

## **COUNCIL**

### **MINUTES OF MEETING HELD ON MONDAY, 8 JULY 2019**

#### **Present:**

Councillor Pat Antcliff (Vice-Chair)

Councillor Pat Kerry	Councillor Heather Liggett
Councillor Nigel Barker	Councillor Jayne Barry
Councillor William Armitage	Councillor Kevin Bone
Councillor Patricia Bone	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Charlotte Cupit
Councillor Alex Dale	Councillor Lilian Deighton
Councillor Peter Elliott	Councillor Angelique Foster
Councillor Mark Foster	Councillor John Funnell
Councillor Roger Hall	Councillor David Hancock
Councillor Bette Hill	Councillor Ann Holmes
Councillor Anthony Hutchinson	Councillor Maggie Jones
Councillor Jeremy Kenyon	Councillor Suzy Cornwell
Councillor Barry Lewis	Councillor Joseph Birkin
Councillor Gerry Morley	Councillor Stephen Pickering
Councillor Maureen Potts	Councillor Alan Powell
Councillor Tracy Reader	Councillor Oscar Gomez Reaney
Councillor Carolyn Renwick	Councillor Jacqueline Ridgway
Councillor Michael Roe	Councillor Kathy Rouse
Councillor Diana Ruff	Councillor Ross Shipman
Councillor Kevin Tait	Councillor Martin E Thacker MBE JP
Councillor Richard Welton	Councillor Nick Whitehead
Councillor Pam Windley	Councillor Brian Wright
Councillor Philip Wright	

#### **Also Present:**

N Calver	Governance Manager
J Dethick	Head of Finance and Resources
K Hanson	Joint Strategic Director - Place
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer

#### **86 Apologies for Absence**

Apologies for absence had been received from Councillors M Emmens, L Hartshorne, C D Huckerby, C Hunt, J Lilley and P Parkin.

#### **87 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 declarations of interest made at this meeting.

**88**      **Minutes of Last Meeting**

RESOLVED – That the Minutes of the meeting of the Annual Council held on 20 May 2019 be approved as a correct record and signed by the Chair.

**89**      **Chair's Announcements (if any)**

The Vice Chair of the Council announced that the Chair of Council was unable to be present at the meeting as she was recovering from a broken leg. All Members present sent their best wishes for a speedy recovery.

The Vice Chair further announced that on behalf of the Chair she had attended an inaugural meeting at County Hall with the Chair of Derbyshire County Council and the Buxton Military Tattoo.

As the former Chair had been unable to attend the previous meeting of Council the Vice Chair took the opportunity to present Councillor J Ridgway with a book commemorating some of her memories from her year in office. She also expressed her thanks to Councillor J Ridgway for the good work and charity fund raising she had undertaken over the previous 12 months.

**90**      **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. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions from the public had been submitted.

**91**      **To answer any questions from Members asked 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.

Two questions had been submitted by Members under Procedure Rule 9.2 for this meeting.

- (a)      Question submitted by Cllr Tracy Reader to Cllr Martin Thacker MBE, Leader of the Council:-

*"In times of austerity and Council budgets being squeezed can the Leader of the Council tell us how much it is costing the Council to rebrand and to also redecorate the Council corridors"?*

Councillor T Reader was invited to ask her question of Councillor M E Thacker MBE as set out in the agenda for the meeting.

In responding to the question Councillor M E Thacker MBE advised that redecoration had taken place to areas of the Mill Lane building in accordance with the programme of repairs and maintenance of the building agreed and designated by the previous Administration. This was at a cost of £500.

Councillor M E Thacker MBE clarified that the Council had not be re-branded. Under the Labour Administration re-brand away from using the Council's Coat of Arms had incurred significant cost and also removed links to the Council's heritage. In re-adopting the branding of the Council using the Coat of Arms the Conservative Administration had restored the civic identity of the Council as established during re-organisation in the 1970s. Councillor M E Thacker MBE confirmed that a large Coat of Arms, that had been mounted at the previous Council building located at Saltergate, Chesterfield, had been abandoned during the move to Mill Lane in Wingerworth. This Coat of Arms had now been re-located to the Council building at a cost of £1,400. Re-adoption of the previous branding was taking place within existing resources and budgets.

#### SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question of the Leader of the Council, Councillor T Reader queried whether the Leader considered the work undertaken to-date was value for money.

In his response the Leader of the Council expressed his view that the expenditure made to move the Coat of Arms to Mill Lane was a cost of rectifying a mistake made by the previous Administration.

(b) Question submitted by Cllr Nigel Barker to Cllr Charlotte Cupit, Portfolio Holder for Environment:-

*"Given that the Local Plan process has been paused, what assurances can you give to the residents of North East Derbyshire that this will not lead to more opportunistic development in the District"?*

Councillor N Barker was invited to ask his question to Councillor C Cupit as the Portfolio Holder for Environment.

Councillor C Cupit in responding to his question advised that the pause in the Local Plan process would allow Members and Officers to take stock of the implications of the areas within the Plan that the Administration were unhappy with and Council would be advised in due course of the next steps to be taken.

In regard to opportunistic development within the District, Councillor C Cupit advised that inappropriate developments had been sanctioned under the previous Administration and pausing the Local Plan was an opportunity to resolve this.

#### SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of Councillor C Cupit, Councillor N Barker made note to the diminishing weight that could be given to local plans in regard to planning cases caused by the pause in the Local Plan process. In her response Councillor C Cupit placed responsibility on the Labour

Administration for the failure to put in place an adequate Local Plan for a number of years.

## 92 **To consider any Motions from Members under Procedure Rule No 10**

In accordance with Council Procedure Rule No 10 to consider Motions on Notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

### (a) Motion proposed by Councillor R Shipman and seconded by Councillor D Hancock

*“Council notes:-*

- *That the impacts of climate breakdown are already causing serious damage around the world.*
- *That the ‘Special Report on Global Warming of 1.5°C’, published by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise, and (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.*
- *That all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies.*
- *That strong policies to cut emissions also have associated health, wellbeing and economic benefits.*
- *That, recognising this, a growing number of UK local authorities have already passed ‘Climate Emergency’ motions.*

*Council therefore resolves to:-*

- *Declare a ‘Climate Emergency’ that requires urgent action.*
- *Make the Council’s activities net-zero carbon by 2030.*
- *Achieve 100% clean energy across the Council’s full range of functions by 2030.*
- *Make use of the newly announced grant scheme administered by the Forestry Commission; which can fund the implementation of a tree planting scheme to help reduce air pollution and carbon emissions across North East Derbyshire.*
- *Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.*

- *Support and work with all other relevant agencies towards making the entire area zero carbon within the same timescale.*
- *Ensure that political and Chief Officer leadership teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline.*
- *Request that Council Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies.*
- *Work with, influence and inspire partners across the District, County and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops.*
- *Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future.*
- *Request that the Executive Portfolio Holder with responsibility for Climate Change convenes a Citizens' Assembly in 2019 in order to involve the wider population in this process. This Group would help develop their own role, identify how the Council's activities might be made net-zero carbon by 2030, consider the latest climate science and expert advice on solutions and to consider systematically the climate change impact of each area of the Council's activities.*
- *Set up a Climate Change Partnership Group, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, Citizens Assembly representatives and other relevant parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2030. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.*
- *Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio.*
- *Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the Council will take to address this emergency.*

- *Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise.*

*Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty, proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, co-ordinating a series of information and training events to raise awareness and share good practice”.*

In presenting his motion to Council, Councillor R Shipman advised that he had contacted every member of the Council two months previous with details of the motion to be put today. He advised that two weeks in advance of the meeting the Leader had requested a discussion, during which, an agreement on the content of the motion could not be found. Therefore there were two motions on the agenda for consideration that contained similar principles but with some significant differences.

