

MINUTES of the MEETING  
of the SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at Civic Offices, Civic Way, Swadlincote  
on 4th March 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, 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/88. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Roberts (Conservative Group).

CL/89. **MINUTES**

The Open Minutes of the Meeting of the Council held on 24th January 2013 (Minutes Nos. CL/73 – CL/85) were taken as read, approved as a true record and signed by the Chairman.

CL/90. **DECLARATIONS OF INTEREST**

On behalf of all Members, the Chairman declared a pecuniary interest in the item on the Final Budget Proposals, relating to the Council Tax setting and in accordance with Clause 14(4)(vi) of the Members' Code of Conduct, Members were able to vote on this matter relating to a function of the Authority.

CL/91. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman gave a summary of events attended since the last Meeting, in particular referring to a Showman's Guild event and tree planting to commemorate Holocaust Memorial Day. The Chairman referred to fundraising activities for his nominated charities, the annual pancake races in Swadlincote Town Centre and the unveiling of a plaque at Netherseal in memory of Sir Nigel Gresley. The Chairman also publicised the Civic Dinner and a planned reunion for the Land Girls.

CL/92. **LEADER'S ANNOUNCEMENTS**

The Leader referred to the awards won by the Swadlincote Market, which were displayed at the front of the Chamber, including the award of Best Small Street/Outdoor Market. He congratulated the market traders and officers concerned. The Leader also reminded of the 2020 Vision street gallery, which would take place in The Delph area of Swadlincote Town Centre over the Easter period. He referred to a tree planting initiative in conjunction with Rolls-Royce, the Healthier South Derbyshire event held at the Green Bank Leisure Centre the previous weekend and he thanked the officers involved in both initiatives. The Leader also reminded Members of the official opening of Oakland Village on 6th March. Finally, he congratulated Councillor Mrs. Watson who had been selected as a finalist at the recently held LGIU Awards.

CL/93. **HEAD OF PAID SERVICE ANNOUNCEMENTS**

The Director of Operations reported that the anticipated planning appeal at Burnaston Lane had been withdrawn.

CL/94. **NOTICE OF MOTION**

It was reported that in accordance with Council Procedure Rule No. 12, Councillor Richards had given notice of the following Motion:

“This Council resolves to sign the East Midlands Declaration on Affordable Housing”.

The Motion was seconded and debated, with a number of Members contributing.

**RESOLVED:-**

***That the Motion be carried.***

CL/95. **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:-***

***Finance and Management Committee (Special), 10th January 2013 (Minutes Nos. FM/74 – FM/76)***

***Environmental and Development Services Committee (Special), 10th January 2013 (Minutes Nos. EDS40 – EDS/42)***

***Housing and Community Services Committee (Special), 15th January 2013 (Minutes Nos. HCS/45 – HCS/46)***

**Finance and Management Committee (Special), 17th January 2013  
(Minutes Nos. FM/77 – FM/80)**

**Planning Committee, 22nd January 2013 (Minutes Nos. PL/103 – PL/115)**

**Overview and Scrutiny Committee, 23rd January 2013 (Minutes Nos. OS/22 – OS/24)**

**(Minute No. OS/24 – The Chairman of the Committee responded to questions about the recommendations made by the Overview and Scrutiny Committee with regard to the Council Tax increase).**

**Finance and Management Committee (Special), 28th January 2013  
(Minute No. FM/81)**

**Environmental and Development Services Committee, 31st January 2013  
(Minutes Nos. EDS/43 – EDS/51)**

**(Minute No. EDS/50 – In response to a question about the prosecution of the Council due to vehicle defects, the Director of Operations summarised the mitigation measures and he agreed to provide a copy of them to Members. It was confirmed that additional measures had been implemented to ensure that vehicle checks took place).**

**Housing and Community Services Committee, 7th February 2013  
(Minutes Nos. HCS/47 – HCS/56)**

**(Minute No. HCS/51 – With regard to the legacy programme, a Member had raised concerns at this Committee about safety issues at the Swadlincote skateboard park and had not yet received a response. This issue had been referred to officers and would be pursued).**

**Overview and Scrutiny Committee, 13th February 2013 (Minutes Nos. OS/25 – OS/29)**

**Finance and Management Committee, 21st February 2013 (Minutes Nos. FM/82 - FM/92)**

**Area Forums**

**Newhall, 29th January 2013 (Minutes Nos. NA/17 – NA/24)**

**Etwall, 30th January 2013 (Minutes Nos. EA/17 – EA/23)**

**Melbourne, 4th February 2013 (Minutes Nos. MA/15 – MA/21)**

**Swadlincote, 5th February 2013 (Minutes Nos. SA/17 – SA/22)**

**(Two minor corrections were made under Minutes Nos. SA/18 and SA/20).**

*Repton, 14th February 2013 (Minutes Nos. RA/17 – RA/23)*

*(Minute No. RA/21 – a Member clarified issues raised under this item).*

CL/96. **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/97. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

There were no amendments to the composition of Committees, Sub-Committees and Working Panels.

CL/98. **COMPOSITION OF SUBSTITUTE PANELS**

There were no amendments to the composition of Substitute Panels.

CL/99. **REPRESENTATION ON OUTSIDE BODIES**

There were no amendments to the list of the Council’s representatives on Outside Bodies.

CL/100. **COUNCIL TAX SETTING 2013/14**

The Leader of the Council addressed Members on the budget and proposed a Motion of there being no increase in this Council’s level of Council Tax, which was duly seconded. The Leader of the Opposition responded and contributions were made by other Members.

**RESOLVED:-**

*That the Council approves the following resolutions:-*

- (1) It be noted that on 17th January 2013, the Finance and Management Committee calculated the Council Tax Base 2013/14:
  - (a) For the whole area as 29,359 (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 shown in Appendix 2.**
- (2) Calculate that the Council Tax Requirement for the Council’s own purpose for 2013/14 (excluding Parish Precepts) is £4,411,190.*
- (3) That the following amounts be calculated for the year 2013/14 in accordance with Sections 31 and 36 of the Localism Act 2011:*

(a) £52,815,521

*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) £47,801,109

*Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.*

(c) £5,014,412

*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) £170.80

*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) £603,222

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

(f) £150.25

*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 of this Appendix.*
- (5) *To note that the County Council, the Police Authority and the Fire and Rescue Authority, 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 of this Appendix.*

- (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 of this Appendix, as the amounts of Council Tax for 2013/14 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) above of £150.25 being unchanged from 2012/13 is not excessive and therefore there is no requirement for a local referendum.*

CL/101. CYCLE OF MEETINGS 2013/14

RESOLVED:-

*That the Cycle of Meetings for 2013/14, attached at Annexe 'A' to the Minutes be approved.*

CL/102. 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 24th January 2013 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:-*

*Environmental and Development Services Committee, 31st January 2013*

*Housing and Community Services Committee, 7th February 2013*

*Finance and Management Committee, 21st February 2013*

M.J.P. BALE

CHAIRMAN