

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 26th January 2006
at 6.00 p.m.

PRESENT:-

Labour Group

Councillors Bambrick, Bell, Carroll, Dunn, Harrington, Isham, Lane, Mrs. Mead, Mulgrew, Murphy, Pabla, Richards, Shepherd, Southerd, Southern, Taylor, Whyman, M.B.E. and Wilkins.

Conservative Group

Councillors Atkin, Bale, Bladen, Ford, Mrs. Hall, Harrison, Mrs. Hood, Hood, Lemmon, Mrs. Renwick, Shaw and Mrs. Wheeler.

Independent Member

Councillor Mrs. Walton.

CL/117. **APPOINTMENT OF CHAIR FOR THE MEETING**

RESOLVED:-

That in the absence of both the Chair and Vice Chair of the Council, Councillor Mrs. Mead be appointed Chair for the Meeting.

CL/118. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Jones (Chair), Councillor Lauro (Vice Chair) (Labour Group) and Councillors Mrs. Littlejohn and Nalty (Conservative Group).

CL/119. **COUNCILLOR JOHN STONE**

Members observed a minute's silence in memory of the late Councillor John Stone, who passed away just before Christmas. Tributes were led by the Leader of the Council, who referred to Councillor John Stone's work as a representative for the Swadlincote Ward. He considered him to be decent, trustworthy and a devoted family man who would be missed. Councillor Stone contributed in a quiet way and the Leader referred to his character, his principles and views.

Councillor Hood recalled that he was elected at the same time as Councillor Stone. He shared a memory with Members of a particular event and would miss him. Councillor Mrs. Wheeler spoke of his other interests and in particular bell ringing. She would investigate whether a facility for bell ringing could be established at the Bretby Crematorium.

The Swadlincote Ward Members, Councillors Murphy and Lane also paid tribute. They used to look to Councillor Stone for advice and considered him an honest, kind hearted and genuine person. They spoke of his commitment to his Ward and the very quiet way in which he went about his Council

business. Councillor Murphy praised his work at Homestart and offered his condolences to Mrs. Stone. Councillor Lane referred to his working life and his sense of duty, which was paramount, as shown by his attendance at a Council Meeting only days before his death. The Chair concluded the tributes, stating that all Members would have memories of Councillor Stone and would miss him greatly.

CL/120. **PHILLIP WHITEHEAD MEP**

Members observed a minute's silence in memory of the late Phillip Whitehead MEP. Councillor Richards led the tributes and referred to his memorial service. The Leader explained that he had attended a number of events recently where respect had been shown for the late MEP. Many people considered Mr. Whitehead to be a personal friend. The Leader spoke of his character, his role in television and in politics. He considered him to be a humble, kind and gentle man, who had time for everyone. The Leader spoke of the Prime Minister's tribute to Phillip Whitehead and the loss of his strong voice for the District and the region as a whole. He would miss Mr. Whitehead enormously. Councillor Mrs. Wheeler referred to his memorial service and the many things that Mr. Whitehead had achieved before going into politics. She felt he was an interesting and charming person.

CL/121. **MINUTES**

The Open Minutes of the Meeting of the Council held on 3rd November 2005 (Minutes Nos. CL/91 – CL/104) and the Open Minutes of the Special Meeting of the Council held on 15th December 2005 (Minutes Nos. CL/108 – CL/115) were taken as read, approved as true records and signed by the Chair.

CL/122. **DECLARATIONS OF INTERESTS**

Councillor Lemmon declared a personal interest in the item and presentation by the Derbyshire Dales and South Derbyshire Primary Care Trust (PCT). He was an executive director of the PCT. Councillors Murphy and Wilkins also declared personal interests in this item as their respective wives worked for the PCT.