In particular, he made note of the second motion promoting gas fire boilers which he did not consider reflective of a motion promoting renewable energy. In addition Councillor R Shipman’s motion promoted a shift to zero carbon by 2030 whilst the second motion put forward aimed to reduce carbon emissions by 80%.

The Liberal Democrat motion put forward promoting recycling, planting trees and wild flower gardens and inspired ideas to help deliver an ambitious target.

In seconding the motion Councillor D Hancock advised that whilst 2030 was only a short time away it would be the starting point to move swiftly forward on this agenda.

Councillor T Reader offered an amendment to the motion as follows:-

#### **AMENDMENT**

“That Council notes:-

- ***THE CONTENT OF THE COMMITTEE ON CLIMATE CHANGES REPORT INTO THE NECESSARY INCREASE IN TREE PLANTATION REQUIRED TO ACHIEVE NET ZERO CARBON EMISSIONS BY 2050.***
- ***THAT CLIMATE CHANGE IS AN ISSUE WHICH TRANSCENDS PARTY POLITICS AND REQUIRES EVERYONE TO WORK TOGETHER.***

The Council resolves to:-

- ***REPLACE SEASONAL PLANTING IN MAINTAINED PUBLIC SPACE AREAS WITH EVERGREEN PLANTING, INCLUDING WILDLIFE/POLLINATING/SEASONAL AND PERENNIAL FLOWERING PLANTS.***

- **ADOPT THE COMMITTEE ON CLIMATE CHANGES MINIMUM PLANTATION COVERAGE OF 17% INTO THE LOCAL PLAN AS A MINIMUM PUBLIC OPEN SPACE PLANTATION REQUIREMENT FOR ALL HOUSING ALLOCATION DEVELOPMENTS.**
- **FORM AN ALL PARTY SCRUTINY COMMITTEE TO MONITOR, TO PROPOSE NEW INITIATIVES, AND TO WORK WITH MEMBERS OF THE PUBLIC, THIRD PARTY ORGANISATIONS AND CLIMATE SPECIALISTS TO ENSURE THAT THE COUNCIL DELIVERS AGAINST ITS TARGETS.**

In seconding the amendment, Councillor N Barker advised that the Labour Group believed these were actions needed and pledged their support for the Climate Change Action Plan.

Councillor C Cupit spoke to compare both motions put before the meeting, advising that the principles within and the sentiment was applaudable, however, the first motion itself was considered too broad with the second motion focusing on North East Derbyshire directly advising on how it would realistically be achieved and monitored.

The second motion tied in with national and regional priorities and there was a clear action plan devised (as set out later in the agenda) on how this would be delivered.

In speaking on the amendment Councillor D Hancock advised that no motion put could have a full delivery plan worked out and he supported the amendment put and the timescales set out in Councillor R Shipman's motion.

Councillor J Kenyon supported the premise of the motion put and the amendment, including declaring a climate emergency. However, in regard to the targets set within he advised that should the Council set a zero target it would need to employ carbon off-setting methods such as tree planting, however, this did not necessarily promote reducing emissions as in theory all could be off-set through mitigating methods. Within the second motion targets had been set for reduction which was deemed to be more effective in the long run.

*At this point Councillor J Barry left the meeting.*

In supporting Councillor J Kenyon's points, Councillor A Dale advised that the Conservative Group, whilst they supported the sentiments within Councillor R Shipman's motion, could not in all good faith agree to targets that could not be achieved. Further, Councillor B Lewis advised that setting 2050 targets would ensure that the Authority would align with resources that would be made available from Central Government to deliver against targets.

Members discussed the reasoning why an agreement on one single motion had not arrived prior to the meeting and after a lengthy debate it was noted that agreement could not be found between the political groups on this matter.

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors N Barker, J Barry (prior to her departure) and T Reader.

