

COUNCIL

MINUTES OF MEETING HELD ON MONDAY, 4 MARCH 2024

Present:

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

Councillor Frank Adlington-Stringer	Councillor Pat Antcliff
Councillor Neil Baker	Councillor Nigel Barker
Councillor Jayne Barry	Councillor Graham Baxter MBE
Councillor Richard Beech	Councillor David Cheetham
Councillor Kathy Clegg	Councillor Suzy Cornwell
Councillor Charlotte Cupit	Councillor Alex Dale
Councillor Lilian Deighton	Councillor Michael Durrant
Councillor Michelle Emmens	Councillor Stuart Fawcett
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 Fran Petersen
Councillor Stephen Pickering	Councillor Stephen Reed
Councillor Carolyn Renwick	Councillor Michael Roe
Councillor Kathy Rouse	Councillor Ross Shipman
Councillor Derrick Skinner	Councillor Caroline Smith
Councillor Christine Smith	Councillor Richard Spooner
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

/80/2

3-24 Apologies for absence were received from Councillors J Birkin, A Cooper, S Clough, P Elliott, N Morley and M Smith.

COU Declarations of Interest

/81/2

3-24 Councillor M E Thacker MBE declared an interest in Item 11: To Consider Motions from Members Under Procedure Rule No 10 as a Member of the Rykneld Homes Ltd Board. He indicated that he would stay and participate in

Council's consideration and determination on this item. The other Rykneld Homes Ltd Board Members: Councillors K Clegg, K Gillott and G Morley, as well as the tenants of Rykneld Homes Ltd: Councillors S Pickering, D Skinner, C Lacey, T Lacey and P Windley also took this approach.

COU **Minutes of the Last Meeting**

/82/2

3-24 Council considered the Minutes of the last meeting of Council on Monday, 29 January 2024.

RESOLVED – That the Minutes of the meeting held on Monday, 29 January 2024 were approved as a true and accurate record.

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

/83/2

3-24 The Chairman of the Council, Councillor M E Thacker MBE, updated Members on his activities throughout the past month. This included his attendance at the Derbyshire Swimming Championships which involved swimmers from the Dronfield Dolphins as well as Eckington and Rykneld swimming clubs. The Chairman also informed Members that he had been invited to speak at Walton Holymoorside Primary School and had spent time with the school's eco committee. He reflected on the children's use of sign language to promote inclusion.

Council heard that the Chairman had attended the Derby and Derbyshire Youth Orchestra concert where he was particularly moved by the performance of the work Cantus Arcticus, which had been composed to highlight the negative impact of climate change on birds in the arctic.

The Chairman explained that he had written to the Chairs of Parish Council's across the District in order to ask for contributions to his charitable appeal for Ashgate Hospice. He gave thanks to Brampton Parish Council which had already made a kind donation.

Members were informed that invitations to the civic service to be held on 28 April 2024 at St Johns Church in Walton would soon be distributed.

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

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

/84/2

3-24 The Leader of the Council, Councillor N Barker, informed Members that Sharley Park swimming pool had now been closed and work continued on Clay Cross Active that should be completed by the end of the year. In addition to this, a new skate park had been constructed in Killamarsh and a contractor had been selected for the work on the Clay Cross Town Centre.

The Leader drew Council's attention to a number of issues that had been raised at the last meeting of Council. They heard that a meeting had been arranged between the Leader and the Director of Environment & Transport at Derbyshire County Council in order to discuss the bus service at Killamarsh. A

meeting had also taken place between the Leader and Councillor H Wetherhall in order to discuss the issues raised in relation to drivers on Matlock Road. Councillor N Barker reiterated his commitment to support Councillor H Wetherhall in her efforts to address the road safety issues on the road.

Councillor N Barker updated Members on the planning application at Unstone, which was discussed on Min: COU/74/23-24. He informed them that external advice had been received and that following consideration of this advice, the application would be reconsidered by the Planning Committee.

Council heard that a project manager would soon be appointed to oversee the development of the new depot and a cross-party working group would be established in order to help coordinate this.

