

**MINUTES OF COUNCIL MEETING HELD ON 13 JULY 2015****I N D E X**

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# **NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

## **MINUTES OF THE MEETING OF THE COUNCIL**

**HELD ON 13 JULY 2015**

### **Present:**

Councillor Mrs A Holmes ..... Chair

Councillor S Peters..... Vice Chair

Councillor Mrs P Antcliff

“ W Armitage  
“ Mrs J Austen  
“ N Barker  
“ B Barnes  
“ Mrs J Barry  
“ G Baxter MBE  
“ Mrs L Blanshard  
“ G Butler  
“ A Cooper  
“ Miss C Cupit  
“ A Dale  
“ S Ellis  
“ Mrs A Foster  
“ A Garrett  
“ M Gordon  
“ G Griffin-Chappel  
“ R Hall  
“ Mrs E A Hill  
“ Mrs J Hill  
“ Mrs C D Huckerby  
“ C Hunt

Councillor P R Kerry

“ H Laws  
“ J Lilley  
“ T Mansbridge  
“ G Morley  
“ A Powell  
“ Mrs T Reader  
“ B Rice  
“ B Ridgway  
“ Mrs J Ridgway  
“ Mrs K Rouse  
“ D Skinner  
“ Mrs C A Smith  
“ Miss R Smith  
“ L Stone  
“ K Tait  
“ M E Thacker MBE  
“ C Tite  
“ R Welton  
“ J Windle  
“ B Wright

### **153 Apologies for Absence**

Apologies for absence were received from Councillors P Elliott, Ms M Emmens, M Foster, B Lewis, Mrs L Robinson, Miss T Williams and B Wright.

### **154 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.

Councillor G Baxter MBE declared a non-significant other interest in Item 9 on the agenda, Funding to Voluntary and Community Organisations – Presentation of Outcomes for 2014/15, arising from his membership of the Derbyshire Unemployed Workers' Centre.

Councillors S Ellis, Mrs J Hill, B Ridgway and B Wright all declared a non-significant other interests in Item 10 on the agenda, Derbyshire County Council Highways Device, arising from their membership of Derbyshire County Council.

**155 Minutes of the Annual Council Meeting held on 26 May 2015**

RESOLVED – That the minutes of the meeting of Annual Council held on 26 May 2015 be approved as a correct record and signed by the Chair.

**156 Chair's Announcements**

The Chair began her announcements by reminding Council of the members' event on the Allocations Scheme and Choice Based Lettings system which followed the Council meeting.

Members were reminded to complete their training needs survey for 2015-2017 and to send it to Sarah Cottam in the Governance Team by 31 July 2015.

On Tuesday 14 July there would be a Member Involvement Half Day focusing on the work of Rykneld Homes, equalities and diversity, environmental health and the medium term financial plan.

Then, on the Wednesday 15 July 2015, a District and Parish Council Liaison session would feature items on planning policy, enforcement and the recent Scrutiny review on the Council's relationship with town and parish councils.

Finally, the 2015 Brass Band Concert would take place on 26 September 2015 at Dronfield Sports Centre from 7.30 pm. Tickets were now available from Joe Bradley in the Chief Executive's Office.

**157 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 were asked.

**158 Minutes of meetings held between 28 May and 25 June 2015**

Council considered the following minutes of the meetings held between 28 May and 25 June 2015:

	<b>MEETING</b>	<b>DATE</b>
(a)	Audit & Corporate Governance Scrutiny Committee	28 May 2015 25 June 2015
(b)	Licensing Sub-Committee (Pubs & Clubs)	8 June 2015 12 June 2015
(c)	Planning Committee	9 June 2015 16 June 2015 – Special
(d)	Cabinet	10 June 2015
(e)	Communities Scrutiny Committee	12 June 2015
(f)	Growth Scrutiny Committee	16 June 2015
(g)	Organisation Scrutiny Committee	17 June 2015
(h)	Standards Committee	18 June 2015

**RESOLVED** – That the minutes of meetings held between 28 May and 25 June 2015 as set out above be noted.

**159    Questions from Members under Procedure Rule No 9**

There were no questions on notice from members.

**160    Motions from Members under Procedure Rule No 10**

There were no motions on notice from members.

**161    Funding to Voluntary and Community Organisations – Presentation of Outcomes for 2014/15**

Council considered a presentation from Colin Hampton on the work of the Derbyshire Unemployed Workers' Centre. This was the first of five presentations that would be coming to Council and Cabinet from voluntary sector organisations that were funded by the Council in 2014/15.