For the amendment – 16

(Councillors N Barker, J Birkin, S Cornwell, D Hancock, E A Hill, P Holmes, M Jones, P R Kerry, G Morley, S Pickering, T Reader, J Ridgway, K Rouse, R Shipman, P Windley and B Wright)

Against the amendment – 1

(Councillors W Armitage)

Abstentions – 28

(Councillors P Antcliff, K Bone, P Bone, S Clough, A Cooper, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, J Funnell, O Gomez-Reaney, R Hall, A Hutchinson, J Kenyon, B Lewis, H Liggett, M Potts, A Powell, C Renwick, M Roe, D Ruff, K Tait, M Thacker MBE, R Welton, N Whitehead and P Wright).

The amendment was CARRIED.

The amendment was duly agreed as the substantive Motion, and, in accordance with Council Procedure Rule 14.4 a recorded vote on the substantive motion was requested by Councillors E A Hill, T Reader and N Barker.

For the Motion – 16

(Councillors N Barker, J Birkin, S Cornwell, D Hancock, E A Hill, P Holmes, M Jones, P R Kerry, G Morley, S Pickering, T Reader, J Ridgway, K Rouse, R Shipman, P Windley and B Wright)

Against the motion – 27

(Councillors P Antcliff, W Armitage, K Bone, P Bone, S Cough, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, O Gomez-Reaney, R Hall, A Hutchinson, J Kenyon, B Lewis, H Liggett, M Potts, A Powell, C Renwick, M Roe, D Ruff, K Tait, M Thacker MBE, R Welton, N Whitehead and P Wright)

Absentions – 2

(Councillors A Cooper and J Funnell)

The motion was **DEFEATED**.

(b) Motion proposed by Councillor C Cupit:-

*“This Council notes that climate change is one of the biggest threats facing our world and recognises that changing human behaviour to confront the danger to our planet and secure a sustainable, healthy and prosperous environment for us and for future generations to continue to enjoy. To confirm our commitment to this challenge, this Council declares a climate and ecological emergency.*

*In recognising this urgency for change and to lead the way with positive action for the transformation of our District and wider area, this Council therefore resolves to:-*

- *Adopt a Climate Change Action Strategy with immediate effect that*



*includes action planning.*

- *Adopt all targets set out in the Council Climate Change Action Plan and achieve at least an 80% reduction in our carbon emissions by 2030.*
- *Implement a monitoring system and reporting mechanisms as set out in the Climate Change Plan, and establish a Climate Change Council Sub-Group of cross-party membership (chaired by the Council's Climate Change Portfolio Holder), which will also consider all necessary future actions as required.*
- *Promote and embed sustainable and energy efficient practices, buildings, workplaces and transport across our organisation and services with the target of 100% clean energy by 2030.*
- *Continue to harness our Streetscene Teams and planning processes to protect and enhance our natural environment, stimulate biodiversity and nurture our wildlife and pollinators.*
- *Introduce a communication strategy, organise community action events, establish 'Climate Change Schools' conferences, and work with our partners, businesses, schools, communities and other Councils to promote behavioural change, and develop new ideas and co-ordinated responses to climate change and plastic pollution.*

*In accepting the above initial steps, this Council also endorses the ongoing close review of, and a dynamic approach to, our climate change strategy to capitalise on new opportunities and technologies, and thereby continue to influence and inspire positive change in the local and wider areas”.*

In putting forward her motion on the Climate Change Emergency Councillor C Cupit announced that she was presenting her motion alongside the Climate Change Action Plan to agree evidence based solutions to the pressing issues on climate change along with setting achievable targets.

She advised that both the action plan and the motion was a starting point which would require continual review and building on achieved targets. The plan itself would be open to development of renewable energy and a pledge for the Council to work with partners and stakeholders to champion issues such as eco homes. It was clear that a behavior change was required for the Council and for the District as a whole in order to achieve the targets set.

Councillor C Cupit wanted the Council to recognise the impact on biodiversity and the ecological impact of the use of carbon, including declines in species and ensuring that land was more sustainable. Education on this matter was imperative within schools as well as businesses, this Authority and the wider community.

