

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Thursday 14 September 2023
at 6.00pm

PRESENT:

Councillor S Bambrick (Chair) and Councillor M Gee (Vice-Chair) and Councillors A Archer, J Carroll, S Harrison, A Haynes, A Jones, J Jones, L Mulgrew, M Mulgrew, R Pearson, D Pegg, 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, J Lowe, S Meghani, D Muller and P Watson.

Liberal Democrats

Councillors G Andrew and J Davies

Non-Grouped

Councillor A Wheelton

CL/46 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor I Hudson, Councillor V Redfern, Councillor Taylor and Cllr N Tilley (Labour Group) and Councillor M Fitzpatrick (Conservative Group)

CL/47 **TO CONFIRM THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of the Council Meeting held on the 22 June 2023 (CL/27 - CL/43) were approved as a true record and signed by the Chair.

CL/48 **DECLARATIONS OF INTEREST**

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

CL/49 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of South Derbyshire District Council addressed Council. The Chair reported that he had attended the Music in the park events, an event at Melbourne arts Centre, the awarding of the Green Flag to Cadley park, the ATC Freedom of the District Parade and the Derbyshire Scouts AGM.

CL/50 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of South Derbyshire District Council attended the meeting and addressed Council. The Leader passed on his congratulations to the Council's officers for delivering the Swadlincote Live, love parks week and the Heritage Open Days. The Leader requested that the Chief Executive to pass on his thanks to his colleagues.

The Leader also reported that he had attended an event at Toyota and a meeting of the East Midlands Hydrogen Cluster. The Leader, Chief Executive and that the Head of Economic Development and Growth intended to attend future meetings. He commented that South Derbyshire would be at the heart of the initiative which will encourage investment into the District.

CL/51 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive addressed Council and advised that Summons for Council meetings would be served electronically unless a Member requested a paper copy.

CL/52 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/53 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

In accordance with Council Procedure Rule No.11 the Chair of Council invited Councillor Corbin to ask the Leader of the Council the following question:

"We are all aware of the precarious financial situation for several councils across the UK.

We have learned of financial difficulties for our neighbours in Derby City for example, and, most recently, we have heard about the Section 114 order issued by Birmingham who are effectively bankrupt. A shocking development for Europe's biggest local council.

Here in South Derbyshire, the current Medium Term Financial Plan shows that this council will run out of money in 4 years.

Whilst there are some questions to be answered on funding matters that lie outside of the control of SDDC, recent presentations to council of the MTFP were not accurate financial forecasts for this council, with approximately £1m in business rates not factored in.

We now have a new head of finance in place – whom, I believe has the potential to be a real asset to SDDC – and I understand Tracy Bingham is working on financial strategies for the council's future. As an aside, we also welcome the

finance department's new aspiration for preparing and presenting on financial matters in a clearer and simpler way.

The starting point for any new strategy, however, must be accurate and live financial data and proper financial forecasting.

So, with that mind, and in the spirit of empowering all councillors with a clearer understanding of this council's financial position, will the leader commit providing this and commit to a date by when we will have a correct, up-to-date, and accurate financial plan containing correct, accurate and live finance data?"

The Leader responded as follows-

General underlying financial sustainability issues

- For many councils underlying financial sustainability concerns have been mounting. The Local Government Association recently published its analysis which predicted significant budget gaps and called on the government to ensure councils have adequate resources.
- This would affect a substantial number of Councils nationally, particularly those with adult and children's social care responsibilities.
- The Leader of the Council assured Members, staff and the public that it was in a very strong and stable financial position. The Council had healthy level of reserves and no debt on the General Fund, both of which provided a sound platform to develop future interventions to manage spending within the Council's means.
- The current Medium Term Financial Plan, prepared in February of 2023, did predict ongoing budget gaps as was outlined in the annual report of the previous Section 151 Officer. It was noted that it was a forecast that without intervention, current expenditure would increase whilst central government funding decreased.

£1m business rates and in year plan

- Turning to Councillor's Corbin comment around recent presentations, the Leader of the Council thought that he might have been referring to a paragraph included in the Quarter 1 update to August's Finance and Management Committee which said that £1m more in business rates could be expected but that it would be reported in Quarter 2.
- As it stood, the finance team continue to analyse forecast business rates and there was no further update.
- It was note that it was an extremely complex area, complicated further by the Council's involvement in the Derbyshire Business Rates Pool – an excellent partnership which allows the Council to keep more of the rates in South Derbyshire, but which relies on the forecasting techniques of 10 other Councils also.

