

## **COUNCIL**

### **MINUTES OF MEETING HELD ON MONDAY, 29 JANUARY 2024**

#### **Present:**

Councillor Martin E Thacker MBE JP (Chair) (in the Chair)  
Councillor Gerry Morley (Vice-Chair)

Councillor Frank Adlington-Stringer	Councillor Neil Baker
Councillor Nigel Barker	Councillor Jayne Barry
Councillor Graham Baxter MBE	Councillor Richard Beech
Councillor Joseph Birkin	Councillor David Cheetham
Councillor Kathy Clegg	Councillor Stephen Clough
Councillor Andrew Cooper	Councillor Suzy Cornwell
Councillor Charlotte Cupit	Councillor Alex Dale
Councillor Lilian Deighton	Councillor Michael Durrant
Councillor Peter Elliott	Councillor Clive Fletcher
Councillor Mark Foster	Councillor Christine Gare
Councillor Kevin Gillott	Councillor David Hancock
Councillor Lee Hartshorne	Councillor Daniel Higgon
Councillor Pam Jones	Councillor William Jones
Councillor Pat Kerry	Councillor Carol Lacey
Councillor Tony Lacey	Councillor Heather Liggett
Councillor Nicki Morley	Councillor Fran Petersen
Councillor Stephen Pickering	Councillor Stephen Reed
Councillor Michael Roe	Councillor Kathy Rouse
Councillor Ross Shipman	Councillor Derrick Skinner
Councillor Caroline Smith	Councillor Christine Smith
Councillor Mick Smith	Councillor Richard Spooner
Councillor Lee Stone	Councillor Kevin Tait
Councillor Richard Welton	Councillor Helen Wetherall
Councillor Pam Windley	

#### **Also Present:**

A Bond	Governance Officer
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources & (Section 151 Officer)
L Hickin	Managing Director - Head of Paid Service
A Maher	Governance Manager
S Sternberg	Assistant Director of Governance and Monitoring Officer
M E Derbyshire	Members ICT & Training Officer

#### **COU Apologies for Absence**

/64/2

**3-24** Apologies for absence were received from Councillors S Fawcett, M Emmens, C Renwick and P Antcliff.

#### **COU Declarations of Interest**

/65/2

**3-24** Councillors M E Thacker MBE, K Clegg, K Gillott and G Morley declared an

interest in Item 7: Medium Term Financial Plan 2023-24 – 2027/28 as Members of the Rykneld Homes Ltd Board. They indicated that they would leave the meeting during the discussion and would not participate in Council's consideration or determination on this aspect of the Item.

Councillors S Pickering, D Skinner, C Lacey, T Lacey and P Windley declared an interest in Item 7: Medium Term Financial Plan 2023-24 – 2027/28 as tenants of Rykneld Homes Ltd. They indicated that they would participate in Council's consideration and determination on this aspect of the Item.

Councillors K Gillott, C Cupit and A Dale declared an interest in Item 14: Derby and Derbyshire Strategic Leadership Board as Members of Derbyshire County Council.

Councillor C Cupit declared an interest in Item 11 Motion A as the Derbyshire County Council Cabinet Member for Highways. She indicated that she would remain in the meeting but would not participate in Council's consideration or determination on this aspect of the Item.

**COU** **Minutes of the Last Meeting**

**/66/2**

**3-24**

Council considered the Minutes of the last meeting of Council on Monday, 27 November 2023.

RESOLVED – That the Minutes of the meeting held on Monday, 27 November 2023 were approved as a true and accurate record.

**COU** **Chairman of the Council's Announcements**

**/67/2**

**3-24**

The Chairman of the Council, Councillor M E Thacker MBE, congratulated Diane Jeffrey the former High Sheriff and Chair of the Derbyshire Armed Forces Covenant meetings and Millie Bright, the Chelsea football player who was part of the team that won the European Championships in 2022 and who captained the England team to the final of the recent World Cup, on their inclusion on the New Years Honours list. Diane Jeffrey was made a Dame and Millie Bright received an OBE.

The Chairman of the Council informed Members on his activities throughout the past month. These included his attendance at Old Brampton Church to mark the centenary of the villages church bells which can be read about in the Ringing World publication. Members heard that the Chairman had also attended the annual dinner of the Chesterfield and North East Derbyshire Deaf Association. He encouraged the Council to continue its positive work in supporting deaf people within the District.

