

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 02 November 2023
at 6.00pm

PRESENT:

Councillor S Bambrick (Chair) and Councillor M Gee (Vice-Chair) and Councillors A Archer, J Carroll, A Haynes, I Hudson, A Jones, G Jones, R Pearson, V Redfern, G Rhind, D Shepherd, L Singh, K Storey, B Stuart, S Taylor, and A Tilley.

Conservative Group

Councillors N Atkin, D Corbin, M Ford, K Haines, A Kirke, D Muller and P Watson.

Liberal Democrats

Councillors G Andrew and J Davies

Non-Grouped

Councillor A Wheelton

CL/66 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors S Harrison, L Mulgrew, M Mulgrew and D Pegg (Labour Group) and Councillors J Lowe, M Fitzpatrick and S Meghani (Conservative Group).

CL/67 **TO CONFIRM THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of the Council Meeting held on the 14 September 2023 (CL/46 -CL/61) were approved as a true record and signed by the Chair.

CL/68 **DECLARATIONS OF INTEREST**

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

CL/69 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of South Derbyshire District Council addressed Council. The Chair reported that he had attended the opening of the 771st Charter Fair in Ilkeston followed by a Civic Service and bulb planting at Castle Gresley Infant School. The Chair of Council with representatives from Derbyshire County Council and Derby City Council had received delegates from Japan to commemorate the 25th anniversary of collaboration with South Derbyshire. The Chair informed Council that the High Sheriff of Derbyshire had visited the District and that visits

to Cadley Park and the Magic Attic had been included on the itinerary. The Chair of the Council announced that the Poppy Appeal was now under way.

CL/70 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council attended the meeting and addressed Council. The Leader had welcomed visitors from Toyota City on the 25th anniversary. The visitors had been on visits to the National Forest and South Derbyshire and Burton College.

The Leader reported that the Labour Group had been working with the Community Voluntary Service to help with the increased demand for food parcels over the winter period, including Christmas. The Leader appealed to the Chief Executive for a donation to the food banks in the District to help with the shortfall during the Winter period.

The Leader expressed thanks to the Environmental Services Officers who had assisted during the recent floods in parts of South Derbyshire including Ambaston, Elvaston, Repton and Willington and asked the Chief Executive to pass on thanks to the Officers.

CL/71 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service addressed Council and advised that a party from South Derbyshire District Council would be visiting Toyota in Japan to celebrate the 25th anniversary of the partnership.

The Head of Paid Service informed Council that the two scoping exercises for Housing Services and Planning were underway and would be reported to Environmental and Development Services Committee and Housing and Community Services Committee respectively when concluded.

The Head of Paid Service informed Council that the Elections Act 2022 included a new electronic system for postal and proxy vote applications for absent votes and that communications and the Council's web site would provide more detailed information.

The Head of Paid Service responded to the Leader of the Council and acknowledged the thanks to all colleagues for their superb efforts during the flood emergency.

With the approval of the Chair the Leader of the Opposition addressed Council to thank those officers involved in supporting local residents throughout the recent floods and in particular two officers who worked through the weekend braving severe flood waters.

CL/72 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/73 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received.

CL/74 **NOTICES OF MOTION IN ORDER OF WHICH THEY WERE RECEIVED**

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

CL/75 **COMMUNITY GOVERNANCE REVIEW – DRAKELOW, TERMS OF REFERENCE**

The Head of Paid Service addressed Council and introduced Helen Fudge, who was the Consultant engaged to the manage the review.

The Consultant outlined the report and explained that the review had been commenced following receipt of a petition from Drakelow Parish Meeting to create a Parish Council.

Councillor A Tilley addressed Council to express support for the formation of a Parish Council for Drakelow and noted that the Parish Meeting of Drakelow had been instrumental in supporting local residents and seeking solutions to many issues.

Councillor Taylor addressed Council in support of a Parish Council and recommended the Community Governance Review.

RESOLVED:

- 1.1 Council approved the Terms of Reference for the Community Governance Review for Drakelow as detailed at Appendix 1 of the report.***
- 1.2 Council approved delegated authority to the Monitoring Officer, in consultation with the Leader of the Council, for any necessary amendment to the Terms of Reference, the review process and/or the timetable for the review.***

CL/76 **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – ANNUAL REVIEW LETTER 2023 AND LGSCO UPDATE**

The Head of Paid Service presented the Annual Review to Council which contained a summary of complaints submitted to the Ombudsman.

RESOLVED:

1.1 Council accepted the Local Government and Social Care Ombudsman’s Annual Review Letter 2023.

CL/77 **INDEPENDENT REMUNERATION PANEL**

The Head of Paid Service presented the report to Council which allowed for reviewed Terms of Reference for the Independent Remuneration Panel as part of the four yearly cycle.

