

## **MINUTES OF COUNCIL MEETING HELD ON 3 JANUARY 2017**

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# **NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

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

**HELD ON 3 JANUARY 2017**

### **Present:**

Councillor S Peters ..... Chair  
Councillor Miss R Smith ..... Vice Chair

#### Councillor W Armitage

“ J Austen  
“ N Barker  
“ B Barnes  
“ G Baxter MBE  
“ L Blanshard  
“ S Boyle  
“ G Butler  
“ A Cooper  
“ S Cornwell  
“ C Cupit  
“ A Dale  
“ S Ellis  
“ Ms M Emmens  
“ M Foster  
“ A Garrett  
“ M Gordon  
“ R Hall  
“ D Hancock  
“ Mrs E A Hill  
“ J Hill  
“ Mrs P A Holmes

#### Councillor G Hopkinson

“ Mrs C D Huckerby  
“ C Hunt  
“ P R Kerry  
“ B Lewis  
“ J Lilley  
“ T Mansbridge  
“ G Morley  
“ A Powell  
“ T Reader  
“ B Rice  
“ B Ridgway  
“ Mrs J Ridgway  
“ D Skinner  
“ Mrs C A Smith  
“ L Stone  
“ M Thacker  
“ C Tite  
“ R Welton  
“ J Windle  
“ B Wright

### **383 Apologies for Absence**

Apologies for absence had been received from Councillors P Antcliff, J Barry, P Elliott, Mrs A Foster, H Laws, Mrs L Robinson, K Rouse and K Tait.

### **384 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.

There were no interests declared at this meeting.

**385 Minutes of the Council Meeting held on 31 October 2016**

RESOLVED – That the Minutes of the meeting of the Council held on 31 October 2016 be approved as a correct record and signed by the Chair.

**386 Chair's Announcements**

The Chair advised Council of a number of events that he had attended over recent weeks. Specifically he focused on the work he had undertaken to raise money for his chosen charity, Weston Park Cancer Charity, which included holding an auction, a New Year's Eve party and the sale of 2017 calendars, raising a total of £4,720 to date.

The Chair spoke of further fundraising ventures such as a sponsored abseil at Millers Dale Bridge on 11 March and a Row-a-thon being hosted at various sites across the District on 6 April 2017.

**387 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.

**388 Minutes of Meetings held between 25 October and 6 December 2016**

Council considered the following Minutes of meetings held between 25 October and 6 December 2016:-

	MEETING	DATE
(a)	Planning Committee	25 October 2016 – 10.00 am – Special 25 October 2016 – 2.00 pm 22 November 2016 – 10.00 am – Special 22 November 2016 – 2.00 pm
(b)	Cabinet	26 October 2016 23 November 2016
(c)	Licensing Sub-Committee (Taxis)	17 November 2016
(d)	Communities Scrutiny Committee	18 November 2016 28 November 2016 – Special
(e)	Audit & Corporate Governance Scrutiny Committee	24 November 2016
(f)	Growth Scrutiny Committee	1 December 2016
(g)	Joint Employment Committee	6 December 2016

**RESOLVED** – That the Minutes of the meetings held between 25 October and 6 December 2016 as set out above be noted.

**389 East Midlands Ambulance Service**

Council received a briefing from Martin Watts, Divisional Manager of Derbyshire on the role of East Midlands Ambulance Service (EMAS) and recent changes made to improve the service.

Staffing levels had increased as well as ongoing work to boost morale of existing staff through engagement and development of services and processes.

An informative chart was presented outlining the categorisation of 999 calls, the type of responses made, and the performance speed to which the service held itself to. Members questioned action around prioritisation of calls and types of responses made (first responders/paramedics) to gain assurance for their constituents around the performance of the service.

EMAS updated on the high call levels received over the festive period which included a 92% increase on the previous year's figures for 999 requests made on New Year's Day. An extra 75 crews had been engaged in advance to mediate the high demand, however, delays at hospitals across the area had an effect on availability to respond to new emergencies. These delays were questioned in detail by Members to gain understanding in to the hand over practices and timescales at each hospital, and EMAS were keen to work with Chesterfield Hospital in particular to reduce waiting times in order to free paramedics to make further responses.

Council heard information around the 'Blue Light Collaboration' – an initiative to use emergency resources more effectively. The Fire Service had undertaken First Responder training in order to provide quick response life saving treatment in situations where they could attend more readily than an ambulance. These responses would always be backed up by a paramedic service, but would reduce the response time to time-critical medical emergencies. This initiative would shortly be implemented at 4 Fire Stations within North East Derbyshire.