The Leader explained that the Council had contributed to the Storm Babet review and a strategic flood group for north eastern Derbyshire was in the process of being established.

Councillor N Barker reflected on the success of the recent Annual Conference of the Parish and Town Councils and informed Members that had had been attending Parish Council meetings across the District in order to display the Council's commitment to work with Parish Councils to improve services across the District.

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

COU Public Participation

/85/2

3-24 There were no questions from the public.

COU Level of Council Tax 2024/25

/86/2

3-24 The Deputy Leader reminded Members that under the Localism Act 2011, the Council was responsible for calculating the total Council Tax requirements as a whole for the North East Derbyshire District. The demand on the Collection Fund in respect of the 2024/25 Council year was £6,952,953.

Councillor P Kerry and Councillor N Barker moved and seconded a Motion that Council formally approve the Council Tax for the Financial Year 2023/24, as set out in the report.

Councillor A Dale expressed his disappointment over what he felt to be a lack of transparency and information in relation to the budget, with a particular reference to the green bin charges. He indicated that his Group would be abstaining from the vote.

The Deputy Leader responded that further information on this issue would be provided in response to a question under Item 10 on the agenda.

The Motion was put to the vote and was agreed. As required by law a

recorded vote was taken.

For: 30

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

Against: 0

Abstentions: 14

Councillors P Antcliff, N Baker, C Cupit, A Dale, M Emmens, M Foster, P Jones, W Jones, H Liggett, S Reed, M Roe, R Spooner, K Tait, R Welton

RESOLVED – That Council formally approved the Council Tax for the Financial Year 2024/25 as set out in the report.

COU North East Derbyshire District Council: Pay Policy Statement 2024-25

/87/2

3-24

The Managing Director and Head of Paid Service presented the Council's Pay Policy Statement for 2024-25. He informed Members that the policy was in line with the requirements as set out by the local government association and outlined the relation and differences between employee salaries.

Councillors N Barker and P Kerry proposed and seconded a motion to approve the pay policy statement. The motion was put to the vote and approved.

RESOLVED – That Council approved the Council's Pay Policy Statement for 2024-25.

COU Implementation of a Council Tax Premium Policy for Empty Homes

/88/2

3-24

The Leader introduced a report for Council to approve the implementation of a Council Tax premium charge for empty homes of two years or more.

Members heard that there were currently 311 properties within the District that had been empty for two years or more and it was estimated that the proposed premium charge would provide an additional £50,000 per year for the Council. It was also hoped that the proposed charge would help to address the shortage of housing supply in the District.

Councillors N Barker and J Barry proposed and seconded a Motion to endorse the Council Tax Premium Charge for Empty Homes.

Councillor A Dale signalled his broad support for the approach and the fact that the premium charge would not take into account second homes. He believed that a more balanced view should be taken towards these in order to help promote tourism within the area. He shared his view that the exceptions policy placed pressure on Officers to decide when an exception was valid or not and should therefore be kept under review.

Councillor A Dale considered whether the motion went far enough and proposed an amendment to the motion that the additional premium charges listed at section 1.4 of the report, be reviewed and brought back to a future meeting of Council for consideration.

Councillor N Barker accepted the suggested amendment to his Motion.

Councillor F Adlington-Stringer signalled his support for the motion and hoped that Cabinet would be able to look into the additional premium charges as quickly as possible. He also expressed his desire for a policy to address the issues posed by second homes.

Councillor R Shipman expressed his support for the motion.

Councillor H Wetherall supported the motion and hoped it would help to combat issues of homelessness across the District. She enquired as to the cause behind a rise in the number of empty properties and what the definition of uninhabitable properties was. She heard that there were a variety of reasons behind the rise in empty properties and that there was a very specific definition within Council Tax Legislation on uninhabitable properties.

Councillor N Barker suggested that more detailed information could be provided to Councillor H Wetherall if necessary. He informed Council that the exceptions policy would remain under review and that consideration would be given to the creation of a policy regarding second homes.

At the end of the discussion the motion was put to the vote and approved.

RESOLVED – That Council approved the Council’s Pay Policy Statement for 2023-24.