CL/123. **PRESENTATION BY THE DERBYSHIRE DALES AND SOUTH DERBYSHIRE PRIMARY CARE TRUST**

Andy Layzell, Director of Strategic Development at the Derbyshire Dales and South Derbyshire Primary Care Trust (PCT) attended the meeting and made a presentation to Members. He explained proposals to reconfigure PCTs within Derbyshire. A context was provided of the NHS plans for a first phase transition, the achievements of PCTs to date and the areas where further improvements were needed. It was now time to review fitness for purpose and to respond to the next phase of Government reform. Three consultations were currently taking place on the reconfiguration of ambulance services, strategic health authorities and PCTs. Brief reference was made to the first two consultations, before Mr Layzell focussed on the future role of PCTs. There were a number of learning points from the engagement and option appraisal processes. For Derbyshire, there were four main options based around the inclusion of services for the City of Derby and Glossop areas. Detail was given of the criteria that options would be assessed against. In considering the options these would change structures, but not affect service

provision. Further presentation slides then compared having a single PCT for Derbyshire, alternate arrangements based on a separate PCT for the City of Derby area and also raised issues relating to Glossop.

Questions were invited and Councillor Dunn sought more information about the freedom of choice for patients in their choice of hospital. In particular, he asked about transportation of patients and relatives wishing to visit. Mr Layzell replied that when referred by their GP, patients could exercise choice, other than those patients who were very ill. The majority of patients wished to go their local hospital, but some might opt for another if, for example, there was a shorter waiting list, better available parking or the patient had relatives nearer to another hospital. In general, a minority of patients exercised this choice. Councillor Dunn sought confirmation that no help was provided with travel arrangements. The Director understood that the position on this issue was changing and travel might become included in the future.

Councillor Harrison spoke of the importance of this issue and he felt that the rationalization was a cost cutting exercise. He quoted national PCT losses previously and those for the current financial year. He felt the review was set against a background of achieving a financial breakeven. Councillor Harrison felt consideration should also be given to the interface between the NHS and Social Services. He touched on the possible arrangements for Derby and Glossop. In reply, Mr Layzell spoke about funding issues. PCTs recognised the need to merge and he explained how this had happened in the City of Derby already. It was difficult to justify the current arrangements and PCTs would be performance managed in the use of saved resources. He commented on the issues relating to Glossop, the need to work across boundaries and referred also to Social Services links.

Councillor Mrs. Wheeler was critical of the PCT's approach to "localism". She spoke of the importance of post-hospital care and used an example to show how it was not currently "joined up". She referred to patients' choice of hospital and the changing demographics of the District. People moving into the area from the Birmingham fringes might prefer to use hospitals in that area. She was also critical of IT database systems.

Councillor Wilkins also touched upon "localism", the NHS Agenda for Change and he spoke about deprivation in certain District Wards. Traditionally, there had been a policy of directing resources into known problem areas and he hoped that this would continue. The Director responded and felt there was a real opportunity from these proposals. He touched on funding issues, including devolved budgets, the increase in funding for the area and the recognition of growth in population as well as the serious health problems in certain areas.

Councillor Richards noted that a report would also be considered by the Housing and Community Services Committee. He spoke about the current arrangements throughout Derbyshire and in adjacent counties. By achieving savings in overheads, funding could be re-directed to improve service provision. The current arrangements did not seem logical and the Council could have an input into the new arrangements. He welcomed this opportunity and urged Members to read the consultation documents.

Councillor Bale spoke of issues for more remote rural areas. He questioned why the PCT had not considered mobile doctors and nurses and sought details of the first responders, in order that these could be published. Councillor Carroll pursued the discussion on “localism” and commented on the service received from the Derby PCT. She felt a larger PCT would benefit the area and welcomed the changes and savings in overheads.

The Leader had listened with interest to the presentation, but not yet formed an opinion on a preferred option. He did not agree with the suggestion to publish first responder contact details as residents could be put in touch through the emergency services. In responding to the consultation, he hoped Members would consider each other’s views. He spoke about achieving structural change and the need for organisations to be efficient and effective. He noted the opportunity from re-utilising resources and that the Housing and Community Services Committee would consider this issue at its meeting on 9th February 2006. Finally, he thanked Mr Layzell for the presentation.

CL/124. **CHAIR’S ANNOUNCEMENTS**

The Chair publicised planned events in February and March, comprising the Gresley Male Voice Choir Charity Concert and an evening of country music. The District’s Civic Dinner and Dance would be held at the Bretby Conference Centre on 25th March 2006. The Chair and Consort had attended various engagements since Christmas, including visits to two of the areas eldest residents.