- The Leader informed Council that the Section 151 Officer had advised that they would not be revising this year's budget but would instead revise forecast outturn when relevant and certain data was available. It was confirmed that the Council's finances were already as accurate and live as possible, using proper financial forecasting techniques.

Future plan

- Looking ahead to next year and beyond, a future "correct, up-to-date and accurate financial plan" would be dependent on central governments' actions to take forward and implement a range of overdue fiscal policy matters, including fair funding, business rates reset and new homes bonus reform. Without this, it would be extremely difficult to plan effectively.
- Additionally, the Council needs central government to provide it with funding certainty through a multi-year settlement, instead of a one-year settlement approach, which leaves the Council relying on the judgement of officers to predict funding for the next year and beyond.
- Despite the difficulties in planning, the development of next year's budget had started and a report would be taken to each of the policy committees over the coming weeks - the first of these was to be Environmental and Development Services Committee.
- An initial draft budget and medium-term financial plan would be available by the end of November and was to be presented alongside an overarching strategy document to Council for final approval in February.
- So, the Council was on track for the financial plan to be as accurate and up to date as the current funding regime allowed and the Leader was happy to commit to providing the information by November, as was already the plan.

Empowering councillors

- Finally, and in the spirit of empowering all councillors with a clearer understanding, the Leader reminded all Members of the Financial Sustainability Workshop scheduled for next week.
- During the workshop, the Section 151 Officer (who has joined the Council as Strategic Director (Corporate Resources) [not the Head of Finance, who reports to the Strategic Director]) would be upskilling Members in all things related to the Council's ability to balance its books.
- The Leader urged Members to attend.

Councillor Corbin raised the following supplemental question:

Can we make sure the financial information be as accurate as possible. If the forecasts are positive, it would encourage the Council to be less prudent. Would it be possible to have an online dashboard that is updated on a month by month basis?

The Leader informed Council that he had noted Councillor Corbin's supplementary question and would discuss it with officers.

In accordance with Council Procedure Rule No.11 the Chair of Council invited Councillor Meghani to ask the Leader of the Council the following question:

“The South Derbyshire District Council website has an entire section dedicated to ‘Council & Democracy’, which includes information on all District Councillors and their respective contact details.

However, this section of the website is somewhat hidden away, as there is not a clear icon link on the homepage, allowing members of the public to quickly access information on Councillors.

Could the Leader of the Council please arrange for the South Derbyshire District Council website to be updated, so that information and contact details for District Councillors is easier to find on the website's homepage?”

The Leader thanked Councillor Meghani for his question and informed Council that officers had been instructed to implement this as soon as possible.

CL/54 **NOTICES OF MOTION IN ORDER OF WHICH THEY WERE RECEIVED**

In accordance with Council Procedure Rule No. 12, the Chair of Council invited Councillor A Wheelton to move the following motion:

“This Council formally declares an ecological emergency in response to the ongoing threat to wildlife and ecosystems.

The declaration recognises the essential role that nature plays and provides a statement of intent, to enhance and restore our natural landscape, local wildlife, rivers, streams, water resources, habitats and trees and resist the destruction of such habitats through a considered and sustainable local planning policy.

This motion will see the Council add ecological considerations, together with any implications, alongside those for climate, sustainability, and nature recovery in our new corporate plan as strategic priorities embedded within all areas of Council engagement.

The Council will continue to collaborate with our communities, businesses and other organisations, existing networks, and partnerships to improve ecological literacy, encourage greater biodiversity, increase local sustainable food production in order to protect food security, tree planting and management.”

The Leader seconded the motion stating that it was in line with the Labour Group's manifesto. He also commented that a Working Group should be established.

Councillor Corbin stated that the Conservative Group supported the principle but had concerns with the motion. He was concerned that the motion conflicted with planning policy and was pre-emptive. He considered that there were local initiatives and policies which rendered the motion unnecessary.

Councillor Ford stated he could not support the motion as it was not compatible with the County Council's actions.

Councillor Andrew indicated support for the motion and a willingness to take part in any Working Group.