The Chairman gave thanks to those Members that had attended the Burns Night event and asked that Members keep a look out for any upcoming events.

RESOLVED – That Council noted the announcements of the Chairman of the Council, Councillor M E Thacker MBE (by acclamation).

**COU** **Leader of the Council's Announcements**

**/68/2**

**3-24**

The Leader of the Council, Councillor N Barker, expressed his support for the work completed by the Chesterfield and North East Derbyshire Deaf Association and offered his congratulations to Diane Jeffrey and Millie Bright.

The Leader wished Members a happy, safe and prosperous year. He expressed his belief that it would be an exciting and challenging year for the Council. He explained that the Council's finances were healthier than some other authorities, which would be further outlined later in the meeting.

Councillor N Barker outlined a number of challenges that the Council would be facing moving forward. These included the possible effects of Derbyshire County Council's budgetary cuts, and the proposed changes to the waste collection service such as the possible requirement to collect food waste on a weekly basis.

Members heard that proposals were being developed for a new depot to replace the site at Eckington. The Leader was exploring the possibility of establishing a cross-party initiative in order to help with this project as a development on this scale that was so fundamental to Council services should not be politically contentious.

The Leader gave thanks to Opposition Groups for their participation in the Senior Management Review.

Council heard that work continued on the Council's pledge to build or acquire more social housing and to continue to modernise and insulate the current housing stock. The schemes at Stonebroom and Wingfield were progressing well.

The Leader emphasised that housing providers, including RHL, were facing increased scrutiny as they complied with the new regulatory regime and that this could impact service delivery.

Councillor N Barker updated Members on the results from the employee survey that had taken place. They heard that there had been a response rate of 61% and that 75% of responders had felt part of a team and a further 94% understood how their work contributed to the Council's success overall. The Leader gave his thanks to all those who had taken part in the survey and thanked all members of staff for their contribution to the Council.

RESOLVED – That Council noted the announcements of the Leader of the Council, Councillor N Barker (by acclamation).

**COU**

**Public Participation**

**/69/2**

**3-24**

There were no questions from the public.

**COU**

**Medium Term Financial Plan 2023-24 - 2027/28**

**/70/2**

**3-24**

The report to Council sought approval for the current budget for 2023/24 and original budget for 2024/25 for the General Fund, Housing Revenue Account and Capital Programme as part of the Council's Medium Term Financial Plan covering the years 2023/24 to 2027/28.

Members were informed that Cabinet considered and endorsed the proposals at its meeting on 25 January 2024 following on from scrutiny at the Joint Scrutiny Committee on 18 January. The recommendations were now referred to Council for consideration and approval.

The Chair agreed to consider the report recommendations in two parts. Council would consider recommendations 1-7 (relating to the General Fund) followed by recommendations 8-13 (relating to the Housing Revenue Account).

Members received an update on the Revised Budget which had been considered by Cabinet at its meeting on 23 November 2023. They heard that there was a budget shortfall of £331,000. The final position of this budget would be dependent on the actual financial performance out-turning in line with the revised budgets. Further budget changes may be required as the year progresses.

Council were informed of the projected budget shortfall for the 2024/25 financial year and the reasons for this. They heard that there would be a shortfall of £303,000 ahead of any decisions made by Council on Council Tax levels. Members heard that if the proposed Council Tax increases were approved then this shortfall would reduce to £8000.

Members heard that RHL were experiencing similar budgetary pressures and an increase in HRA rents was proposed in order for the HRA to achieve a balanced budget and provide financial resilience for any potential cost of regulation.

The Deputy Leader, Councillor P Kerry, explained that there were no major changes to the budget and that the Council was still on track to identify the remaining savings of £303,000. Any progress would be reported to Cabinet and Scrutiny.

Councillors P Kerry and N Barker moved and seconded a Motion that Council approve recommendations 1-7 of the report. Cllr N Barker reserved his right to speak.

Councillor A Dale highlighted the fact that the current Administration had inherited a healthy budget from the previous Administration. He criticised the current Administration for their lack of proposed efficiencies and money saving ideas. He argued that due to the Government's recent announcement of further funding for local authorities and the healthy position of the reserves that the Council did not need to raise Council Tax as much as proposed.

Councillor A Dale and Councillor C Cupit proposed and seconded a Motion to amend the recommendations so that there would only be a Council Tax increase of 1.99%.