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

/89/2

3-24

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

Question A – Councillor M Roe to Councillor S Pickering, Portfolio Holder for Environment and Place

A question had been submitted by Councillor M Roe to Councillor S Pickering, the Portfolio Holder for Environment and Place on what the Council intended to do to deal with the issues of dog fouling across the District and in particular, the south of the District and Shirland and Higham. The full text of the question from Councillor M Roe, marked as Question ‘A’, was set out in the agenda for the meeting.

Councillor S Pickering thanked Councillor M Roe for their question. He explained that the Council’s Environmental Health Service Team of enforcement officers responded to all complaints received that related to dog fouling and requests for signage. He went on to explain that in 2023 in Shirland there were three complaints received in relation to dog fouling. These complaints resulted in five proactive patrols being undertaken and additional

signage being erected as well as a zoning letter issued in relation to an alleged public spaces protection order.

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

A question had been submitted by Councillor S Cornwell to Councillor S Pickering, the Portfolio Holder for Environment and Place on a planning application that was granted on 20 July 2021 on the Holmewood Industrial Estate and what could be done by the Council to prevent further disruption to residents by including appropriate restrictions in the original planning consent. The full text of the question from Councillor S Cornwell, marked as Question 'B', was set out in the agenda for the meeting.

Councillor S Pickering thanked Councillor S Cornwell for their question. He explained that the Council was unable to alter previously agreed planning decisions but he understood that Councillor S Cornwell had met with planning and environmental health in order to discuss possible ways forward and potential future options for the site.

Councillor S Cornwell asked the Portfolio Holder to make a commitment that similar issues would not happen again and to work with Officers to create best practice processes for any builds of this nature in the future.

The Portfolio Holder gave his commitment that he would be involved with and support Councillors from Holmewood and work with the Assistant Directors to shape policies and guidance going forward.

Question C – Councillor A Dale to Councillor J Birkin, Portfolio Holder for Council Services

A question had been submitted by Councillor A Dale to Councillor J Birkin, the Portfolio Holder for Council Services. As Councillor J Birkin was unavailable, the question was answered by Councillor J Barry, the Portfolio Holder for Growth and Assets. The question was on the cost of the refurbishment of the Council Chamber. The full text of the question from Councillor A Dale, marked as Question 'C', was set out in the agenda for the meeting.

The Portfolio Holder explained concerns that had been raised in relation to the previous chamber, now meeting rooms one and two, such as fire safety and the accessibility issues for those with mobility issues. She also outlined the broader public expectation for accessibility and transparency to view the democratic process which necessitated proper functioning equipment. A cross party working group had assessed these issues and concluded that relocation of the chamber was the best course of action.

Council heard that the new AV solution had cost £170,000 and the furniture had cost £40,000 for a total of £210,000. This had been funded through designated asset management budgets within the capital programme which were allocated for refurbishment of public buildings.

Councillor A Dale asked if the Portfolio Holder believed that residents would

support this expenditure, given the current issues with increased bills and the cost of living.

Councillor J Barry responded that it was important to provide residents with access to the democratic process and that the facilities had not cost much more than Derbyshire County Council paid when they had the same system installed.

Question D – Councillor W Jones to Councillor N Barker, Leader of the Council

A question had been submitted by Councillor W Jones to Councillor N Barker, the Leader of the Council, on how the Council intended to respond to the Government's consultation on the reforms to social housing allocations. The full text of the question from Councillor W Jones, marked as Question 'D', was set out in the agenda for the meeting.

The Leader explained that the consultation would remain open until the end of March and that Cabinet would be preparing a response. He reflected some initial thoughts on the reforms which included a possible impact on the number of homeless cases, loss of control over the allocations policy and a move away from the Localism Act 2011.

Councillor W Jones asked the Leader if it would be the Council's intention to utilise RHL to manage the new proposals.

Councillor N Barker responded that the Council and RHL would put the policy together and then RHL would work through the allocations.