In the seconding the Motion Councillor J Kenyon noted a lack of progress over the previous few years nationally on this matter. He felt that the Authority could lead the way with local businesses as well as looking internally.

Councillor N Barker spoke on behalf of the Labour Group to support the action plan associated with the Motion and applaud the work put into it. He expressed the wish to work cross party on its delivery.

Councillor D Hancock offered an amendment to the Motion at the second bullet point to state:-

#### AMENDMENT

*“Adopt all targets set out in the Council’s Climate Change Action Plan and achieve **100%** reduction in our carbon emissions by 2030”.*

Councillor M Thacker MBE seconded Councillor D Hancock’s amendment and also offered a further amendment, which was:-

#### FURTHER AMENDMENT

*“To adopt all targets set out in the Council’s Climate Change Action Plan and **AIM TO** achieve 100% reduction in our **NET** carbon emissions by 2030”.*

After the amendment to the amendment was duly seconded a recorded vote was taken where the amendment was AGREED.

Members discussed renewable energy sources such as water power and adding value to waste. Councillor J Ridgway requested for consideration to be given to a requirement for trees to be replanted when felled for planning reasons. Councillor P Windley also requested for provision to be made for the protection of hedgehogs.

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors Angelique Foster, O Gomez-Reaney and M Foster.

For the Motion – 45

(Councillors P Antcliff, W Armitage, N Barker, J Birkin, K Bone, P Bone, S Clough, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, J Funnell, O Gomez-Reaney, R Hall, D Hancock, E A Hill, P Holmes, A Hutchinson, M Jones, J Kenyon, P R Kerry, B Lewis, H Liggett, G Morley, S Pickering, M Potts, A Powell, T Reader, C Renwick, J Ridgway, M Roe, K Rouse, D Ruff, R Shipman, K Tait, M Thacker MBE, R Welton, N Whitehead, P Windley, B Wright and P Wright)

Against the Motion – 0

Abstentions – 0

The Motion was **CARRIED**.

RESOLVED – That Council:-

- *Adopt a Climate Change Action Strategy with immediate effect that includes action planning.*
  - *Adopt all targets set out in the Council Climate Change Action Plan and aim to achieve at least a 100% reduction in our carbon emissions by 2030.*
  - *Implement a monitoring system and reporting mechanisms as set out in the Climate Change Plan, and establish a Climate Change Council Sub-Group of cross-party membership (chaired by the Council's Climate Change Portfolio Holder), which will also consider all necessary future actions as required.*
  - *Promote and embed sustainable and energy efficient practices, buildings, workplaces and transport across our organisation and services with the target of 100% clean energy by 2030.*
  - *Continue to harness our Streetscene Teams and planning processes to protect and enhance our natural environment, stimulate biodiversity and nurture our wildlife and pollinators.*
  - *Introduce a communication strategy, organise community action events, establish 'Climate Change Schools' conferences, and work with our partners, businesses, schools, communities and other Councils to promote behavioural change, and develop new ideas and co-ordinated responses to climate change and plastic pollution.*
- (c) Motion proposed by Councillor D Hancock and seconded by Councillor P Windley:-

*"Council notes:-*

- *The content of Procedure Rules 8.3 and 9.6 – restricting the number of questions per elector and per elected Member to one (plus one supplementary question) per Council meeting.*
- *That, during the last two years, there have been only eight questions submitted under Procedure Rule 8 and seven questions submitted under Procedure Rule 9.*
- *That questions occasionally require a written response.*

*The Liberal Democrats believe that these restrictions are an unnecessary obstacle in regard to the transparency and accountability of the Council, and that the number of questions submitted historically does not present any legitimate logistical reason for imposing any restriction.*

*The Liberal Democrats also believe that all responses to public questions should be recorded in the public domain, whether the response is given verbally or in writing.*

*Council resolves to:-*

- *Delete Procedure Rules 8.3 and 9.6 from its Constitution and to publish all written responses to questions as appendices to the minutes of the meeting”.*

Councillor D Hancock proposed his Motion to Council stating that the restrictions within the Constitution were unnecessary. Councillor P Windley duly seconded the Motion.

