

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way, Swadlincote
on Monday 26th February 2018
at 6.00pm

PRESENT:-

Conservative Group

Councillor Stanton (Chairman), Councillor Mrs Hall (Vice Chairman) and Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Harrison, Hewlett, MacPherson, Muller, Murray, Mrs Patten, Mrs Plenderleith, Roberts, Swann, Watson, Wheeler and Mrs Wyatt

Labour Group

Councillors Bambrick, Chahal, Dunn, Dr Pearson, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley and Wilkins

CL/121 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Smith (Conservative Group) and Councillor Tipping (Independent/Non-Grouped Member).

CL/122 **MINUTES OF COUNCIL**

The Open Minutes of the Meeting of the Council held on 18th January 2018 (CL/99-CL/117) were approved as a true record.

CL/123 **DECLARATIONS OF INTEREST**

On behalf of all Members, the Chairman declared a pecuniary interest in relation to Item 8, Council Tax Setting 2018/19, in accordance with Clause 14(4)(vi) of the Members' Code of Conduct.

CL/124 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman of the Council outlined a summary of events attended since the last Council Meeting, including the Holocaust Memorial Day held at Rosliston Forestry Centre, celebrations for British Village Hall Week, Pingle Academy Awards at Pirelli Stadium, Swadlincote Pancake Races to mark Shrove Tuesday and the High Sherriff's tour of Swadlincote.

CL/125 **ANNOUNCEMENTS FROM THE LEADER**

The Leader informed Members of her attendance to a recent D2 Joint Committee for Economic Prosperity in Matlock and a Toyota City Partnership Board held at the University of Derby.

CL/126 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Chief Executive updated Members that Burton and Derby Hospitals Trust's Chief Executive, Chief Superintendent Jim Allen and representatives from East Midlands Airport would be attending future Council Meetings scheduled in April, June and September 2018.

Following Councillor Taylor's query at the previous Council Meeting, Minute No. CL/108, the Chief Executive updated Members that information would be circulated to the Leader and Leader of the Opposition for comments preceding publication to promote the opportunity for members of the public to ask a question of Council.

CL/127 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council were informed that no questions had been received.

CL/128 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The following question had been received, on notice, from Councillor Dunn to the Chairman of Audit Sub-Committee:

"The question is to Councillor Grant, Chairman of Audit Sub-Committee.

Could the Chairman of Audit Sub-Committee explain why the listed meeting of February 14th was cancelled due to insufficient business when the Members had requested answers to several issues that had raised concerns at the meeting of December 13th 2017?"

As Chairman of the Audit Sub-Committee, Councillor Grant responded explaining that the required reports from internal and external audit that were on the Agenda for the 14th February Meeting, were not complete therefore a decision was made to cancel the Meeting. Councillor Grant informed Council that he had been unable to attend the December meeting, but the required report from internal audit had not been completed.

Councillor Dunn wished for it to be clarified that the Meeting had then been cancelled due to incomplete audit reports and not lack of business. The Councillor further queried whether the Chairman of Audit Sub-Committee and Officers were concerned that reports were not prepared and that the Council was currently operating a contract without the signature of the Counterparty.

Councillor Grant noted that the matter had been discussed with both internal

and external auditors, but as the business of the Meeting was contained in the reports; the Meeting was cancelled.

CL/129 **SEALED DOCUMENTS**

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
05.01.18	11877	Transfer – 6 The Avenue, Weston-on-Trent
05.01.18	11879	Transfer – 35 Woodlands Road, Overseal
25.01.18	11887	Transfer – 26 Salisbury Drive, Midway

RESOLVED:

That the Sealed Documents listed, for which there is no specific authority, be duly authorised.

CL/130 **COUNCIL TAX SETTING 2018/19**

The Leader moved the resolutions contained in the report, commenting on the Council's budget, its financial position and the proposed level of Council Tax for 2018/19. The Leader stated that during the last year, the Council's financial position had strengthened, with a good level of reserves and a balanced budget, but emphasised that the ongoing need for budget savings and further efficiencies in order to sustain this position.

Whilst noting the withdrawal of the Revenue Support Grant from next year, the Leader referred to the financial benefits resulting from the inclusion of this Council in the government's pilot for the 100% retention of business rates. The Leader welcomed the government's proposal not to change any further the allocation of the New Homes Bonus for 2018/19 and the allocation of funds for the relief road around Woodville. The Leader noted the increase in contributions to Parish Councils and the Voluntary and Community Sector and highlighted the Council's commitment in supporting them by referring to the proposed sum for a further round of the Community Partnership Scheme.

