

MINUTES OF COUNCIL MEETING HELD ON 6 MARCH 2017**I N D E X**

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NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON 6 MARCH 2017

Present:

Councillor S Peters Chair

Councillor R Smith Vice Chair

Councillor P Antcliff

“ W Armitage

“ J Austen

“ N Barker

“ B Barnes

“ J Barry

“ G Baxter MBE

“ L Blanshard

“ S Boyle

“ G Butler

“ A Cooper

“ S Cornwell

“ C Cupit

“ A Dale

“ S Ellis

“ Miss M Emmens

“ M Foster

“ A Garrett

“ M Gordon

“ R Hall

“ D Hancock

Councillor Mrs E A Hill

“ J Hill

“ Mrs P A Holmes

“ G Hopkinson

“ Mrs C D Huckerby

“ C Hunt

“ P R Kerry

“ H Laws

“ J Lilley

“ G Morley

“ A Powell

“ T Reader

“ B Rice

“ B Ridgway

“ Mrs L Robinson

“ K Rouse

“ D Skinner

“ Mrs C A Smith

“ K Tait

“ R Welton

“ J Windle

506 Apologies for Absence

Apologies for absence had been received from Councillors P Elliott, Mrs A Foster, B Lewis, T Mansbridge, Mrs J Ridgway, L Stone, M Thacker and B Wright.

507 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

The Monitoring Officer reminded Members that each Councillor had an exemption for the declaration of an interest in the Level of Council Tax set.

508 Minutes of the Council Meeting held on 20 February 2017

Due to the short amount of time lapsed since the Council Meeting (Budgets) held on 20 February 2017, the Chair decided to move to defer consideration of the Minutes of that meeting to the following meeting of Council. This was to allow time to confirm the accuracy prior to resolution for approval.

Moved by Councillor S Peters and seconded by Councillor G Baxter MBE.

RESOLVED – That the Minutes of the meeting of the Council held on 20 February 2017 be deferred for consideration at the following meeting.

509 Chair's Announcements

The Chair advised Council of a number of events that he had attended over recent weeks.

Specifically he focused on the forthcoming events that would take place to raise money for his chosen charity, Weston Park Cancer Charity, which included a sponsored abseil at Millers Dale Bridge on Saturday, 11 March 2017 and a Rowathon on Thursday, 6 April 2017.

Further, he had recently provided a bag packing service at Marks and Spencer Food Hall in Meadowhall, as well as a donation received for his charity from Tupton Primary School raised through a non-uniform day.

The current appeal total so far was reported at £5,209.70.

510 Public Participation

In accordance with Council Procedure Rule No 8 members of the public were allowed to ask questions about the Council's activities for a period of up to 15 minutes.

No questions from the public had been submitted.

511 Minutes of Meetings held between 13 December 2016 and 21 February 2017

Council considered the following Minutes of meetings held between 13 December 2016 and 21 February 2017:-

	MEETING	DATE
(a)	Planning Committee	13 December 2016 10 January 2017 7 February 2017
(b)	Cabinet	14 December 2016 11 January 2017 15 February 2017
(c)	Licensing Committee	14 December 2016
(d)	Organisation Scrutiny Committee	4 January 2017 21 February 2017
(e)	Licensing Sub-Committee (Premises)	9 January 2017
(f)	Licensing Sub-Committee (Taxis)	12 January 2017
(g)	Communities Scrutiny Committee	13 January 2017
(h)	Growth Scrutiny Committee	26 January 2017
(i)	Standards Committee	26 January 2017
(j)	Strategic Alliance Joint Committee	31 January 2017
(k)	Audit & Corporate Governance Scrutiny Committee	2 February 2017

Councillor Dale raised a question in regard to Minute No 481, North East Derbyshire Local Plan: Consultation Draft and Proposals for Public Consultation considered by Cabinet on 15 February 2017.

Councillor Dale requested clarity to his understanding that all sites identified within the Local Plan, in order to be deliverable, required landowners to express their willingness for their sites to be developed upon. Councillor Gordon thanked Councillor Dale for his question and endeavored to provide a response in writing as soon as was practicable.

