

MINUTES of the MEETING
of the SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on, 24th January 2013
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Bale (Chairman), Councillor Mrs. Hood (Vice-Chairman) and Councillors Atkin, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, Lemmon, Murray, Mrs. Patten, Mrs. Plenderleith, Roberts, Smith, Stanton, Mrs. Watson, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Taylor, Tilley and Wilkins.

CL/73. **MINUTES**

The Open Minutes of the Meeting of the Council held on 13th December 2012 (Minutes Nos. CL/58 – CL/70) were taken as read, approved as a true record and signed by the Chairman.

CL/74. **PRESENTATION FROM EAST STAFFORDSHIRE RACIAL EQUALITY COUNCIL**

The Chairman welcomed Mr. Amir Kabal who gave a presentation on the East Staffordshire Racial Equality Council and the Partnership Against Crimes of Hate. These independent organisations did not cover the South Derbyshire area formally, but enquiries were received from its residents. Previously, cases in South Derbyshire had been referred to the corresponding organisation in Derby, but this no longer existed. Mr. Kabal gave a broad outline of the services provided and background information was available though the annual reports of both organisations, copies of which were supplied. It was hoped that the District Council would consider a formal partnership with the organisation and initial meetings had been held with Officers.

Mr. Kabal responded to Members' questions. It was noted that the Council had previously been represented on the Racial Equalities Council, but had withdrawn, due to a lack of caseload from South Derbyshire residents. However, as the Derby organisation no longer existed, this body could provide a local service to South Derbyshire. It was acknowledged that there was increased reporting and incidents of hate crime. A further area explored was the organisations' financial position. Mr. Kabal was thanked for the presentation.

CL/75. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Members for the good wishes expressed both to himself and the Vice-Chairman and he thanked Councillor Stanton for chairing the previous Council Meeting. He spoke about events attended since December, in particular referring to an event at Swarkestone to commemorate the march of Bonnie Prince Charlie and subsequent endeavours to organise an exhibition in Swadlincote. The Chairman also referred to a Rotary concert, tree planting at Hatton and his role as Ambassador for the Girl Guides. He spoke about "santa runs" at both Rosliston and Elvaston, prize giving at the Pingle School, a talent competition at Gresley Old Hall and the commemoration of 10 years of the Sharpe's Pottery.

The Chairman then referred to a photography exhibition which would be held in Swadlincote, as part of a national roadshow of the work of top UK nature photographers.

CL/76. LEADER'S ANNOUNCEMENTS

The Leader welcomed the return of the Chairman and Vice-Chairman of Council. He also thanked staff for their work over the Christmas period when residents were experiencing flooding problems and also for the recent work completed in the adverse winter weather conditions. The Chief Executive agreed to pass on Members' thanks to the staff involved.

CL/77. HEAD OF PAID SERVICE ANNOUNCEMENTS

An update was given on the golf course off Nadins Way, with the Chief Executive speaking about the next stages in its development.

CL/78. REPORTS OF COMMITTEES**RESOLVED:-**

That the Open reports of the following Committees be received and noted and any recommendations contained therein be approved and adopted, subject to any matters annotated:-

Housing and Community Services Committee, 29th November 2012 (Minutes Nos. HCS/34 – HCS/43)

Finance and Management Committee, 6th December 2012 (Minutes Nos. FM/57 – FM/66)

(Minute No. FM/65 – A Member addressed Council regarding the Government's welfare reforms and asked if the Chairman of the Finance and Management Committee shared his concerns about the impact this would have on some of South Derbyshire's residents. The Chairman of the Committee responded and shared these concerns).

Planning Committee, 11th December 2012 (Minutes Nos. PL/94 – PL/101)

(In presenting these Minutes, the Chairman of the Committee expressed appreciation to Nicky Toon, a Development Control Officer who would shortly be leaving the Authority and he wished her well for the future. These sentiments were endorsed by the Vice-Chairman of the Committee and Members of the Council).