Council was advised of the work undertaken by Derbyshire Unemployed Workers' Centre in giving advice and assistance to those people who were out of work. This included welfare rights advice and representation as well as campaigning for the rights of those who were unemployed, on a low income or sick, injured or disabled by their work. Specifically, the Derbyshire Unemployed Workers' Centre could assist clients with claiming welfare benefits and tax credits, representation at benefit tribunals, liaising with the

Department of Work and Pensions, Inland Revenue and local authorities and on site redundancy advice.

Council received details of the number of enquiries and appeals over the past year and heard about the work that the Derbyshire Unemployed Workers' Centre was doing to mitigate the impact of austerity. Mr Hampton ended his presentation emphasising the important part the local authorities played in supporting bodies such as Derbyshire Unemployed Workers' Centre in their work.

Following the presentation, a number of questions were raised and comments made in relation to the presentation. These can be summarised as follows:-

- Announcements in the recent Government budget may lead to further demands on advice centres;
- A recent survey of 50 disabled people who had gone through work related interviews found that only two had found full time work and of those only one had managed to keep their employment. In the same survey, 68% felt that they would struggle to work again;
- Derbyshire Unemployed Workers' Centre worked with other local organisations such as the Chesterfield Law Centre to lever in funding to carry out its work.

The Leader, on behalf of the Council, thanked Mr Hampton for his informative presentation and congratulated him on his recent Citizens' Award for 30 years' service within the benefits profession.

**RESOLVED** – That the presentation from Derbyshire Unemployed Workers' Centre be noted.

## **162 Derbyshire County Council Highways Advice**

Council considered a presentation from Graham Hill, Principal Engineer, within Development Control at Derbyshire County Council on the role of the Highways Authority.

Council was advised that the Highways Authority acted as an interface between Derbyshire County Council and the allocation, design, assessment and implementation of new development so far as it affected highway and transportation matters.

The Highway Authority's objective was to help facilitate new development and economic growth whilst minimising risks to highway users' safety, maintaining the efficient and sustainable operation of the road network and ensuring that new developments were accessible, socially inclusive and of high quality.

The Highway Authority acted as a statutory consultee to ten local planning authorities in Derbyshire for planning applications, pre-application enquiries, and forward planning. They dealt with both pre-planning enquiries and planning applications and had 21 days to respond to statutory consultations.

It was stressed that the Highway Authority's recommendations were advice only. They did not "support" development proposals, but a recommendation raising no objections or imposing conditions did not mean that there would be no traffic impacts arising from the development nor that the Highway Authority heartedly endorsed the proposal.

The Highway Authority would not generally engage directly with groups or individual lobbyists but would be pleased to respond to member enquiries about planning consultation or discuss technical advice. Advice of the Highway Authority could be challenged through the appeal process or judicial review and technical advice would always be defended by officers in any appeal.

It was important to emphasise that the planning system was intended to promote development where it was appropriate and the Highway Authority was tasked with helping to facilitate development which was safe, accessible, sustainable, well designed and as inclusive as possible. A recommendation of refusal was therefore a last resort and must be based on the high test of "severe harm" as defined in the National Planning Policy Framework. Unacceptable development may be made acceptable through the imposition of conditions.

In coming to a view, the Highway Authority has regard to a number of issues when considering applications:-

- Account must be taken of extant site use and permitted development changes;
- Additional traffic generation by itself is not a reason to reject a development, the volume of traffic must be sufficiently great and the harm caused by it demonstrably severe;
- Reasons for refusal must be based on sound technical data and empirical evidence;
- Any conditions imposed must be directly related to the impact on the development as well as reasonable, proportionate and enforceable.

Following consideration of the presentation members raised questions and made comments. The following points were noted:-

- Concerns were raised regarding a recent application in Grassmoor where the Highway Authority had made no comments despite reported issues with the network;

- The Highway Authority used a combination of national data, similar sites and electronic monitoring to envisage the likely impact on the highway network of a new development;
- The Highway Authority was successful in approximately 90% of the appeals it contested. Where the Highway Authority advice had contributed towards the local authority making a decision which was found to be unreasonable and costs were awarded, local authorities were asked to contact the Highway Authority;
- The Highway Authority would usually adopt all standard roads;
- It was acknowledged that there was need for a strategic discussion around the A61;

**RESOLVED** – That the presentation on the Derbyshire County Council Highways Advice be noted.

### **163 Annual Report 2015**

Council considered Report No GBXR/09/15-16/JF of Councillor G Baxter MBE which presented to members performance against the Corporate Plan 2011-2015/16 as well as a summary of other achievements for 2014/15 and the Council's spending against the 2014/15 financial budget.

A copy of the Annual Report for 2015 was attached to the covering report and set out the achievements against the Council's Corporate Plan "Shaping the Future".