The Leader of the Council, Councillor N Barker, agreed that they had inherited a healthy budget but argued that Government announcement would have little effect on District Council's as a majority of the funds would go to County Council's. He argued that the proposed rise had been fully costed, was necessary and would provide a base for future years.

Councillors D Hancock, K Gillott and F Adlington-Stringer spoke against the Motion. They argued that it was not practical and that the proposed rise of 2% was necessary to provide the Council with financial resilience.

Councillors R Shipman and N Baker raised concerns that more proposals and information, such as on cost saving measures, should be provided to Council.

Councillor A Dale used his right of reply to explain that due to the healthy reserves and the announced funding from Government, it was likely that the Council would be able to balance the budget without the need for a increase of 2%. He also agreed that there was a lack of information provided with budgetary proposals and that this should be considered in the future.

At the conclusion of the debate, the amendment was put to the vote. As required by law this was taken as a recorded vote. The amendment failed.

For: 15

Councillors N Baker, S Clough, C Cupit, A Dale, L Deighton, P Elliott, P Jones, W Jones, H Liggett, S Reed, M Roe, R Spooner, K Tait, M Thacker MBE and R Welton.

Against: 30

Councillors F Adlington-Stringer, N Barker, J Barry, G Baxter, R Beech, D Cheetham, K Clegg, A Cooper, S Cornwell, M Durrant, C Fletcher, C Gare, K Gillott, D Hancock, L Hartshorne, D Higgon, P Kerry, C Lacey, T Lacey, N Morley, F Petersen, S Pickering, K Rouse, R Shipman, D Skinner, Caroline Smith, Christine Smith, M Smith, L Stone, H Wetherall, P Windley

Abstentions: 0

Councillor D Hancock suggested that he would not be able to support the budget as it stands as the issue of finding cost-savings was being delayed. He argued that it was important to identify savings now in order to balance the budget in the Medium Term.

Councillor S Cornwell praised the Administration's collaborative way of working which was highlighted when the Joint Scrutiny Committee was given the opportunity to scrutinise the proposed budget. She informed Council that no objections to the budget had been raised at that meeting.

Councillor N Barker echoed what was said by Councillor S Cornwell. He reminded Members that the Joint Scrutiny Committee was a cross-party meeting during which no objections to the budget had been raised.

Councillor R Shipman informed Members that he had raised questions when the budget was presented to Services Scrutiny Committee. His questions were around income streams and projections and he did not receive a satisfactory answer.

Councillor P Kerry used his right of reply to express that the funding from the Government announcement was not yet in the Council's possession and would only be a one off payment. The proposed increase in Council Tax would provide

the Council with a base to build on a yearly basis. He drew Members attention to potential upcoming issues such as the budgetary issues at DCC. It would therefore be important to increase the reserves.

At the conclusion of the debate, the Motion was put to the vote. As required by law, this was taken as a recorded vote. The Motion was approved.

For: 29

Councillors F Adlington-Stringer, N Barker, J Barry, G Baxter, R Beech, J Birkin, D Cheetham, K Clegg, A Cooper, S Cornwell, M Durrant, C Fletcher, C Gare, K Gillott, L Hartshorne, D Higgon, P Kerry, C Lacey, T Lacey, G Morley, N Morley, F Petersen, S Pickering, K Rouse, D Skinner, Caroline Smith, Christine Smith, M Smith, L Stone, and H Wetherall

Against: 3

Councillors D Hancock, R Shipman and P Windley

Abstentions: 15

Councillors N Baker, S Clough, C Cupit, A Dale, L Deighton, P Elliott, P Jones, W Jones, H Liggett, S Reed, M Roe, R Spooner, K Tait, M Thacker MBE, and R Welton

RESOLVED – That:

1. The view of the Director of Finance & Resources; that the estimates included in the Medium-Term Financial Plan 2023/24 to 2027/28 were robust and that the level of financial reserves were adequate at this time be accepted.
2. Officers report back to Cabinet and the Services Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets.
3. A Council Tax increase of £6.11 will be levied in respect of a notional Band D property (2.99%).
4. The Medium-Term Financial Plan in respect of the General Fund as set out in the report to Cabinet (Appendix 1 to the report) be approved as the Current Budget 2023/24, as the Original Budget 2024/25, and as the financial projections in respect of 2025/26 to 2027/28.
5. That the shortfall in the General Fund budget for 2024/25 as set out in Appendix 1 to the report be met from the resilience reserve.
6. That the General Fund Capital Programme be approved as the Current Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.
7. That any under spend in respect of 2023/24 be transferred to the Resilience Reserve to provide increased financial resilience for future years of the plan.