Further, Councillor Dale raised queries around the wording within the press release on the consultation of the Local Plan, which stated that Councillors had agreed the general content.

It was clarified that the consultation documents and press releases had been discussed and debated by the Local Plan Steering Group whose membership was represented by all political parties. The Conservative representative on that Group wished to record his views against development on a Green Belt site.

Proposed by Councillor G Baxter MBE and seconded by Councillor Mrs E A Hill.

RESOLVED – That the Minutes of the meetings held between 13 December 2016 and 21 February 2017 as set out above be noted.

512 Questions from Members under Procedure Rule No 9.2

In accordance with Council Procedure Rule No 9.2 Members were permitted to ask the Chair of the Council or relevant Committee or the appropriate Cabinet Member questions about Council activities.

No questions had been submitted under Procedure Rule No 9.2 for this meeting.

513 Motions from Members under Procedure Rule No 10

No motions had been submitted under Procedure Rule No 10 for this meeting.

514 Protocol for Members Appointed to Represent the Council on Outside Bodies

There was no business to be considered at this meeting of Council.

515 Pay Policy Statement 2017/18

Council received a report of Councillor N Barker, Portfolio Holder with Responsibility for Human Resources, Training and Member Development, requesting approval for publication of the Draft Pay Policy Statement set out in Appendix 1 to the report.

The Pay Policy Statement for the Council had been reviewed as part of an annual process and updated for 2017/18. Within the Policy details were set out around securing equal pay within the organisation, the lowest paid employees and Chief Officer salaries. In addition, it considered pensions, incremental progression and flexible retirement.

Moved by Councillor N Barker and seconded by Councillor M Baxter MBE.

RESOLVED – That the Draft Pay Policy Statement 2017/18, as attached at Appendix 1 to the report, be approved for publication.

516 Level of Council Tax 2017/18

Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, presented a report to Council requesting determination of the Level of Council Tax 2017/18.

It was noted that the Localism Act 2011 required the billing authority to calculate a Council Tax requirement for the year.

In order to calculate the Council Tax requirement for the area at the relevant Bands, the demands of the County Council, Police Authority, Fire Authority and Parish Councils would also need to be taken in to account. The Council had now received all the relevant precept demands from the other local authorities that precept upon North East Derbyshire District Council as the billing authority for Council Tax.

Members attention was drawn to the table set in paragraph 1.5 of the report which set out each Parish, along with each valuation Band.

In accordance with legislation around decision making where matters affecting the Council's budget or Council Tax were considered, a recorded vote was taken.

For the recommendation – 29

(Councillor J Austen, N Barker, B Barnes, J Barry, G Baxter MBE, S Boyle, G Butler, A Cooper, S Cornwell, A Garrett, M Gordon, Mrs E A Hill, J Hill, Mrs P A Holmes, C Hunt, P R Kerry, H Laws, J Lilley, G Morley, S Peters, T Reader, B Rice, B Ridgway, Mrs L Robinson, K Rouse, D Skinner, Mrs C A Smith, R Smith and J Windle.

Against the recommendation – 15

(Councillor P Antcliff, W Armitage, L Blanshard, C Cupit, A Dale, S Ellis, Miss M Emmens, M Foster, R Hall, D Hancock, G Hopkinson, Mrs C D Huckerby, A Powell, K Tait and R Welton.

Abstentions – 0

The recommendation was carried.

Clarification was sought by Members around the legalities required to set a Council Tax for the District and it was confirmed that the Council would liable to pay any bills that were received within the period that a Council Tax was not set and precepted for.

RESOLVED –

- (1) That the Council Tax for the financial year 2017/18 as set out within the report be approved.
- (2) That Officers be authorised, as set out in section 1.6 of the report, to undertake the identified duties in accordance with Section 223 of the Local Government Act 1972, and delegates to the Council's Chief Financial Officer the authority to authorise any amendments to the list of named officers that may prove necessary during the course of the financial year.

517 Interim Taxi Licensing Policy Amendments

Council considered a report of the Licensing Committee which reviewed and recommended for adoption minor amendments to the Council's Statement of Licensing Policy for Hackney Carriage and Private Hire Drivers, Vehicles and Operators.