Question E – Councillor C Cupit to Councillor S Pickering, Portfolio Holder for Environment and Place

A question had been submitted by Councillor C Cupit to Councillor S Pickering, the Portfolio Holder for Environment and Place, on whether the Cabinet Member would commit to not charging for garden or any residential waste collections. The full text of the question from Councillor C Cupit, marked as Question 'E', was set out in the agenda for the meeting.

Councillor S Pickering thanked Councillor C Cupit for their question. He explained that the Council did not currently charge for residential waste collections but explained that the Department of Environment, Food and Rural Affairs (DEFRA) had placed a statutory requirement on the Council from April 2026 to collect food waste on a weekly basis. A financial grant of £600,000 would be offered from central government in order to fund this but current estimates suggested that would leave a shortfall of £400,000. Due to these financial difficulties, the Portfolio Holder informed the Member that it would not be prudent to comment on any course of action.

Councillor C Cupit asked the Portfolio Holder to outline the business case for the changes that had been made to the garden waste collections.

The Portfolio Holder explained that he would provide a written response to

Councillor C Cupit and reiterated that every household in the District had a green bin emptied at no additional cost.

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

/90/2

3-24

Motion 'A'

Members considered a Motion submitted by Councillor P Windley that called on the Portfolio Holders for Strategic Leadership and Finance to work more closely with Rykneld Homes Ltd (RHL) to address the root cause of mould in Council owned properties. The full text of Councillor P Windley's Motion, set out as Motion 'A', was included on the agenda for the meeting.

Councillor D Hancock seconded the Motion. He explained that residents were having to deal with recurring issues with mould which was resulting in repeat cleans while works to address the root cause were not being completed.

Councillor A Dale signalled his support for the Motion. He explained that due to the significant financial cost and use of resources, the issue should receive additional scrutiny.

Councillor A Dale suggested an amendment to the Motion that called on updates to be provided to every other meeting of Council on the additional resources being spent on this issue and the impact that this was having. He also asked for details to be provided on the longer term strategy as to how this issue would be tackled and what the resource requirements for this would be over an extended period of time, and for a range of statistics to be provided on how many reports of mould were being received, what were the causes for these and how long the issues took to be addressed. His amendment also called for the exploration of technological solutions which could be used to combat the issue and for an analysis of the benefit/cost ratios for these.

Councillor P Windley accepted the suggested amendment to her Motion.

Councillor K Gillott spoke against the Motion. He reflected that all Members would agree with the sentiment of the Motion but that it showed a lack of understanding of recent changes that had taken place. He went into detail to highlight some of the changes that had taken place in the last 12 months. These included: the inclusion of an Elected Member from outside of the Majority Group on the RHL Board and the Board being chaired by one of the Independent Members. He went on to explain that the Leader, Councillor N Barker attended every Board meeting and met regularly with the Chair. Council were also reminded that the Managing Director of RHL had attended the previous meeting of Council as well as the Joint Scrutiny Meeting where she had gone through these issues in detail. Councillor K Gillott outlined further measures that were being taken to tackle this issue such as: the employment of additional staff to focus entirely on damp and mould and holding a review of the damp and mould policy. He explained that more funding from Government would be needed in order to help solve this issue. He finished by explaining that most of the information Councillor A Dale had requested could be publicly accessed online.

Councillor K Gillott invited any Members with casework that related to damp and mould to discuss it with either himself or the Managing Director of RHL. Councillor N Barker reiterated the comments made by Councillor K Gillott. He explained that damp and mould was a large issue and that much of the information called for in the Motion could already be accessed online. He informed Council that RHL were recruiting extra staff to deal with the issue and that if any Members had any cases that they felt weren't being correctly handled that they should report these concerns back to himself or RHL.

Councillor R Shipman spoke in favour of the Motion. He explained that the root causes of the issue were not being dealt with and enquired as to whether the right staff were being hired in order to tackle the issue. He informed Council of the importance of them being able to hold RHL to account.

Councillor M Durrant spoke against the Motion. He explained that these issues had already been outlined and discussed at previous meetings such as at Communities Scrutiny Committee in September 2023.

Councillor F Adlington-Stringer spoke against the Motion. He criticised the Motion for lacking a clear objectivity and for not providing benefit to Members or residents. He suggested that the emphasis should be on building decent homes for residents and not relying on technological solutions.

