of regional strategies, it would now be necessary for the Council to also consider “larger than local” issues on the need for housing. In particular, the Council would need to produce, jointly with the authorities in the wider Derby area, its own estimates of future household growth and consider development locations not previously contemplated by the East Midlands Regional Plan. A working draft consultation document, setting out options in this regard to be published for public comments over the summer was appended to the report, for the Council’s approval. The report also set out a revised outline timetable to enable adoption of the Core Strategy in 2012 and raised the need to consider the Community Infrastructure Levy.

A Swadlincote Ward Member questioned the timing of a planned consultation meeting for that area and suggested that it should be held in the evening. Officers explained the rationale for the timing of this consultation event, due to the Town Centre market being held that day. It was confirmed that residents could attend any consultation event, as they were not area specific. The Member reiterated the request for an evening event, if necessary at a different location.

RESOLVED:-

- (1) That authority be delegated to the Chief Executive, in consultation with the Chairman of the Environmental and Development Services Committee, to publish the “Housing Growth Options” attached at Appendix 1 to the report and make any detailed amendments necessary to enable a joint consultation across the Derby Housing Market Area.***
- (2) That wide consultation be undertaken including conducting a further round of neighbourhood ‘drop-in’ events throughout South Derbyshire to be held through July and August as set out in Appendix 2 of the report, with a closing date for comments of 31st September 2011.***
- (3) That the indicative revised timetable outlined in Appendix 3 to the report be endorsed and published on the Council’s website, subject to any changes necessary as a result of the emerging Localism Bill and/or further court decisions.***

- (4) *That an informal workshop for all elected members across the Derby Housing Market Area, including those from Amber Valley, Derby City and Derbyshire County Councils, be convened around September 2011.*
- (5) *That reports be prepared for future meetings of the Environmental and Development Services Committee and Council, to consider whether to formally pursue the Community Infrastructure Levy.*

CL/36. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

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

MINUTES

The Exempt Minutes of the Annual Meeting of the Council held on 19th May 2011 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted and any recommendations contained therein, approved and adopted:-

Licensing and Appeals Sub-Committee, 28th April 2011

Environmental and Development Services Committee, 9th June 2011

Housing and Community Services Committee, 16th June 2011

Finance and Management Committee, 23rd June 2011

M. STANTON

CHAIRMAN