The Chairman and Vice Chairman of the Council indicated that, having declared a disclosable pecuniary interest, they intended to leave the meeting for the remainder of the item dealing with the Housing Revenue Account. By acclamation Councillor L Hartshorne took the Chair.

Councillors K Clegg and K Gillott left the meeting for the remainder of the item dealing with the Housing Revenue Account as they had disclosable pecuniary interest.

The Deputy Leader, Councillor P Kerry, emphasised the pressure placed on RHL as a result of the increased demand and impact of the new regulations and the increased costs of delivery. He informed Members that a rents increase of 6% would help to combat and deal with these issues.

Councillors P Kerry and N Barker moved and seconded a Motion that Council approve recommendations 8-13 of the report.

Councillor A Dale expressed mixed views on the proposed rents increase as he understood the need to invest in the housing stock but that there were ongoing pressures on household budgets. He indicated that his Group would be abstaining on the vote and that it would be for the Labour Group to prove that they had taken the correct approach.

Councillor N Baker enquired as to the reason rental income flatlined after 2024/25 and asked for further information on the depreciation figure. He heard that rents increases were not built into projections as this was a decision for Members to take in the Chamber. It was also explained that depreciation was used to fund major repairs works.

Councillor R Shipman raised concerns over where the funding was being used and explained there was not enough information provided with the figures. He suggested that the relationship between the Council and RHL should be under constant review. He indicated that he would not be supporting the motion.

Councillor H Wetherall enquired as to whether the apprenticeship levy could be used to fund the high level qualifications required for executive housing staff. She heard that this levy was used where possible but could not be used for certain aspects of the qualifications.

Councillor P Kerry used his right of reply to reiterate that the proposed rise of 6% was below the 7.7% Government limit. He stressed that it was important to balance the impact on tenants against the need to generate additional revenue due to budget pressures caused by increased demand and regulation.

At the end of the discussion, the Motion was put to the vote. As required by law this was taken as a recorded vote. The Motion was approved.

For: 26

Councillors F Adlington-Stringer, N Barker, J Barry, G Baxter, R Beech, J Birkin, D Cheetham, A Cooper, S Cornwell, M Durrant, C Fletcher, C Gare, L Hartshorne, D Higgon, P Kerry, C Lacey, T Lacey, H Liggett, N Morley, F Petersen, S Pickering, M Roe, K Rouse, Caroline Smith, Christine Smith, M Smith, L Stone

Against: 2

Councillors D Hancock and R Shipman

Abstentions: 13

Councillors N Baker, S Clough, C Cupit, A Dale, L Deighton, P Elliott, P Jones, W Jones, S Reed, R Spooner, K Tait, R Welton, H Wetherall

**RESOLVED** – That:

1. Council sets its rent levels for 2024/25 by increasing rents by 6% from 1st April 2024.
2. The Medium-Term Financial Plan in respect of the Housing Revenue Account as set out in the report to Cabinet (Appendix 1 to the report) be approved as the Current Budget in respect of 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.
3. The HRA Capital Programme be approved as the Current Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.
4. The Management Fee for undertaking housing services at £12.05m and the Management Fee for undertaking Capital Works at £1.1m to Rykneld Homes in respect of 2024/25 be approved.
5. Members endorse the section in the current Financial Protocol which enables the Council to pay temporary cash advances to Rykneld Homes in excess of the Management Fee in order to help meet the cash flow requirements of the company should unforeseen circumstances arise in any particular month.
6. Members note the requirement to provide Rykneld Homes with a 'letter of comfort' to the Company's auditors and grant delegated authority to the Council's Assistant Director – Finance & Resources in consultation with the Leader of the Council to agree the contents of that letter.

**COU** **Treasury Strategy Reports 2024/25 - 2027/28**

**/71/2**

**3-24**

Councillors M E Thacker MBE, K Clegg, K Gillott, and G Morley returned to the meeting.

The Deputy Leader, Councillor P Kerry, presented a report to Council to provide them with the necessary information in order to approve the Council's suite of Treasury Strategies for 2024/25 to 2027/28.