Councillor P Windley responded that it was important for Council to remain updated on damp and mould and there were clear issues that were leaving residents with problems.

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

Motion 'B'

Members considered a Motion submitted by Councillor D Hancock that called on Council to undertake a review into the materials and solutions that were permitted under the policy for creating off street parking on Council properties managed by Rykneld Homes. The full text of Councillor D Hancock's Motion, set out as Motion 'B', was included on the agenda for the meeting.

Councillor R Shipman seconded the Motion but reserved his right to speak.

Councillor F Adlington-Stringer felt that the Motion was short sighted and not environmentally sustainable. He argued that the best way to resolve the transport crisis would be through the provision of decent public transport.

Councillor N Barker argued that the Motion was not necessary and that if Members had any potential new solutions then they should raise these with RHL and a review would take place on a case by case basis. He shared sympathy with the views expressed by Councillor F Adlington-Stringer but argued that on-street parking was an issue that needed to be addressed.

Councillors A Dale, C Renwick and S Reed spoke in favour of the Motion. They argued that parking was an important issue for residents and that there

was not enough demand for public transport to make it a viable alternative. They suggested that the Motion would lead to increased off-street parking and that design guides and principles could be used to ensure that properties remained in keeping with the surrounding area.

Councillor R Shipman reiterated that the Motion was only calling for a slight amendment to the policy so that more environmentally sustainable methods for creating off street parking for residents could be considered.

Councillor M Durrant suggested that the Motion would be better suited for a debate at Scrutiny Committee. He argued that the reason public transport was not utilised more across the District was because it was unreliable and people were therefore forced to use personal cars.

Councillor H Wetherall considered that parking was an issue that required addressing and suggested that residents with electric vehicles would need off-street parking access in order to charge them. She also argued that sustainable transport solutions should be considered for the future.

Councillor D Hancock responded that an improved public transport system would be beneficial, but it would still not be appropriate for all people all of the time. The Motion proposed a pragmatic solution to an issue many residents were facing.

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

Motion 'C'

Members considered a Motion submitted by Councillor R Shipman that called on Council to start a working group in order to begin exploring the possibility of developing an app for the Council. The full text of Councillor R Shipman's Motion, set out as Motion 'C', was included on the agenda for the meeting.

Councillor D Hancock seconded the Motion but reserved his right to speak.

Councillor S Reed spoke against the Motion. He informed Council of the large costs associated with developing an app and that this was unnecessary as the Council's website was already mobile friendly. He also reminded Members that the Council already held the ability to send out group text messages to residents and that they wouldn't necessarily receive any greater public engagement from an app.

Councillor F Adlington-Stringer recognised the potential costs involved with developing an app and suggested an amendment to the Motion that would see the Council partner with other authorities to create an app on a larger regional scale.

Councillor R Shipman declined the suggested amendment and argued that the project would never get going if too many actors were involved.

Councillor A Dale argued against the Motion. He suggested that not all residents would use an app and that if it was designed poorly it would put

residents off using it. He argued that instead, Council should focus on improving the website and existing lines of communication.

Councillor J Barry explained that the feasibility of developing a dedicated app had been fully explored in the past but was not compatible with the Council's customer relationship management system. She explained that there would be a review of the customer relationship management system in the upcoming months but at present there had not been any feedback from residents to request a dedicated app.

Councillor D Hancock responded that the idea shouldn't be discounted because the customer relationship management system did not allow for an app. He also raised concerns with the proposed amendment suggested by Councillor F Adlington-Stringer as it would be difficult to get other local authorities to commit to work together on the app. He explained that the app could help to increase engagement with certain residents and that the idea should be explored.

Councillor R Shipman responded that an app would be an efficient way to reach certain residents and that this would be a more convenient way for certain residents to receive updates on Council services through the use of features such as push notifications.

At the conclusion of the discussion the Motion was put to the vote and was defeated.

COU **Chairman's Urgent Business**

/91/2

3-24 As there was no urgent business the meeting was closed.