CL/125. **LEADER’S ANNOUNCEMENTS**

The Leader advised that the Chair of Council was attending the Burton Mail New Year’s Honours event this evening. The Council had sponsored the Child of the Year Award and the Leader paid tribute to this year’s winner, Matthew Waters from Branston. Despite his serious medical condition, Matthew had successfully become the national champion in discus. It was agreed to write from the Council’s Members and Officers to congratulate Matthew on his remarkable achievement and the Chief Executive added that the tickets received for the event had been provided to Matthew’s family.

CL/126. **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:-

Licensing and Appeals Sub-Committee (2 Meetings) 28th October 2005 (Minutes Nos. LA/46 – LA/49)

Environmental and Development Services Committee 10th November 2005 (Minutes Nos. EDS/33 – EDS/38)

(Minute Number EDS/38, Swadlincote Town Centre Vision and Strategy – 5 years on – Councillor Taylor stressed the importance of this item and spoke of recent media coverage. He referred to improvements in the Town’s heritage and its environment, the value of investment to

date and evidence of prosperity within the Town. Councillor Dunn commented on the transformation of the Town since the 1960's. Councillor Mrs. Wheeler spoke of the importance of parking issues, contrary to the consultant's survey findings. Councillor Taylor considered the parking reference to be insignificant).

Development Control Committee, 15th November 2005 (Minutes Nos. DC75 - DC79).

Housing and Community Services Committee, 17th November 2005 (Minutes Nos. HCS/50 – HCS/65).

Licensing and Appeals Sub Committee, 24th November 2005 (Minutes Nos. LA/50 – LA/51).

Finance and Management Committee, 24th November 2005 (Minutes Nos. FM/75 – FM/87).

Community Scrutiny Committee, 28th November 2005 (Minutes Nos. CYS/21 – CYS/25).

Corporate Scrutiny Committee, 5th December 2005 (Minutes Nos. COS/18 – COS/21).

(Minute Number COS/20, Member Champions - Councillor Lane advised that consultation would take place with appropriate Members on this special project, in the near future).

Overview Committee, 12th December 2005 (Minutes Nos. OV/17 – OV/21).

(Minute Number OV/18, Members Questions and Reports - Councillor Murphy referred to the discussion about the Derbyshire County Council Review of Street Scene and the Deputy Chief Executive confirmed that a report would be considered at the next Environmental and Development Services Committee Meeting).

Development Control Committee, 13th December 2005 (Minutes Nos. DC/80 – DC/86).

Development Control Committee, 19th January 2006 (Minutes Nos. DC/87 – DC/93).

Area Meetings

Etwall, 27th October 2005 (Minutes Nos. EA/10 – EA/14).

(It was noted that Councillor Lemmon had tendered his apologies for this Meeting).

Swadlincote, 31st October 2005 (Minutes Nos. SA/10 – SA/14).

Newhall, 1st November 2005 (Minutes Nos. NA/11 – NA/16).

Melbourne, 2nd November 2005 (Minutes Nos. MA/12 – MA/17).

Linton, 8th November 2005 (Minutes Nos. LA/10 – LA/16).

Repton, 9th November 2005 (Minutes Nos. RA/10 – RA/15).

CL/127. **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/128. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

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

CL/129. **SUBSTITUTE PANELS**

There were no amendments to the compositions of Substitute Panels.

CL/130. **REPRESENTATION ON OUTSIDE BODIES**

It was reported that following the death of Councillor Stone, there were vacancies on a number of outside bodies. Vacancies also existed on the Sharpes Pottery Heritage and Arts Trust and Surestart at Woodville. There was a need to confirm representatives on the Safer South Derbyshire Partnership Strategic Group, a sub-group of the Local Strategic Partnership.

RESOLVED:-

- (1) That Councillor Wilkins be appointed as this Council's representative on the Sharpes Pottery Heritage and Arts Trust.***
- (2) That Councillor Bell be appointed as this Council's representative on Surestart at Woodville.***
- (3) That Councillors Wilkins and Mrs. Wheeler be formally confirmed as this Council's representatives on the Safer South Derbyshire Partnership Strategic Group.***

CL/131. **TIMETABLE OF MEETINGS**

RESOLVED:-

That the Council approves the timetable of meetings for 2006/07, as attached at Annexe 'A' to these Minutes.