Councillors P Kerry and N Barker proposed and seconded a motion to approve the recommendations as contained within the report and appendices.

The Motion was put to the vote and approved.

**RESOLVED** – That:

1. Council approved the Treasury Management Strategy at Appendix 1 of the report and in particular:
  - a. Approved the Borrowing Strategy
  - b. Approved the Investment Strategy
  - c. Approved the use of the external treasury management advisors Counterparty Weekly List (or similar) to determine the latest assessment of the counterparties that meet the Council's Criteria before any investment is undertaken
  - d. Approved the Prudential Indicators
2. Council approved the Capital Strategy as set out in Appendix 2 to the report and in particular:
  - a. Approved the Capital Financing Requirement
  - b. Approved the Minimum Revenue Provision Statement for 2024/25
  - c. Approved the Prudential Indicators for 2024/25, in particular:



- i. Authorised Borrowing Limit of £238.4m
  - ii. Operational Boundary of £234.2m
  - iii. Capital Financing Requirement £229.2m
3. Council approved the Investment Strategy as set out in Appendix 3 to the report.
4. Council approved the Flexible Use of Capital Receipts Strategy at Appendix 4 to the report.

**COU** **Appointments to Committees**

**172/2**

**3-24**

The Monitoring Officer introduced a report to amend the composition of the Planning Committee for the remainder of the 2023-24 municipal year.

Members heard that the Leader of the Labour Group, Councillor N Barker, had requested that Councillor C Gare be appointed to serve on the Planning Committee for the remainder of the Municipal Year in the place of Councillor S Fawcett.

Councillors N Barker and J Barry moved and seconded the recommendations as contained within the report.

The motion was put to the vote and approved.

**RESOLVED** – That:

1. In line with the request of the Leader of the Labour Group, Councillor N Barker, Councillor C Gare be appointed to serve on the Planning Committee for the remainder of the 2023-24 municipal year.
2. Councillor S Fawcett ceases to serve on the Planning Committee for the remainder of the 2023-24 municipal year.

**COU** **To answer any questions from Members asked under Procedure Rule No 9.2**

**173/2**

**3-24**

The Chairman of the Council confirmed that four questions had been received.

**Question A – Councillor C Lacey to Councillor N Barker, Leader of the Council**

A question had been submitted by Councillor C Lacey to Councillor N Barker, Leader of the Council on whether the Leader would raise local concerns of Killamarsh residents over unreliable bus services with both Derbyshire County Council and the local bus companies. The full text of the question from Councillor C Lacey, marked as Question 'A', was set out in the agenda for the meeting.

The Leader recognised that this was an issue throughout the District and signified his commitment to raise the issue with Derbyshire County Council and ask what they were doing or would propose to do in order to address the issue. The Leader informed Council that after meeting with Derbyshire County Council, he would speak with the bus companies if necessary. He stated that he would report back to Councillor C Lacey on the outcome of these conversations.

Councillor C Lacey asked the Leader if he would be able to make arrangements for a bus link at the tram stop at Half Way.

The Leader responded that he would raise this issue during his meeting with Derbyshire County Council.

Question B – Councillor A Dale to Councillor S Pickering, Portfolio Holder for Environment and Place

A question had been submitted by Councillor A Dale to Councillor S Pickering, Portfolio Holder for Environment and Place on whether he believed that decisions made by Planning Committee should be consistent with local and national planning policies. The full text of the question from Councillor A Dale, marked as Question 'B' was set out in the agenda for the meeting.

The Portfolio Holder responded that he did believe that decisions made by the Planning Committee should be consistent with local and national planning policies. He informed Councillor A Dale that planning law set out that decisions on planning applications must be determined in accordance with the Development Plan.

Councillor A Dale asked Councillor S Pickering if he believed that it was important for all Members of the Planning Committee to engage meaningfully in the debate and to offer fair scrutiny and challenge to Officers and to articulate why they had arrived at certain conclusions. He informed the Portfolio Holder that Labour Group Members of the Committee had received complaints for failing in this regard and asked if the Portfolio Holder had spoken to them about this.

Councillor S Pickering informed Council that he had not personally received any complaints and that it was not his place to instruct Members on how to conduct themselves during meetings.