**RESOLVED** – That the presentation from East Midlands Ambulance Service be noted.

**390 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.

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

- (a) It was moved by Councillor A Dale and duly seconded by Councillor M Thacker.

*That this Council:-*

- (1) Strongly supports the principle of neighbourhood planning, which empowers local people in the planning process and gives them greater say over the future of their communities.*
- (2) Acknowledges the countless hours of hard work being put in by local people to produce neighbourhood plans in several of our parishes.*
- (3) Encourages more communities in North East Derbyshire to consider developing neighbourhood plans, in order to ensure our planning policies and decisions properly reflect the wants and needs of the people we represent.*
- (4) Endeavours to give as much weight as is possible under national planning guidance to emerging neighbourhood plans when making planning decisions.*

Council considered the motion as put at the meeting and echoed Councillor Dale's gratitude to the communities of the District in the development of Neighbourhood Plans and encouragement to pursue adoption by the public through the referendum process.

Section 4 of Councillor Dale's motion was discussed in detail in relation to applications automatically referred to the Secretary of State (SOS).

The weight given to Neighbourhood Plans at different states in their completion was questioned in relation to planning applications automatically referred and the steps that could be taken in future by Local Authorities to ensure due consideration.

A Member made particular reference to a recent application within the ward of Ashover and inferred that the absence of a Local Plan in this instance had been the basis for the decision, and not the disregard for the partially completed Neighbourhood Plan for that area.

A motion was moved by Councillor Gordon, seconded by Councillor Austen, to adjourn the debate to the following meeting of Council on 20 February 2017 in order to:-

- undertake further work to look at how the decision was made on the specific application referred to;
- review that specific decision; and
- gain a better understanding of the steps that could be taken to encourage greater consideration is given to Neighbourhood Plans (in

various states of completion) in any similar cases referred to the Secretary of State.

On the procedural motion being put to the vote 30 Members voted for, 15 against, and there were no abstentions.

**RESOLVED** – That the debate be adjourned to the following meeting of Council on 20 February 2017.

- (b) It was moved by Councillor D Skinner and duly seconded by Councillor J Lilley.

*“North East Derbyshire District Council is appalled by the Home Secretary’s decision not to hold an inquiry into the policing of picket lines at the Orgreave Coking Plant on 18 June 1984, and considers her rejection on 31 October 2016 in Parliament of such an inquiry a grave injustice. The Home Secretary’s ruling that there will be no inquiry or an independent review into what happened on that date shows total contempt for the many former miners, their families and communities in our area who have waited patiently for decades for the truth, especially for those who were present at Orgreave.*

*North East Derbyshire District Council notes the widespread examples of pickets being beaten unconscious by police officers, with 95 miners – including many from Derbyshire – who were arrested and charged with riot offences but who were later acquitted amid claims that South Yorkshire Police had fabricated evidence.*

*This Council also notes that even the Independent Police Complaints Commission’s redacted report, released June 2015, said there was “evidence of excessive violence by police officers, a false narrative from police exaggerating violence by miners, perjury by officers giving evidence to prosecute the arrested men, and an apparent cover-up of that perjury by senior officers”.*

*In light of such statements North East Derbyshire District Council is astonished that the Home Secretary should conclude that there are few lessons to be learned by the current police forces from any review of these events, and that because no one died, because there was no miscarriage of justice, and because there were no convictions that, therefore, there will be no inquiry. This Council would also like to place on record its support for the Orgreave Truth and Justice Campaign and its decision to continue to fight for transparency and for a full public inquiry, and vows to do everything in its power to help achieve that goal.*

*North East Derbyshire District Council therefore calls on the Home Secretary, Amber Rudd MP, to review her decision and recognise the impact it has had on many of our residents who feel they have been denied justice as a result of her statement”.*

Council considered the motion as put, with some Members recalling their own personal experiences on the day in question at the picket line at the Orgreave Coking Plant. Feelings were expressed around injustice and previously disregarded knock-on effects.

Whilst the Home Secretary had deemed that few lessons would be learned from an inquiry the majority of Members present disagreed.

Views were expressed by some Members that the inquiry could have been considered by the former Government, and that dedicating sufficient resources to undertake a review of an event that took place 30 years previously may have little benefit for the cost to today's taxpayer. A cost for an inquiry could not be approximated, however, figures of previous inquiries were raised and summations made as to where the costs may have been better allocated. Further, it was questioned as to why an inquiry should be made in to Orgreave specifically.

Overall Members felt that the truth and the results of an inquiry were paramount.