Councillor Storey addressed Council regarding the adoption of a Parental Leave Policy for those elected to public office.

Members supported the introduction of a parental leave policy to support Councillors with family commitments.

RESOLVED:

1.1 Council approved Richard Penn to be appointed Chair of the Independent Remuneration Panel to make recommendations to the Council on Members’ Allowances.

1.2 Council approved that the Chief Executive be authorised to appoint two further members from the local community to serve on the Panel.

1.3 Council approved Members of the Panel were to be paid any agreed fees and expenses incurred by them in carrying out their duties.

1.4 Council approved the Terms of Reference for the Panel, as detailed in the report.

1.5 Council adopted the Local Government Association Parental Leave Policy for elected members..

CL/78 **EQUALITY, DIVERSITY AND INCLUSION ANNUAL REPORT 2022-23 AND DIVERSITY CALENDAR 2024**

The Head of Paid Service presented the report highlighting the important work done by the authority.

Councillor Stuart addressed Council and proposed that the Calendar of Events be looked at as the summer months appeared to be a bit light and could maybe include disability events and promote inclusivity activities.

The Head of Paid Service informed Council that the suggestion would be taken forward and considered.

RESOLVED:

- 1.1 Council approved the Equality, Diversity and Inclusion annual report for 2022/23 attached as Appendix A to the report and the Diversity Calendar for 2024 attached as Appendix B to the report.***

CL/79 **ANNUAL REPORT 2022-23**

The Head of Paid Service presented the report highlighting the Council's performance for the Financial Year to March 2023.

RESOLVED:

- 1.1 Council approved for publication the annual report for 2022/23 as detailed in Appendix A of the report with delegated authority to the Chief Executive and the Leader of the Council to make amendments to any typographical errors.***

CL/80 **MEMBER ICT PROTOCOL**

The Head of ICT and Business Change presented the refreshed documents to Council highlighting that the report had been reviewed at the Finance and Management Committee on 05 October 2023 and by a cross-party working group.

Members recognised the contributions from the cross-party working group and noted that an amendment was required to the year stated on page two of the policy.

RESOLVED:

- 1.1 Council approved and adopted the Members ICT Protocol at Appendix 1 of the report, to form part of the Council's Constitution.***

CL/81 **OPEN MINUTES:**

Council received and considered the open minutes of the following Committees.

Committee	Date	Minutes Nos
Licensing & Appeals Sub-Committee	21 October 2019	LAS/08 – LAS/11
Licensing & Appeals Sub-Committee	16 December 2019	LAS/14 – LAS/16
Licensing & Appeals Sub-Committee	29 September 2020	LAS01 – LAS/04
Licensing & Appeals Sub-Committee	29 October 2020	LAS/08 – LAS/11
Licensing & Appeals Sub-Committee	01 December 2020	LAS/12 – LAS/15
Licensing & Appeals Sub-Committee	02 March 2021	LAS/16 – LAS/18
Licensing & Appeals Sub-Committee	23 March 2021 10am	LAS/22 – LAS/24
Licensing & Appeals Sub-Committee	23 March 2021 3.30pm	LAS/26 – LAS/28
Licensing & Appeals Sub-Committee	27 May 2021	LAS/01 - LAS/04
Licensing & Appeals Sub-Committee	08 June 2021	LAS/05 – LAS/08
Licensing & Appeals Sub-Committee	09 November 2021	LAS/09 – LAS/11
Licensing & Appeals Sub-Committee	15 November 2021	LAS/15 – LAS/18
Licensing & Appeals Sub-Committee	14 December 2021	LAS/19 – LAS/21
Licensing & Appeals Sub-Committee	27 January 2022	LAS/23- LAS/27
Licensing & Appeals Sub-Committee	05 April 2022	LAS/29 – LAS/32
Licensing & Appeals Sub-Committee	20 May 2022	LAS/01 – LAS/04
Licensing & Appeals Sub-Committee	14 June 2022	LAS/05 - LAS/08
Licensing & Appeals Sub-Committee	08 September 2022	LAS/09 – LAS/12
Planning	18 October 2022	PL/84 – PL/94
Licensing & Appeals Sub-Committee	27 October 2022	LAS/13 – LAS/15
Licensing & Appeals Sub-Committee	22 November 2022	LAS/17 – LAS/21
Licensing & Appeals Sub-Committee	06 December 2022	LAS/22 – LAS/26
Licensing & Appeals Sub-Committee	13 February 2023	LAS/27 – LAS/30