Question C – Councillor C Cupit to Councillor N Barker, Leader of the Council

A question had been submitted by Councillor C Cupit to Councillor N Barker, the Leader of the Council on why the Council had offered no objections or concerns to the planning application for 185 new homes in Amber Valley Borough Council. The full text of the question, set out as Question 'C' was set out in the agenda for the meeting.

The Leader informed Members that it was not good practice for the Council to involve itself in the planning decisions of neighbouring authorities unless there was a strong case that the development would affect the local plan.

Councillor N Barker explained that while not objecting to the development, the Council did submit a number of comments. These included that the heritage assessment should include an assessment of the development on the settings of the designate heritage asset with North East Derbyshire District, including Shirland Lodge Farm House, a cluster of listed buildings within Amber Mill and Toad Hole conservation area. The Leader also stated that they had asked that conditions should be included that appropriate design and landscaping be included to minimise the visual impact of the development upon countryside and to maintain visual separation between the built settlement of Alfreton and Shirland Parish.

Council also heard that Officers had commented in relation to potential housing sites within the general area when Amber Valley were conducting their local plan consultation.

Councillor C Cupit explained that there was a difference between the comments, objections and concerns that the Council had submitted when the site was under consideration for the core strategy of the Amber Valley local plan and at this stage when it was a full application. She asked the Leader why the Council had not continued to raise the same concerns with regard to the application.

The Leader read an extract from the letter submitted by the Council with regard to the planning application. It stated that any reserved matter proposals should include appropriate design and landscaping to minimise the visual impact of the development on the countryside to the north and to maintain their visual separation between the built settlement. The Leader also explained that there were 32 pages of objections to the development on the Amber Valley Council website.

#### Question D – Councillor F Adlington Stringer to Councillor S Pickering, Portfolio Holder for Environment and Place

A question had been submitted by Councillor F Adlington-Stringer to Councillor S Pickering, Portfolio Holder for Environment and Place, on what was being done to ease the suffering of residents due to neglected drains blocked by unmanaged debris. The full text of the question, set out as Question 'D' was set out in the agenda for the meeting.

The Portfolio Holder thanked Councillor Adlington-Stringer for his question. He informed Members that neglected and blocked drains were the responsibility of Derbyshire County Council. He explained that DCC had redistributed elements of the gully emptying schedule to ensure that problem drains were more regularly serviced.

Councillor S Pickering explained that the street cleansing review would be taking place in April and any recommendations for service change that emerged from this would be presented to Council following review.

Councillor Adlington-Stringer asked if the Portfolio Holder would be willing to engage with the County Council in order to cover this shortfall. He also asked how the Council would ensure that residents were receiving value for money and a service without any gaps.

The Portfolio Holder reiterated that the review would be taking place and that any proposed recommendations would be presented to Council. He suggested that if residents were concerned about debris that they would contact the StreetScene team who would prioritise clearing them.

Councillor S Pickering explained that he would communicate with Derbyshire County Council and that the District Council was dependent on funding from DCC.

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

**174/2**

**3-24    MOTION 'A'**

Members considered a Motion submitted by Councillor H Wetherall that called on the Council to work with all key stakeholders and partner agencies locally and nationally in order to install average speed cameras on the A632. The full text of Councillor H Wetherall's Motion, set out as Motion 'A' was included on the agenda for the meeting.

Councillor A Cooper seconded the Motion. He expressed his hope that Members would support the motion in the interest of public safety.

Councillor N Barker expressed his sympathies for the families of those involved in a recent accident on the road. He committed his support to assisting Councillor H Wetherall's campaign and offered to meet with her at a future date in order to determine how the Council could best assist with her campaign. He indicated that his Group would be supporting the Motion.

Councillor A Dale echoed the comments made by Councillor N Barker. He expressed his sympathies for the families of those involved in recent accidents on the road. He explained that the County Councillor, Councillor B Lewis was concerned with this issue and had been pushing for solutions, as well as contacting the police. Councillor A Dale considered that there was little the District Council could do as the issue fell under the scope of DCC and the police, because of this he indicated that his Group would be abstaining from the vote.

Councillors D Hancock and F Adlington-Stringer expressed their support for the Motion. They considered that this was not a partisan or political issue but was a matter of conscience.

Councillor H Wetherall gave thanks to Members for their consideration of the Motion and informed them that any support they could give would be greatly appreciated.