**RESOLVED** – That:-

*“North East Derbyshire District Council is appalled by the Home Secretary’s decision not to hold an inquiry into the policing of picket lines at the Orgreave Coking Plant on 18 June 1984, and considers her rejection on 31 October 2016 in Parliament of such an inquiry a grave injustice. The Home Secretary’s ruling that there will be no inquiry or an independent review into what happened on that date shows total contempt for the many former miners, their families and communities in our area who have waited patiently for decades for the truth, especially for those who were present at Orgreave.*

*North East Derbyshire District Council notes the widespread examples of pickets being beaten unconscious by police officers, with 95 miners – including many from Derbyshire – who were arrested and charged with riot offences but who were later acquitted amid claims that South Yorkshire Police had fabricated evidence.*

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*In light of such statements North East Derbyshire District Council is astonished that the Home Secretary should conclude that there are few lessons to be learned by the current police forces from any review of these events, and that because no one died, because there was no miscarriage of justice, and because there were no convictions that, therefore, there will be no inquiry. This Council would also like to place on record its support for the Orgreave Truth and Justice Campaign and its decision to continue to fight for*

*transparency and for a full public inquiry, and vows to do everything in its power to help achieve that goal.*

*North East Derbyshire District Council therefore calls on the Home Secretary, Amber Rudd MP, to review her decision and recognise the impact it has had on many of our residents who feel they have been denied justice as a result of her statement”.*

**392    Disposal of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth**

Council considered a report of the Assistant Director – Governance and Solicitor to the Council & Monitoring Officer, which sought approval to apply to the Secretary of State to dispose of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth.

The Council may dispose of housing properties without specific consent of the Secretary of State with the condition that the purchaser would use the property as their principal home. Understanding that the properties in question required considerable investment to bring them to a lettable standard, Cabinet concluded at their meeting on 3 August 2016 that the sites would produce a better return if sold on the open market and would attract potential developers, bringing work opportunities and new homes in to the District.

In accordance with the legislation and the Constitution, Cabinet’s recommendation was put to Council for their approval.

**RESOLVED** – That Council authorise the making of an application to the Secretary of State for the Communities and Local Government under Section 32 of the Housing Act 1985 for the disposal of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth, to a purchaser who does not intend to use the properties as his/her only principal home.

**393    Dronfield and Killamarsh Regeneration Frameworks**

Council considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment, which provided an update on the production of Regeneration Frameworks for Dronfield and Killamarsh Town Centres and recommended adoption of the Frameworks.

The Council’s Housing and Economic Development Strategy pledged to develop Regeneration Frameworks for each town centre within the District, of which both Eckington and Clay Cross had been completed. The adoption of the frameworks for Killamarsh and Dronfield would complete this action. It was noted that an intensive consultation exercise had been undertaken for both towns through social media, drop in events and engagement with local community groups. The effectiveness of the consultation was questioned by Members and those Councillors who had partaken felt that communities’ voices had been heard.



The report detailed the findings of the feedback received, including challenges and opportunities for each town along with a number of interventions for delivery

**RESOLVED** – That Council adopts the Dronfield and Killamarsh Regeneration Frameworks.

**394 Annual Audit Letter 2015/16**

Council considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration on the Annual Audit Letter in respect of 2015/16 which had been prepared by KPMG.

The Annual Audit Letter concluded that an unqualified opinion had been received on the Authority's arrangements to secure value for money, as well as an unqualified opinion on the Authorities Financial Statements. Further, the Council's Annual Governance Statement was consistent with the External Auditors understanding.

**RESOLVED** – That Council notes the Annual Audit Letter 2015/16 from its external auditors, KPMG.

**395 Local Council Tax Support Scheme**

Council considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which recommended that this Council agree to continue the current Local Council Tax Support Scheme into the 2017/18 financial year.

North East Derbyshire District Council implemented a Local Council Tax Support Scheme in 2013 in response to Central Government's initiative to replace the national Council Tax Benefit Scheme with a localised system. The report detailed the main features of the scheme and proposed to continue the existing arrangements for the forthcoming financial year.

**RESOLVED** – That Council:-

- (1) Agrees to continue to operate a local Council Tax Support Scheme for 2017/18 based on the Council Tax Reduction Scheme England Regulations 2012 amended to reflect the following local decisions concerning the key principles of the Scheme:-
  - For those of working age the maximum amount of Council Tax that will be eligible for reduction is 91.5% of their full Council Tax (approximately £95 for a Band A property).
  - The Council continues its policy of disregarding war pensions for the purposes of calculating income in respect of Council Tax Reduction Scheme at a total estimated cost of £20k.

- (2) Notes that in line with the position set out in this report that the Chief Financial Officer will utilise previously granted delegated powers to update the Local Council Tax Scheme to reflect such upratings of premiums, allowances and non dependent deductions as may be determined by the Department of Works and Pensions, and for other minor technical changes which may be required.
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