Licensing & Appeals Sub-Committee	12 June 2023	LAS/01 – LAS/05
Licensing & Appeals Sub-Committee	27 June 2023	LAS/07 – LAS/10
Licensing & Appeals Sub-Committee	10 August 2023	LAS/11 – LAS/13
Licensing & Appeals Sub-Committee	26 September 2023	LAS/15 – LAS/17
Licensing & Appeals Sub-Committee	16 October 2023	LAS/19 – LAS/22
Planning	15 November 2022	PL/95 – PL/110
Planning	13 December 2022	PL/113 – PL/123
Planning	10 January 2023	PL/124 – PL/133
Planning	07 February 2023	PL/134 – PL/146
Planning	07 March 2023	PL/147 – PL/159
Planning	21 March 2023	PL/160 – PL/172
Planning	04 April 2023	PL/173 – PL/181
Planning	06 June 2023	PL/01 – PL/22
Planning	27 June 2023	PL/23 – PL/31
Planning	08 August 2023	PL/32 – PL/50
Housing & Community Services	09 March 2023	HCS/80 – HCS/87
Housing & Community Services	25 April 2023	HCS/92 – HCS/99
Housing & Community Services	01 June 2023	HCS/01 – HCS/10
Finance & Management	27 April 2023	FM/154 – FM/161
Finance & Management	08 June 2023	FM/01 – FM/08
Finance & Management	20 July 2023	FM/12 – FM/21
Finance & Management	24 August 2023	FM/24 – FM/37
Finance & Management	05 October 2023	FM/42 – FM/52
Overview & Scrutiny	14 June 2023	OS/01 – OS/08
Overview & Scrutiny	30 August 2023	OS/09 – OS/18
Overview & Scrutiny	11 October 2023	OS/19 – OS/27
Etwall JMC	05 July 2023	EL/01 – EL/07
Etwall JMC	20 September 2023	EL/09 – EL/14

A correction to Councillor Grahame Andrew's name in the minutes of the Etwall JMC 05 July 2023 was noted.

RESOLVED:

That the Open Minutes of the above mentioned Committees were approved as a true record.

CL/82

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

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

RESOLVED:

Council was informed that the composition of the Local Plan Working Group be made up of three representatives for the Labour Group, namely Councillors S Taylor, A Tilley and A Wheelton and two representatives from the Conservative Group, namely Councillors K Haines and P Watson.

CL/83 **COMPOSITION OF SUBSTITUTE PANELS**

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

RESOLVED:

Council was informed no amendments were to be made.

CL/84 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2023/24**

Members reviewed the Outside Bodies representation list 2023/24

RESOLVED:

Council was informed that no amendments were to be made.

CL/85 **APPOINTMENT OF MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/86 **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 14 September 2023 (CL/62 - CL/65) 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.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its Committees.

<i>Committee</i>	<i>Date</i>	<i>Minutes Nos</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>21 October 2019</i>	<i>LAS/12 – LAS/13</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>16 December 2019</i>	<i>LAS/17 – LAS/19</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>29 September 2020</i>	<i>LAS/05 – LAS/07</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>02 March 2021</i>	<i>LAS/19 – LAS/21</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>23 March 2021 10am</i>	<i>LAS/25</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>23 March 2021 3.30pm</i>	<i>LAS/29</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>09 November 2021</i>	<i>LAS/12 – LAS/14</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>14 December 2021</i>	<i>LAS/22</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>27 January 2022</i>	<i>LAS/28</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>27 October 2022</i>	<i>LAS/16</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>12 June 2023</i>	<i>LAS/06</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>10 August 2023</i>	<i>LAS/14</i>
<i>Licensing & Appeals Sub-Committee</i>	<i>26 September 2023</i>	<i>LAS/18</i>
<i>Planning</i>	<i>15 November 2022</i>	<i>PL/111 – PL/112</i>
<i>Housing & Community Services</i>	<i>05 January 2023</i>	<i>HCS/64 – HCS/65</i>
<i>Housing & Community Services</i>	<i>09 March 2023</i>	<i>HCS/88 – HCS/91</i>
<i>Housing & Community Services</i>	<i>25 April 2023</i>	<i>HCS/100 – HCS/102</i>
<i>Housing & Community Services</i>	<i>01 June 2023</i>	<i>HCS/11 – HCS/12</i>
<i>Finance & Management</i>	<i>27 April 2023</i>	<i>FM/162 – FM/168</i>
<i>Finance & Management</i>	<i>08 June 2023</i>	<i>FM/09 – FM/11</i>
<i>Finance & Management</i>	<i>20 July 2023</i>	<i>FM/22 – FM/23</i>
<i>Finance & Management</i>	<i>24 August 2023</i>	<i>FM/38 – FM/41</i>
<i>Finance & Management</i>	<i>05 October 2023</i>	<i>FM/53 – FM/58</i>
<i>Etwall JMC</i>	<i>05 July 2023</i>	<i>EL/08</i>

The meeting terminated at. 18:50 hours.

COUNCILLOR S BAMBRICK

CHAIR OF THE DISTRICT COUNCIL