Since the publication of that Plan, a number of major changes within local government had seen an impact on the extent to which the priorities and ambitions identified could be achieved. In some cases, this had inhibited the ability to fulfil many key objectives and therefore it was determined that the current corporate plan was no longer relevant for 2016 and had been subjected to a comprehensive review.

The new corporate plan was considered later in the agenda.

Achievements during 2014/15 included:-

- New redeployable CCTV camera kits to address incidents of anti-social behavior;
- Major refurbishments of Dronfield Sports Centre and Eckington Swimming Pool;
- Increased membership levels at Sharley Park Leisure Centre;
- Building nine prefabricated Council bungalows at Grassmoor;

- Regeneration work to more than 200 properties at Holmgate, Wingerworth and Grassmoor;
- New heating systems at sheltered accommodation in Clay Cross;
- Transformation to Council flats at Dronfield;
- Regeneration of Eckington Town Centre for a new Aldi store to be built;
- Relocation of the Council's headquarters from Saltergate to Mill Lane, Wingerworth and the associated remediation of the site.

Members briefly debated the report. There was a brief exchange between the leaders of both groups around the Council's involvement with the armed forces.

**RESOLVED** – That Council receives and approves the Annual Report 2015 prior to design and publication by the end of May.

(Assistant Director – Customer Services and Improvement)

#### **164 Corporate Plan 2015-2019**

Council considered Report No GBXR/10/15-16/JF of Councillor G Baxter MBE, which presented the key content of the Corporate Plan 2015-19 for Council approval.

The new Corporate Plan was borne out of the Council's Growth and Transformation Programme and had been through an extensive period of consultation which included internal and external meetings and surveys.

The Corporate Plan had "unlocking our growth potential" as its key aim under which sat three priorities:-

- Supporting enterprise;
- Unlocking development potential;
- Enabling housing growth.

In addition, the Corporate Plan also had three supporting aims:-

- Providing our customers with excellent service;
- Supporting our communities to be healthier, safer, cleaner and greener;
- Transforming our organisation.

These aims would be supported by a number of corporate priorities.

There was a brief exchange between both group leaders around tackling childhood obesity through education and the Council's commitment towards vulnerable people, particularly deaf people

**RESOLVED** – That Council approves the key content of the Corporate Plan 2015-2019 prior to electronic publication.

(Assistant Director – Customer Services and Improvement)

**165 Chesterfield Volunteer Centre – Appointment to Outside Body**

**RESOLVED** – That Council approve the replacement of Councillor Brian Wright with Councillor Shay Boyle on the Chesterfield Volunteer Centre.

**166 Request for Member Nomination to the Healthy NED Partnership**

**RESOLVED** – That Council appoint Councillor L Blanshard to the Healthy NED Partnership.

**167 Recruitment of Chief Executive Officer Update**

Council considered Report No ADGMO/11/15-16/SS of the Assistant Director – Governance and Monitoring Officer which sought approval of the membership of a Joint Appointments Panel to make a recommendation to both Councils on the appointment of a new Chief Executive and sought a resolution to hold an Extraordinary Council meeting on 27 July 2015 to ratify the appointment.

In May 2015, both the Councils agreed to release the existing Joint Chief Executive on a date to be agreed with the Leaders of both Authorities and to carry out a procurement exercise to engage a suitable recruitment consultant to advise on the appointment of a replacement. A working group was set up consisting of members of both Councils to oversee the recruitment process.

The working group selected Gatenby Sanderson to assist the Alliance in their recruitment and following a recruitment campaign that included advertisements in local government media, national media and executive search, 21 applications for the post of Chief Executive were received.

The Working Group had since met on 23 June 2015 and longlisted six candidates. On 14 July the longlisted candidates would be interviewed by two serving local authority chief executives then the working group would meet to agree a final shortlist.

The report proposed that the existing working group members be joined by the two opposition group leaders at both Councils to form an eight member joint appointments panel who would undertake the final stage interviews and make a recommendation to extraordinary Council meetings at both authorities on 27 July 2015. The report to the extraordinary Council meeting may also deal with any outstanding issues arising from the departure of the current Chief Executive as well as a separate staffing matter.

**RESOLVED** – That:-

(1) North East Derbyshire District Council:-

- (a) Appoints Councillors N Barker, G Baxter MBE, B Hill and M Thacker to the Joint Appointments Panel for the purposes of recommending the appointment of a new Joint Chief Executive;
  - (b) Resolves to hold an Extraordinary Council Meeting on Monday 27 July 2015 at 10.00 am for the purposes of approving the appointment of a new Joint Chief Executive and dealing with any issues arising from the departure of the current Chief Executive and, if necessary, dealing with an outstanding staffing matter.
- (2) Power be delegated to the Assistant Director – Governance and Monitoring Officer to vary any of the arrangements in 6.1 and 6.2 if necessary.
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