Following the end of the debate, the Motion was put to the vote and approved.

**RESOLVED – That:**

1. Council recognised that the A632 is a well-known trouble-spot for traffic collisions, accidents and death.
2. Council would work closely together with all key stakeholders and partner agencies, locally and nationally to ensure that average speed cameras are installed on the A636 as quickly as possible in 2024

**MOTION 'B'**

Members considered a Motion submitted by Councillor A Dale that called on Council to refer planning application 22/01196/FL back to the Planning Committee in order to receive external legal advice and determine whether permission be revoked in respect of the concerns around compliance with NPPF (2023 update) para 154f and Local Plan Policy LC3. The full text of Councillor A Dale's motion,

set out as Motion 'B' was included on the agenda for the meeting.

Councillor C Cupit seconded the motion but reserved her right to speak.

Councillor R Shipman signalled his support for the Motion. He explained that if new information had come to light or if there was concern regarding the way in which a decision had been made, then it was good practice to refer it back to Committee.

Councillor R Shipman proposed an amendment to the Motion that Standards Committee explore a mechanism to enable applications to be reconsidered at Planning Committee once a decision had already been taken.

Councillor A Dale accepted the suggested amendment to his Motion.

Councillor S Pickering indicated that he would not support the Motion. He explained that Members should wait for the due process, inquiry and investigation to complete. If advice following this, there was advice to refer the application back to Planning Committee then he would not object to that. He accused the motion of pre-empting any outcome or decision from the investigation.

Councillor D Hancock explained that there was no mechanism other than through Full Council to refer applications back to Committee and it was important to establish one. He informed Members that it was important to pass this resolution as delays in the planning system could incur large costs to the Council.

Councillor K Gillott argued that Motions at Full Council were not an appropriate mechanism for referring matters back to Planning Committee and therefore he would not be supporting the Motion. He explained that a process for this was already in place and that if the Chair of Planning and the Portfolio Holder for Environment and Place received advice to refer an application back to Planning Committee then they would do so.

Councillor A Dale explained that there were errors in the material considerations of Planning Committee and that legal advice was ambiguous and open to interpretation. He argued that the essence of the Motion was simply to allow Planning Committee to consider the application again with new legal advice and information.

At the conclusion of the debate, the Motion as amended was put to the vote and was defeated.

### MOTION 'C'

Members considered a Motion submitted by Councillor F Adlington-Stringer that called on Council to ensure that food and drink provided at all Council meetings and events was 100% plant based, to prioritise plant-based menu options where possible and to promote and encourage plant-based eating to residents. The full text of Councillor F Adlington-Stringer's Motion, set out as Motion 'C' was included on the agenda for the meeting.

Councillor H Wetherall seconded the Motion but reserved her right to speak.

Councillor N Barker indicated that he could not support the Motion in its current form as it was policy that Motions should not be considered that commit the Council to change policy without first going through due process which includes proper Officer advice. With that in mind, he suggested an amendment to the Motion that it be referred to Environment Scrutiny Committee for consideration and that Committee would then submit a report to Cabinet detailing the outcome of those deliberations.

Councillor F Adlington-Stringer accepted the proposed amendment.

Councillor A Dale indicated that he could not support the Motion. He expressed his belief that the Council should not be dictating to residents what they should be eating. He also raised his concerns that the proposed Motion was going against the District's farming communities.

Councillors R Welton, D Hancock, R Shipman and P Windley spoke out against the authoritarian nature of the Motion.

Councillor R Reed explained that it was not the role of the Council to provide dietary advice but he supported a discussion on the item taking place at Scrutiny Committee.

Councillor K Gillott recognised that there were complexities involved with the Motion but signified his support for it to be discussed by Environment Scrutiny Committee.

Councillor H Wetherall explained that many small dairy farmers could no longer afford the upkeep involved and were diversifying. She suggested that the Motion provided Council with an opportunity to demonstrate leadership and commitment to the environment.

Councillor F Adlington-Stringer argued that residents would be free to choose their own meals at home and that it was the role of Council to provide a leading role in the community. He explained that many industries and organisations, such as the Bakewell Tart Shop, were providing vegetarian and vegan alternatives. He also expressed his concern around rhetoric and discourse that had been used during the debate with many Members referring to him as authoritarian.

At the conclusion of the debate, the Motion as amended was put to the vote and was approved.