Turning to the Council Tax setting for 2018/19, the Leader emphasised the desire to keep any rises as low as possible, proposing an increase of 1.95% for South Derbyshire District Council services, an increase of £3 on Band D for the year. This, the Leader felt, represented good value for money and thanked the staff for their work during these challenging times for the Council.

Councillor Harrison seconded the recommendation and was joined by Members in thanking the Strategic Director (Corporate Resources) and his team for their work.

Councillor Richards responded, commenting that the previous year's increase in Council Tax had been supported, however he felt that the Council's current reserves and strengthening financial position did not justify the proposed increase in Council Tax and raised concerns relating to its impact on residents. Councillor Richards stated that the Labour Group would not support the report's recommendations.

Councillor Harrison responded clarifying that the earmarked reserves had been hypothecated to fund specific projects, and that remaining funds would be required to support the Council during the projected budget deficit.

Councillor Southerd expressed that although increases by the fire and police authorities could be understood, the proposed increase by this Council was not justified.

RESOLVED:-

- 1. It be noted that on 11th January 2018, the Finance and Management Committee calculated the Council Tax Base 2018/19:**
 - (a) For the whole area as 32,467 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011).**
 - (b) For dwellings in those parts of its area to which a Parish Precept relates as 22,193.**
- 2. Calculate that the Council Tax Requirement for the Council's own purpose for 2018/19 (excluding Parish Precepts) is £5,169,071.**
- 3. That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 and 36 of the Localism Act 2011:**
 - (a) £46,052,623**

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £40,111,039**

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
 - (c) £5,941,584**

Being the amount by which the aggregate of 3(a) above exceeds the aggregate of 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £183.00**

Being the amount at 3(c) above (Item R) all divided by Item T (1a above) calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts).
 - (e) £772,513**

Being the aggregate amount of all Parish Precepts referred to in Section 34 (1) of the Act.

(f) £159.21

Being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1a above) calculated by the Council in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish Precept relates.

- 4. *To note that Parish Councils have issued precepts to the Council in accordance with Section 41 of Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule A***
- 5. *To note that the County Council, the Police and Crime Commissioner and the Fire and Rescue Service for Derbyshire, have issued Precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in Schedule B.***
- 6. *That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Schedule C, as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings, this being the aggregate of Schedules A and B.***
- 7. *That in accordance with Section 52 (ZB) of the Local Government Finance Act 1992, the Council determines that the amount of council tax shown at 3 (f) of £159.21 is not excessive compared to 2017/18 and therefore there is no requirement for a local referendum.***

As required by the Council's Procedure Rules a recorded vote was taken:

The Members who voted for were:

Councillors Atkin, Billings, Mrs Brown, Mrs Coe, Coe, Mrs Coyle, Ford, Grant, Mrs Hall, Harrison, Hewlett, MacPherson, Muller, Murray, Mrs Patten, Mrs Plenderleith, Roberts, Stanton, Swann, Watson, Wheeler and Mrs Wyatt.

The Members who voted against the above resolutions were:

Councillors Bambrick, Chahal, Dunn, Dr Pearson, Rhind, Richards, Shepherd, Southerd, Mrs Stuart, Taylor, Tilley and Wilkins.

CL/131 POLITICAL PROPORTIONALITY 2017/18

A report was submitted for Council to consider its political proportionality for the remainder of the municipal year 2017/18 following changes to the composition of the Conservative Group.

RESOLVED:-

1.1 Members approved that the Council approves and adopts the recommended allocation of seats to the Political Groups for the remainder of the municipal year 2017/18.

1.2 Members approved that the Council allocates seats between the Political Groups as set out at Annexe 'A' and invites the two Groups to make nominations to fill the seats

CL/132 **CONFLICTS OF INTEREST POLICY**

The Chief Executive presented the report for Council to consider the amended Conflicts of Interest Policy.

RESOLVED:-

Council approved the amended Conflicts of Interest Policy (Appendix A to this report), to be included within Part 5 of the Council's Constitution.

CL/133 **REVIEW OF AREA FORUM MEETINGS**

The Chief Executive introduced the report outlining that the purpose of the review would be to engage residents and increase attendance to Area Forum meetings. The Communities Manager explained the proposal to merge the Safer Neighbourhood Meeting and the Area Forum into one meeting, chaired by an Elected Member. Items to be added to the Agenda such as future meeting dates were suggested and examples of best practice were cited.