Councillor A Dale expressed his sympathy with the aims of the motion and that, in tune with the recent pledges for greater openness within the Council’s democratic processes, he agreed that written responses should be evidenced within Minutes in order to give assurance to all that those responses had been issued within a timely manner.

In regard to questions to Council he felt that the proposed changes required further consideration. As questions at Council had a time limit imposed if all questions were allowed it may be that not all could be answered. This may not improve the openness and transparency the Council were hoping for. Other aspects such as order of questions needed more thought and therefore the following amendment was proposed:-

#### AMENDMENT

“Council resolves to:-

- **IMPLEMENT WITH IMMEDIATE EFFECT THE PUBLICATION OF** *all written responses to questions as appendices to the Minutes of the relevant meeting.*
- **CONSIDER THE DELETION** *of Procedure Rules 8.3 and 9.6 from its Constitution* **AND FOR THIS SUGGESTION TO BE REFERRED TO THE STANDARDS COMMITTEE FOR DISCUSSION AND EXPLORATION AS PART OF THE ONGOING REVIEW OF THE CONSTITUTION”.**

The amendment was duly seconded by Councillor A Foster and supported, in theory, by Councillor N Barker on behalf of the Labour Group. Councillor D Hancock also understood the logic behind the amendment put and gave his support.

On being put to the vote the amendment was agreed as the substantive Motion and a further vote concluded that the Motion be **CARRIED**.

#### RESOLVED:-

- (1) That the publication of all written responses to questions as appendices to the Minutes of the relevant meeting be implemented with immediate effect.
- (2) Consideration of deletion of Procedure Rules 8.3 and 9.6 from the Constitution to be referred to the Standards Committee for discussion and exploration.

(d) Motion proposed by Councillor P Windley to Councillor C Cupit, Portfolio Holder for Environment & Climate Change

*“Council notes:-*

- *Public concerns regarding the frequency of fly-tipping reports around the District.*
- *The provisions within The Control of Waste Regulations 2015 permitting the seizure, and the right for Local Authorities to apply to the Court for the destruction of any vehicle involved in fly-tipping.*

*Council believes, based on the effectiveness of this enforcement in other parts of the country that adopting such stringent measures would have a positive effect in North East Derbyshire.*

*Council resolves to enforce the penalty provisions within the remit of The Control of Waste Regulations 2015 to their maximum extent in order as a deterrent to prospective fly-tippers in order to ultimately reduce the Council’s cost of clearing up after such incidents”.*

Councillor P Windley put her Motion to Council which was duly seconded by Councillor R Shipman. Councillor A Dale expressed his support for the Motion and advised that he had been a long term advocate for serious action in relation to fly tipping. He did, however, raise some issues to give consideration to such as the rights of appeal, storage of vehicles, partnership working with the police and the environmental impact. He therefore made a proposal for amendments to the Motion as follows:-

AMENDMENT

*“That Council notes:-*

- *Public concerns regarding the frequency of fly tipping reports around the District **AND THE UNACCEPTABLE LACK OF ADEQUATE LACK OF ENFORCEMENT IN RECENT YEARS.***
- *The provisions within the Control of Waste Regulations 2015 permitting the seizure and the right of local authorities to apply to the Court for the destruction of any vehicle involved in fly tipping.*

*Council believes, based on the effectiveness of this enforcement in other parts of the Country that adopting such stringent measures **COULD** have a positive effect in North East Derbyshire.*

*Council resolves to **EXPLORE THE PRACTICAL IMPLICATIONS OF HOW IT COULD** enforce the penalty provisions within the remit of the Control of Waste Regulations 2015 to their maximum extent in order as a deterrent to prospective fly tippers in order to ultimately reduce the Council’s cost of clearing up after such incidents.*