Overview and Scrutiny Committee, 12th December 2012 (Minutes Nos. OS/17 – OS/21)

Environmental and Development Services Committee (Special), 20th December 2012 (Minutes Nos. EDS/37 – EDS/38)

Finance and Management Committee (Special), 20th December 2012 (Minutes Nos. FM/71 – FM/72)

Licensing and Appeals Sub-Committee, 8th January 2013 (Minutes Nos. LAS/15 – LAS/16)

CL/79. **SEALING OF DOCUMENTS**

RESOLVED:

That the Sealed Documents listed at Annexe ‘SMB1’ to the Signed Minute Book, which have no specific authority, be duly authorised.

CL/80. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

RESOLVED:

That Councillor Stanton replaces Councillor Murray on the Preferred Growth Strategy Working Panel.

CL/81. **COMPOSITION OF SUBSTITUTE PANELS**

There were no amendments to the composition of Substitute Panels.

CL/82. **REPRESENTATION ON OUTSIDE BODIES**

RESOLVED:

That Councillor Atkin be appointed as this Authority’s substitute Member on the Police and Crime Panel.

CL/83. **COUNCIL TAX REDUCTION SCHEME REGULATIONS 2013**

The Council was asked to adopt the detailed regulations for the proposed Local Council Tax Support Scheme for South Derbyshire for 2013/14. This was based on recommendations from the Finance and Management Committee, which had considered the issues and reviewed options in

accordance with its Terms of Reference over the last year. As a Billing Authority, the Council was required statutorily to adopt a local scheme by 31st January 2013. The regulations would come into force immediately and be effective from 1st April 2013. They would replace the existing national benefits scheme as it applied to Council Tax, which would be abolished on 31st March 2013.

RESLOVED:-

That the Council approves:-

- (1) Under Section 10 of the Local Government Finance Act 2012, a Local Council Tax Support Scheme for South Derbyshire is adopted for the financial year commencing 1st April 2013.***
- (2) New regulations are approved and cited as the Council Tax Reduction Scheme Regulations (South Derbyshire District Council Local Scheme 2013) and come into force on 24th January 2013.***
- (3) These regulations amend the Council Tax Reduction Schemes Default (England) Regulations 2012 as set out in the Schedule to those Regulations for the purposes of paragraph 4 of Schedule 1A to the Local Government Finance Act 1992, by:***
 - Inserting Section 18a Class G: exempt persons who are not pensioners whose income is less than the applicable amount.***
 - Inserting Section 18b Class H: persons who are not pensioners whose income is greater than the applicable amount.***
 - Amending Regulation 32 to vary the maximum entitlement in prescribed cases, i.e. to give effect to the designation of war pensioners and the disabled as protected groups (in addition to pensioners under the Default Scheme) and to reduce benefit entitlement in non-protected groups by 8.5% for passported cases and by 10% in all other cases.***
 - Amending Schedule 8 (20) to ensure the continuation of the disregard of war pensions, to include other payments made under the Armed Forces Compensation Scheme.***
 - Inserting at Part 12 Chapter 6 a provision to increase the period of extended payments (as defined in the Regulations) from 4 to 8 weeks.***

CL/84. **GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES AND AUTHORISATION OF OFFICERS**

The Council was asked to adopt a revised and updated Licensing Policy (Gambling) and Statement of Principles. The Environmental and Development Services Committee had approved the draft Policy for adoption by the Council at its Meeting on 10th January 2013. A copy of the draft document was submitted for Members consideration.

RESOLVED:-

- (1) *That the Council adopts the Statement of Licensing Policy (Gambling) and Statement of Principles, a copy of which is incorporated in the Signed Minute Book at Annexe 'SMB2'.*
- (2) *That the Council continues to delegate the decisions on all applications in accordance with the table of delegations contained in Appendix 'C' of the Policy.*

CL/85. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined under the paragraphs of Part 1 of Schedule 12A of the Act as indicated in the reports of Committees.

MINUTES

The Exempt Minutes of the Meeting of the Council held on 13th December 2012 were duly received and approved.

REPORTS OF COMMITTEES

The Exempt reports of the following Committees were received and noted and any recommendations contained therein, approved and adopted:-

Housing and Community Services Committee, 29th November 2012

Finance and Management Committee, 6th December 2012

Planning Committee, 11th December 2012

Environmental and Development Services Committee (Special), 20th December 2012

Finance and Management Committee (Special), 20th December 2012

M.J.P. BALE

CHAIRMAN