Councillor Richards welcomed the recommendation thanking the members of public who had chaired the Safer Neighbourhood meetings in the past and was joined by the Leader in understanding the need for the review in order to increase attendance and participation.

A discussion ensued regarding a change of name for the meeting, use of social media to promote the meeting, the content of the agenda, the start time for the meeting. The Chief Executive addressed issues advising that subject to the consultation with parish councils, any feedback would be relayed back to Council.

RESOLVED:-

Members approved the recommended merger of the public Safer Neighbourhoods Meetings and Area Forums into one single meeting with authority granted to individual Chairman of the Area Forum Meetings to determine the start time of the meeting in consultation with officers.

Abstention: Councillor Roberts

CL/134 **OPEN MINUTES**

Council received and considered the open minutes of its Committees.

RESOLVED:-

That the open minutes of the following Committees and Area Forum meetings were approved as a true record:-

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Housing and Community Services: Special – Budget	09.01.18	HCS/60-HCS/67
Finance and Management: Special – Budget	11.01.18	FM/107-FM/115
Planning	16.01.18	PL/120 – PL/130
Overview and Scrutiny	17.01.18	OS/39-OS/48

Councillor Swann referred to Minute No.OS/47, clarifying that the Committee's site visit had been made to North Warwickshire Borough Council.

<u>Committee</u>	<u>Date</u>	<u>Minute No.'s</u>
Etwall Joint Management Committee	22.01.18	EL/10-EL/16
Environmental and Development Services	25.01.18	EDS/77-EDS/87
Licensing and Appeals Sub-Committee	01.02.18	LAS/30-LAS/33
Housing and Community Services	01.02.18	HCS/70-HCS/79
Planning	06.02.18	PL/131-PL/141
Overview and Scrutiny	08.02.18	OS/49-OS/59

<u>Area Forum</u>	<u>Date</u>	<u>Minute No.'s</u>
Etwall	23.01.18	EA/20-EA/28
Newhall	30.01.18	NA/19-NA/27
Swadlincote	31.01.18	SA/20-SA/28
Melbourne	05.02.18	MA/19-MA/28
Repton	07.02.18	RA/19-RA/27
Linton	13.02.18	LA/19-LA/27

CL/135 **THE COMPOSITION OF COMMITTEES, SUB-COMMITTEES & WORKING PANELS FOR THE REMAINDER OF THE MUNICIPAL YEAR**

The Leader announced the following:-

- That Councillor Atkin be replaced by Councillor Tipping on the Licensing and Appeals Committee.
- That Councillor Ford be replaced by Councillor Tipping on the Planning Committee.
- That Councillor Tipping remain on Housing and Community Services Committee as an Independent/Non-Grouped Member.
- That Councillor Mrs Coe be replaced by Councillor Swann on the Finance and Management Committee.

CL/136 **COMPOSITION OF SUBSTITUTE PANELS**

The Leader announced the following:-

- That Councillor Mrs Coe replace Councillor Tipping on the Finance and Management Committee substitute panel.
- That Councillor Watson be removed from the Housing and Community Services Committee substitute panel.
- That Councillor Tipping be removed from the Planning Committee substitute panel.

CL/137 **REPRESENTATION ON OUTSIDE BODIES**

The Leader announced the following:

- That Councillor Wheeler replace Councillor Mrs Coyle on the Local Government Information Unit.
- That Councillor Muller replace Councillor Coe on the Derbyshire Police and Crime Panel.

CL/138 **MEMBER CHAMPIONS**

Council were informed that no changes had been made to appointment of Member Champions since its last meeting.

CL/139 **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.

EXEMPT MINUTES OF THE COUNCIL

The Exempt Minutes of the Annual Council Meeting held on 18th January 2018 (CL/118-CL/120) were approved as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

EXEMPT MINUTES

Council received and considered the Exempt Minutes of its committees.

RESOLVED:-

That the Exempt Minutes of the following Committees be approved as a true record:-

Housing and Community Services: Special – Budget	09.01.18	HCS/68-HCS/69
Finance and Management: Special – Budget	11.01.18	FM/116-FM/118
Environmental and Development Services	25.01.18	EDS/88-EDS/89
Licensing and Appeals Sub-Committee	01.02.18	LAS/34
Housing and Community Services	01.02.18	HCS/80-HCS/82
Planning	06.02.18	PL/142-PL/143

The meeting terminated at 7.10pm.

COUNCILLOR M STANTON

CHAIRMAN OF THE DISTRICT COUNCIL