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Wednesday, 31 May 2023

To All Councillors:

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a Extraordinary meeting on **Thursday, 8 June 2023 at 6.00 pm** in the **Council Chamber, Town Hall, Matlock, DE4 3NN**

Yours sincerely,

James McLaughlin  
Director of Corporate and Customer Services

This information is available free of charge in electronic, audio, Braille and large print versions, on request.

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## AGENDA

### 1. APOLOGIES FOR ABSENCE

Please advise the Democratic Services Team on 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence.

### 2. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by email) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING**. As per Procedural Rule 14.4 at any one meeting no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.

### **3. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member, her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at the time.

### **4. APPOINTMENT OF MEMBERS TO BIODIVERSITY SUB-COMMITTEE AND LOCAL PLAN SUB-COMMITTEE (Pages 3 - 8)**

To appoint Members to serve on the newly established sub-committees for Biodiversity and the Derbyshire Dales Local Plan.

Members of the Committee - Councillors Robert Archer, Anthony Bates, Kelda Boothroyd, Matt Buckler, Martin Burfoot (Chair), David Chapman, Peter Dobbs, Marilyn Franks, Gareth Gee, Susan Hobson, Dermot Murphy, Andy Nash, Peter O'Brien (Vice-Chair), Peter Slack and Steve Wain

Substitutes – Councillors John Bointon, David Burton, Neil Buttle, Nigel Norman Edwards-Walker, Joanne Linthwaite, Tony Morley, Simon Ripton, Roger Shelley and Nick Whitehead

### **NOTE**

For further information about this Agenda or on "Public Participation" call 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)



# Agenda Item 4

**OPEN REPORT  
COMMUNITY AND ENVIRONMENT COMMITTEE**

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**Community and Environment Committee – 8 June 2023**

## **APPOINTMENT OF MEMBERS TO BIODIVERSITY SUB-COMMITTEE AND LOCAL PLAN SUB-COMMITTEE**

**Report of Director of Corporate and Customer Services**

### **Report Author and Contact Details**

James McLaughlin, Director of Corporate and Customer Services  
01629 761281 or james.mclaughlin@derbyshiredales.gov.uk

### **Wards Affected**

District-wide

### **Report Summary**

To appoint Members to serve on the newly established sub-committees for Biodiversity and the Derbyshire Dales Local Plan.

### **Recommendations**

1. That those councillors nominated by their respective political groups be appointed to serve on the Biodiversity Sub-Committee for the 2023-24 municipal year.
2. That those councillors nominated by their respective political groups be appointed to serve on the Local Plan Sub-Committee for the 2023-24 municipal year.
3. That, subject to any amendments proposed in the meeting, the Terms of Reference for the Biodiversity Sub-Committee be approved.
4. That, subject to any amendments proposed in the meeting, the Terms of Reference for the Local Plan Sub-Committee be approved.
5. That the Director of Corporate and Customer Services be authorised to set meeting dates and times for the sub-committees for the 2023-24 municipal year.

### **List of Appendices**

Appendix 1  
Appendix 2

### **Background Papers**

Minutes of the Annual Council (25/05/2023)

Report to Annual Council (25/05/2023) – Membership of Political Groups, Political Balance and Entitlement to Seats on Committees

**Consideration of report by Council or other committee**

N/A

**Council Approval Required**

No

**Exempt from Press or Public**

No

# **Appointment of Members to Biodiversity Sub-Committee and Local Plan Sub-Committee**

## **1. Background**

- 1.1 At the Annual Meeting on 25 May 2023, the Council agreed to establish two sub-committees under the remit of the Community and Environment Committee. The first sub-committee would take on the work of the previous Biodiversity Working Group, whilst the other sub-committee would take on the responsibilities of the Local Plan Working Party.
- 1.2 In agreeing to establish these sub-committees, the Council agreed that the Biodiversity Sub-Committee would comprise of 6 Members and the Local Plan Sub-Committee would be made up of 10 Members, with seat entitlement on both reflecting the overall political make-up of the Council.

## **2. Key Issues**

- 2.1 The following nominations had been received by the Proper Officer from political groups seeking to appoint to the Biodiversity Sub-Committee:

- Councillor M. Buckler
- Councillor R. Shelley
- Councillor M. Burfoot
- Councillor P. Slack

At the time of writing this report, no nominations had yet been received from the Conservative Group. These will be reported to the meeting when received.