***THIS WILL BE CONSIDERED AS PART OF A WIDER REVIEW OF ENFORCEMENT WHICH HAS ALREADY COMMENCED UNDER THE NEW ADMINISTRATION. THE REVIEW WILL ALSO CONSIDER THE MANY WAYS IN WHICH THE COUNCIL CAN PROACTIVELY DETER FLY TIPPING, INCLUDING THE USE OF OTHER PENALTY MEASURES, IMPROVED SURVEILLANCE, PUBLICITY AND COMMUNICATIONS, EDUCATIONAL CAMPAIGNS AND BETTER PARTNERSHIP WORKING”.***

The amendments put were duly seconded by Councillor C Cupit.

On responding to the amendment Councillor N Barker advised the previous administration did take fly tipping seriously and advised that the fly tipping incidents within the District were less than in other local areas. He did highlight the cost to action increased control over fly tipping which would need to be evaluated against the reward for taking such measures.

Councillor D Hancock, in responding to the amendments, agreed with all amendments bar those set out in the third paragraph. He requested for Councillor A Dale to withdraw that amendment, which was declined.

On being put to the vote the amendment was agreed as the substantive motion and a further vote concluded that the motion be carried.

**RESOLVED:-**

- (1) It be noted that there is concern within the public regarding the frequency of fly tipping reports around the District and the unacceptable lack of adequate enforcement action in recent years.
- (2) That the provisions within the Control of Waste Regulations 2015 be noted.
- (3) The practical implications be explored of how the authority can enforce the penalty provisions within the remit of Control of Waste Regulations 2015 to their maximum extent.
- (4) That this be considered as part of a wider review of enforcement that has already commenced and which would include the many other ways in which the Council could proactively deter fly tipping, including the use of other penalty measures, improved surveillance, publicity and communications, educational campaigns and better partnership working.

**93 Climate Change Action Plan 2019-30**

Council considered a report of Councillor C Cupit, Portfolio Holder for Environment, which sought approval of the proposed Climate Change Action Plan 2019-30, which formed part of the Council's Transformation Programme.

As outlined earlier in the meeting the ambition of the Plan was to achieve 80% carbon reduction measured against our 2014 base line by 2030. This target, whilst ambitious, was realistic given the challenges and the Authority's

capabilities. With this in mind, the action plan and targets within would be reviewed regularly with a comprehensive review undertaken annually for the lifetime of the Plan. The Plan would change and flex as new opportunities arose which may support, and most likely further, the ambition for carbon reduction.

The Leader of the Council, Councillor M Thacker MBE, thanked officers for their excellent work on developing the Plan which had great potential and tied in with not only the Conservative manifesto but agreed targets at a County, regional and national level. He further wished to offer his thanks to the Partnerships Co-ordinator for his work on projects associated with this.

Councillor T Reader echoed positive comments about the report and for the officer time dedicated to developing it, as well as their guidance under the previous Administration.

RESOLVED – That proposed Climate Change Action Plan 2019-30 be adopted.

**94 Scrutiny Annual Report 2018/19**

Council considered the Annual Report submitted by the Overview and Scrutiny Committees which provided examples of the work undertaken during the previous municipal year, the current Scrutiny Reviews that were underway, and the plan for the forthcoming year.

RESOLVED – That the Overview and Scrutiny Annual Report be accepted.

**95 Pay Policy Statement 2019/20**

Council considered a report of Councillor A Dale, Deputy Leader and Portfolio Holder for Council Services, which asked Council to consider and approve for publication the draft Pay Policy Statement attached as Appendix 1 to the report.

Members noted that the Pay Policy Statement for the Council had now been reviewed and updated for 2019/20 and included the application of the recently approved pay award, agreed nationally for 2019/20.

RESOLVED – That the Pay Policy Statement 2018/19 attached as Appendix 1 to the report be approved.