Councillor Wheelton stated that it was statement on intent and thanked the Liberal Democrat and Labour Groups for their support and proposed a recorded vote.

RESOLVED:

The Council formally declared an ecological emergency in response to the ongoing threat to wildlife and ecosystems.

The declaration recognised the essential role that nature played and provided a statement of intent, to enhance and restore our natural landscape, local wildlife, rivers, streams, water resources, habitats and trees and resist the destruction of such habitats through a considered and sustainable local planning policy.

The motion would see the Council add ecological considerations, together with any implications, alongside those for climate, sustainability, and nature recovery in the Council's new corporate plan as strategic priorities embedded within all areas of Council engagement.

The Council would continue to collaborate with its communities, businesses and other organisations, existing networks, and partnerships to improve ecological literacy, encourage greater biodiversity, increase local sustainable food production in order to protect food security, tree planting and management.

A recorded vote was taken:

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

Councillors S Bambrick, M Gee, G Andrew, A Archer, J Carroll, J Davies, S Harrison, A Haynes, A Jones, J Jones, L Mulgrew, M Mulgrew, R Pearson, D Pegg, G Rhind, D Shepherd, L Singh, K Storey, B Stuart, S Taylor, A Tilley, and A Wheelton

The Members who voted against the above motion were:

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

CL/55 **PROTOCOL FOR THE USE OF INFORMATION TECHNOLOGY BY MEMBERS**

The Leader addressed Council and proposed that the item be deferred as it required further work. He further proposed that the matter be reported to Finance and Management Committee after a review by a cross party working group.

RESOLVED:

Council agreed to defer consideration of the Protocol for use of information technology for Members to a future meeting of Finance and Management Committee.

CL/56 **OPEN MINUTES:**

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

Committee	Date	Minutes Nos
Finance & Management	16.03.23	FM/130 – FM/144
Environmental & Development Services	02.03.23	EDS/67 – EDS/75
Environmental & Development Services	20.04.23	EDS/80 – EDS/89
Environmental & Development Services	30.05.23	EDS/01 – EDS/11
Environmental & Development Services	10.08.23	EDS/14 – EDS/22

Area Forum	Date	Minutes Nos
Newhall	24.01.23	N/A 15 – N/A 21
Melbourne	25.01.23	M/A 15 – M/A 21
Swadlincote	31.01.23	S/A 15 – S/A 20
Etwall	01.02.23	E/A 15 – E/A 21
Repton	14.02.23	R/A 13 – R/A 19
Linton	16.02.23	N/A 15 – N/A 21

Councillor A Jones asked whether voters had been deterred by the requirement to bring ID and what efforts the Council was making to increase participation.

The Head of Legal and Democratic Services informed Council that voters could apply for a voter ID certificate and Electoral Services was attempting to increase engagement and participation as per the Public Engagement Strategy.

Councillor Atkin commented that he was the Deputy Chair for the Melbourne Area Forum

Councillor Corbin asked that officers consider what can be done to increase attendance at Area Forum meetings.

RESOLVED:

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

CL/57 APPOINTMENT OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS 2023/24

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

RESOLVED:

***Licensing and Appeals Sub-Committee*
Councillor G Andrew to be appointed.**

CL/58 COMPOSITION OF SUBSTITUTE PANELS

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

RESOLVED:

***Licensing and Appeals Sub-Committee*
Councillor J Davies to be appointed.**

CL/59 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 made.

CL/60 APPOINTMENT OF MEMBER CHAMPIONS

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/61 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 22 June 2023 (CL/44 - CL/45) 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.

EAST MIDLANDS INVESTMENT ZONE

Council approved the recommendations in the report.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its Committees.

<i>Committee</i>	<i>Date</i>	<i>Minutes Nos</i>
<i>Finance & Management</i>	<i>16.03.23</i>	<i>FM/145 – FM/153</i>
<i>Environmental & Development Services</i>	<i>02.03.23</i>	<i>EDS/76 – EDS/79</i>
<i>Environmental & Development Services</i>	<i>20.04.23</i>	<i>EDS/90 – EDS/93</i>
<i>Environmental & Development Services</i>	<i>30.05.23</i>	<i>EDS/12 – EDS/13</i>

The meeting terminated at. 18:50 hours.

COUNCILLOR S BAMBRICK

CHAIR OF THE DISTRICT COUNCIL