**RESOLVED** – That North East Derbyshire District Council, in line with its Climate Emergency declaration and in reflection of the local emissions report in its own Climate Strategy, commits to refer the following for discussion at Environment Scrutiny Committee:

1. Ensuring food and drink provided at all Council meetings and events is 100% plant based.
2. Prioritising plant-based menu options wherever the Council has influence, for example in leisure centres
3. Promoting and encouraging plant based eating to residents through

methods such as public awareness campaigns and the removal of meat and dairy advertising.

**COU Chairman's Urgent Business (Public)**

**175/2**

**3-24** There was no urgent business.

**COU Exclusion of Public**

**176/2**

**3-24** RESOLVED – That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 2, 3, 4 & 5, Part 1 Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**COU Derby and Derbyshire Strategic Leadership Board**

**177/2**

**3-24** Members were presented with a report to provide them with an update on the work taking place with Derby and Derbyshire Councils on a revised approach to collaborative and partnership working and to seek the views from Council on whether Cabinet should approve the establishment and participation in a new Joint Committee of Derby and Derbyshire's Councils, the D2 Strategic Leadership Board (SLB), to collaborate, co-ordinate and drive forward agendas where it is recognised that more can be achieved by Councils working together to improve outcomes for people and places across Derbyshire.

Councillors N Barker and P Kerry proposed and seconded a Motion to approve recommendations as contained within the report.

Following the discussion, the Motion was put to the vote and approved.

RESOLVED – That Council:

1. Recommends to Cabinet the approval of proposals for the establishment of the D2 Strategic Leadership Board (SLB) and the delegation of functions to this Joint Committee as set out in the Functions and Responsibilities document in Appendix 2 to the report.
2. Notes the draft Terms of Reference, including the Introduction and Context, Functions and Responsibilities, Procedural Rules, and Information procedure Rules for the SLB as set out at Appendix 2 to the report and the position detailed in those documents regarding scrutiny and co-option.
3. Recommends to Cabinet that the Leader is appointed as the Council's representative on the D2 SLB and the Deputy Leader, as substitute.
4. Notes the intention that the SLB be the body for the nomination of District and Borough representatives to the East Midlands Combined County Authority, when established, further noting that this subject to the CCA's agreement that this be the mechanism.
5. Recommends agreement that the County Council act as the host authority for the Joint Committee.
6. Notes the dissolution of the D2 Joint Committee for Economic

Prosperity, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board and recommends that the Constitution is amended accordingly.

7. Notes the dissolution of the Vision Derbyshire Joint Committee, the enactment of which is subject to the establishment of the D2 Strategic Leadership Board and recommends that the Constitution is amended accordingly.
8. Agrees with the Council's active participation in the D2 Strategic Leadership Board and the associated costs of taking forward the programme of work at the total costs as set out in the report, which is funded until at least March 2025 via the Business Rates pool.
9. Notes that as the functions of the Committee are executive functions, Derbyshire County Council will not have the opportunity to co-opt additional members onto the Committee and the ability to co-opt is restricted within the Terms of Reference.
10. Notes that, in accordance with section 9F of the Local Government Act 2000, constituent authorities who operate executive arrangements will need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of the functions of the D2 Strategic Leadership Board, and that the Council's existing scrutiny arrangements will apply.
11. Notes the Cabinet will be asked to delegate authority to the Managing Director and Head of Paid Service in consultation with the Leader to agree the final terms of reference for the SLB and the other arrangements.

#### **COU Senior Management Pay Levels**

**178/2**

**3-24**

Members received a report which detailed the recommendations to Council from the Senior Management Pay Working Group after having previously been made aware of an identified threat to the organisation in relation to the recruitment and retention of the Council's Senior Management Team.

Councillors N Barker and P Kerry moved and seconded a Motion to approve recommendations as contained in section b of the report.

The recommendations were put to the vote and approved.

**RESOLVED** – That Council mitigate the risk by implementing the recommendations set out at section 1.24 and 1.25 of the report. Based broadly upon the recommendations of East Midlands Councils (EMC) as set out previously in the report at Appendix A, with adjustments and modifications proposed by the Working Group. And to establish a cross-party Senior Pay Remuneration Review Group and mechanism to oversee a review every two years.

#### **COU Chairman's Urgent Business (Private)**

**179/2**

**3-24**

As there was no urgent business the meeting was closed.