CL/132. **STAFFORDSHIRE COUNTY COUNCIL MOTION – AIR AMBULANCE**

It was reported that a letter had been received from Staffordshire County Council seeking support from all County, Metropolitan, Unitary, District, Borough and Parish Councils to a resolution passed at its Meeting on 6th October 2005, as follows:-

“Staffordshire County Council recognise the value to life of the Air Ambulance Service and are aware of the ‘golden four minutes’ this provides. We are concerned that this vital, lifesaving service currently has to rely on charitable donations and we would urge the Government to fund the service from central resources.

We also call on both the West Midlands and National Local Government Associations and all County, Metropolitan, Unitary, District, Borough and Parish Councils throughout the United Kingdom together with all Members of Parliament across all parties to support this proposal”.

RESOLVED:-

That the Council supports the Motion from Staffordshire County Council, as set out above.

CL/133. **ESTIMATED COLLECTION FUND SURPLUS 2005/2006**

It was reported that the Council was required to calculate the estimated balance on its Collection Fund in accordance with statutory Regulations. The estimated position on the Collection Fund was summarised and the overall balance was distributed to this Council and the Derbyshire County, Police and Fire Authorities in proportion to their precepts on the Fund. The amount attributable to this Council was £95,000 and this amount had been incorporated in the Council’s latest 3 year financial forecast. In accordance with statutory regulations, this amount would effectively be returned to local taxpayers as part of the Council Tax for 2006/07. This would equate to around £3.20 on a Band D bill for District Council Services.

Under provisions made in the Local Government Act 2003, the Collection Fund account no longer needed to be approved by the Council. It was therefore recommended that future approvals be delegated to the Finance and Management Committee, as part of the budget setting process.

Councillor Mrs. Wheeler voiced concerns over the amount of the Council Tax surplus. In particular she referred to the proportion being returned to Derbyshire County Council and questioned whether the formula used could be reviewed. Officers noted the points raised and whilst the amounts might seem large, in percentage terms they were actually small. The formula was prescribed and could not be negotiated. Councillor Mrs. Wheeler then referred to parish precept surpluses and it was noted these were minimal and returned to parish councils by the District Council.

RESOLVED:-

- (1) That the estimated Collection Fund surplus of £95,000 for 2005/06 be used in the calculation of the Council Tax for 2006/07.***
- (2) That the approval of the Collection Fund Account be delegated to the Finance and Management Committee, in accordance with the Local Government Act 2003.***

CL/134. **COUNCIL TAX BASE 2006/07**

It was reported that Section 33 of the Local Government Finance Act 1992 required each billing authority to calculate the basic amount of its Council Tax, by applying a particular formula involving the Authority's base budget requirement for the year, the sum of total Government grant and the Council Tax Base. Under the Act, Regulations had been made which set out the calculations for the Council Tax Base.

It was proposed that the collection rate should remain at 99%, which took into account any anticipated increases in the Tax Base over the year, due to new properties. If the Tax Base did not rise as anticipated, it might be necessary to review the collection rate for the following year 2007/08. The overall Tax Base had been calculated at 29,645. 9 and this calculation was also undertaken for each constituent area of the District where an area levied an additional Parish Precept for its own area, the Tax Base for that particular area was used in the calculation.

Under provisions of the Local Government Act 2003, the setting of the Council Tax base did not need to be approved by the Council. It was therefore recommended that in future this be delegated to the Finance and Management Committee, as part of the budget setting process.

RESOLVED:-

- (1) That a Council Tax Base of 29,645.9 be approved for 2006/07.***
- (2) That the setting of future Council Tax Bases be delegated to the Finance and Management Committee, in accordance with the Local Government Act 2003.***

CL/135. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

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 3rd November 2005 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, 17th November 2005.
Finance and Management Committee, 24th November 2005***

MRS. J. MEAD

CHAIR