The report identified those priorities for amendment which could be made immediately pending the full review of the Policy. These were as follows:-

Hackney Carriages Intended Use

- Medical checks for HGV and PSV drivers on first application;
- DVSA Testing;
- Safeguarding Training;
- DVSA Checks;
- Free Rebates under Delegated Powers;
- Knowledge Test Amendments; and
- Certificates of Good Conduct.

A suggestion for future consideration was given by Councillor Welton to add in details of grounds for appeal against officers' delegated decisions. Councillor Gordon noted the comments made and undertook to review this matter with the Licensing Committee at their forthcoming meeting.

It was questioned as to whether Safeguarding Training was a suitable requirement to be undertaken by Taxi Licence Holders. Further, it was considered that DBS Checks currently were not of a high enough standard, however, they were developing. A final suggestion was put forward for North East Derbyshire District Council to install CCTV within taxis. It was confirmed that these matters would be looked in to as part of the wider review.

Moved by Councillor Gordon and seconded by Councillor Laws.

RESOLVED – That Council:-

- (1) Introduce a requirement that Hackney Carriage Vehicle Licences would only be granted on the basis that they would be used to:-
 - (i) Ply for hire within the District of North East Derbyshire; and/or
 - (ii) Carry out pre-booked work predominantly within the District of North East Derbyshire.
- (2) Amend the Hackney Carriage Vehicle Licence Conditions to reflect the above restriction.
- (3) Remove from Section 4.2.5 the words “holders of current PSV and/or HGV licences, where the holder is able to produce proof of current medical examination, will not be prepared to undergo a further medical examination”.

- (4)(a) Remove the requirement to meet DVSA Taxi Test Standards.
- (b) Introduce a requirement to meet such driving standard test as the Council sees fit to introduce.
- (c) Grant delegated powers to the Joint Assistant Director – Planning and Environmental Health, in consultation with the Chair of Licensing, to determine the most appropriate form of testing.
- (5)(a) Introduce a requirement in respect of HC/PHV drivers' licence for all new applicants and existing licence holders to undertake such safeguarding training as the Council sees fit to introduce; and
- (b) Grant delegated powers to the Joint Assistant Director – Planning and Environmental Health in consultation with the Chair of Licensing to determine the most appropriate training.
- (6)(a) Replace those sections relating to knowledge test to remove the specific test format and replace with a requirement to undertake such test an applicant's knowledge as the Council deems appropriate from time to time; and
- (b) Grant delegated powers to the Joint Assistant Director – Planning and Environmental Health to determine the format and content of the knowledge test.
- (7) Amend the requirement to provide a Certificate of Good Conduct to those occasions where Licensing Officers reasonably consider it to be appropriate.

518 Members' Allowance Scheme

Council considered the recommendations made by the Independent Remuneration Panel in regard to Members' Allowances for the 2017/18 municipal year.

The Council's Independent Remuneration Panel (IRP) had met and considered at length all the information presented within the appendices attached to the report, along with details of previous Members' Allowance Reviews.

The Panel believed that the last review that was undertaken in 2013 was so robust as to address the all anomalies within the Scheme, and the Scheme itself was fair and equitable.

On consideration of the matter of index linking with staff salary increases the IRP had recommended removing the index link with staff salaries and had recommended a 1% increase on SRAs and the Basic Allowance for Members. Attention was drawn to paragraph 2.4 of the report which set out the proposed increases for consideration by Council.

Councillor Baxter MBE thanked the Independent Remuneration Panel for their extensive and diligent work on this matter and proposed an amendment to the recommendations to remove paragraph 6.2 of the report in order to retain indexing alongside staff salaries.

Councillor Hancock wished to note his objections on record to the principle of an increase to Members' Allowances.

The Leader clarified that this matter was a sensitive subject endorsing the reasons to select an independent panel of people to make a judgement on an appropriate level of allowances to be received by Members.

Proposed by Councillor G Baxter MBE and seconded by Councillor Mrs E A Hill.

RESOLVED – That the 1% increase to the Basic Allowance and Special Responsibility Allowances within the Members' Allowance Scheme, as set in paragraph 2.4 of the report, be approved.