- 2.2 The following nominations had been received by the Proper Officer from political groups seeking to appoint to the Local Plan Sub-Committee:

- Councillor R. Archer
- Councillor P. O'Brien
- Councillor M. Buckler
- Councillor S. Ripton
- Councillor M. Burfoot
- Councillor R. Shelley
- Councillor D. Hughes

At the time of writing this report, no nominations had yet been received from the Conservative Group. These will be reported to the meeting when received.

- 2.3 There were no formal terms of reference established previously for the Biodiversity Working Group, which was established principally to look at ways in which the Council could increase biodiversity in the road verges and open spaces it manages. It is recommended that this provision is retained for the Terms of Reference for the sub-committee and that Members consider what other provisions should be included within these terms of reference.
- 2.4 The former Local Plan Working Group had the following terms of reference:

- To undertake work as instructed by Council on policies and proposals as part of the Local Plan Review and to prepare options for Council to consider.

- The Local Plan Working Group will comprise 11 members, with the support of such officers as required and is not a formal decision making body.

2.5 It is recommended that the Terms of Reference for the Sub-Committee be as follows, subject to any amendments from Members:

- To undertake work as instructed by Council or Community and Environment Committee on policies and proposals as part of the Local Plan Review
- To prepare options and recommendations for the Council and Community and Environment Committee to consider as part of the Local Plan Review

### **3. Options Considered and Recommended Proposal**

3.1 The Committee could decide to not to appoint to the Biodiversity Sub-Committee. It is clear however, that it is the wish of Council to appoint Members to serve on the Biodiversity Sub-Committee to lead the development and preparation of recommendations to the Community and Environment Committee and/or Council.

3.2 The Committee could decide to not to appoint to the Local Plan Sub-Committee. This would mean that the work of consultation with Members outside the formal Committee system could become unstructured and ad hoc, as the Council has already determined that the Local Plan Working Group should become a sub-committee. This would be likely to be detrimental to the production of a sound Local Plan. There is also a risk that the Community and Environment Committee or Council could become overworked with matters that are better discussed, in terms of the formulation of proposals, in the more focused environment of a sub-committee. It is clear however, that it is the wish of Council to have the Local Plan Sub-Committee to lead the development and preparation of recommendations to the Community and Environment Committee and/or Council.

### **4. Consultation**

4.1 Political Groups have been consulted in seeking nominations for the seats available on the two sub-committees.

4.2 No further consultation has taken place at the time of writing this report.

### **5. Timetable for Implementation**

5.1 Subject to the agreement of the committee, the appointments made will be effective immediately and officers will make arrangements for meeting dates to be fixed and communicated to Members.

### **6. Policy Implications**

6.1 The establishment of sub-committees for Biodiversity and the review of the Derbyshire Dales Local Plan is a key commitment for the new administration

of the Council. These are also key policy considerations for the authority in the development of a new Corporate Plan in the coming months.

## **7. Financial and Human Resource Implications**

- 7.1 There are no direct financial implications arising from this report and the financial risk is assessed as low.

## **8. Legal Advice and Implications**

- 8.1 The Council has determined to establish sub-committees in accordance with Section 15 of the Local Government and Housing Act 1989, and the relevant regulations set out political balance requirements on committees and sub-committees.

- 8.2 The Local Plan Sub-Committee will formulate proposals which will be considered by the Community and Environment Committee, albeit ultimately it is only full Council that can approve the finalised Local Plan. Subject to the Council complying with this statutory requirement, the legal risk is assessed as low.

## **9. Equalities Implications**

- 9.1 The District Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. There are no equality implications arising from the proposals within this report.

## **10. Climate Change and Biodiversity Implications**

- 10.1 As one of the recommendations is to appoint Members to serve on the Biodiversity Sub-Committee, it is considered that there will be a positive impact if Members were minded to approve this report.

## **11. Risk Management**

- 11.1 Whilst there are no risks associated with the recommendations in this report, failure to establish the Local Plan Sub-Committee would have a detrimental impact on effective decision making and sound governance with regards to the preparation of the Derbyshire Dales Local Plan

### **Report Authorisation**

Approvals obtained from:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	31/05/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	31/05/2023
Monitoring Officer (or Legal Services Manager)	James McLaughlin	31/05/2023

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