

MINUTES of the MEETING
of the SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 3rd March 2014
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Mrs. Hood (Chairman), Councillor Murray (Vice-Chairman) and Councillors Atkin, Bale, Mrs. Brown, Ford, Mrs. Hall, Harrison, Hewlett, Jones, 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/71. **APOLOGY**

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

CL/72. **MINUTES**

The Open Minutes of the Meeting of the Council held on 23rd January 2014 (Minutes Nos. CL/56 – CL/68) were taken as read, approved as a true record and signed by the Chairman.

CL/73. **DECLARATION 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/74. **POLICE AND CRIME COMMISSIONER – ALAN CHARLES**

The Head of Paid Service welcomed the Police and Crime Commissioner Alan Charles. Mr Charles had addressed over 150 public meetings throughout the County of Derbyshire. The presentation explained the role of the Police and Crime Commissioner and that the impact of drugs on communities had recently been added into the Police and Crime Plan. A discussion took place on the financial challenges ahead and the changes in the types of crimes, local impact, drug related issues and reduced funding leading to a reduction in Police Officers.

Alan Charles was thanked for the interesting presentation and left the meeting.

CL/75. CHAIRMAN'S ANNOUNCEMENTS

The Chairman gave a summary of events attended since the last Meeting, in particular a visit to a care home for a resident's 105th birthday celebration. The Chairman also referred to the opening of a new charity shop 'Headway'.

CL/76. LEADER'S ANNOUNCEMENTS

The Leader made the Members aware of the absence of Councillor Lemmon due to ill health; good wishes were to be sent to Cllr Lemmon.

CL/77. HEAD OF PAID SERVICE ANNOUNCEMENTS

The Head of Paid Service reported on Sandvik's announcement to move its Hearthcote Road site to Northern Ireland. Officers will be working with the Job Centre Plus and looking at replacement inward investment opportunities.

One of the town centre's largest retail units Peacocks was set to open on the 6th March. The Pipework's development had been recently sold to an Investment Company indicating the strength of the local economy. Odeon Cinema goes from strength to strength now showing live streaming of sporting and theatre productions.

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:-

Environmental and Development Services (Special) 9th January 2014 (Minutes Nos. EDS/28 - EDS/29) (Subject to the removal of Councillor Dunn).

Housing and Community Services 14th January 2014 (Minutes Nos. HCS/28 - HCS/30)

Finance and Management Committee (Special) 16th January 2014 (Minutes Nos. FM/75 - FM/7)

Planning 21st January 2014 (Minutes Nos. PL/73 - PL/8)

Overview and Scrutiny 22nd January 2014 (Minutes Nos. OS/22 - OS/2)

Finance and Management (Special) 27th January 2014 (Minutes Nos. FM//81 - FM/82)

(A Member requested whether another Forum could be used for consultation on the Council's budget. Cllr Wheeler responded that the issue had been raised with the Chief Executive and a forum like the South Derbyshire Partnership could be an option).

Environmental and Development Services 30th January 2014 (Minutes Nos. EDS/30 - EDS/36)

Housing and Community Services 6th February 2014 (Minutes Nos. HCS/28 - HCS/3) (A Councillor requested an update on the contract schedule and whether it had been involved in blacklisting. The Director of Housing and Environmental Services responded that a full list had not yet been received.)

Planning 11th February 2014 (Minutes Nos. PL/86 - PL/94) (A request to remind Members that the meeting on the 4th March has been cancelled due to lack of business).

Overview and Scrutiny 12th February 2014 (Minutes Nos. OS/24 - OS/28) (Subject to Councillor Pearson replacing Councillor Bell as present).

Licensing and Appeals 12th February 2014 (Minutes No. LA/28)

CL/79. **SEALING OF DOCUMENTS**

RESOLVED:

That the Sealed Documents listed at item 11 Signed Minute Book, which have no specific authority, be duly authorised.

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

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

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

There were no amendments to the composition of Substitute Panels.

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

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

CL/83. **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 16th January 2014, the Finance and Management Committee calculated the Council Tax Base 2014/15:***

(a) For the whole area as 29,723 (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 20,444.

- 2. Calculate that the Council Tax Requirement for the Council's own purpose for 2014/15 (excluding Parish Precepts) is £4,465,881.***

- 3. That the following amounts be calculated for the year 2014/15 in accordance with Sections 31 and 36 of the Localism Act 2011:***

(a) £49,955,890

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) £44,883,535

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

(c) £5,072,355

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) £170.65

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) £606,474

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 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 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 2014/15 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 2013/14 is not excessive and therefore there is no requirement for a local referendum.***

CL/84. CYCLE OF MEETINGS 2014/15

RESOLVED:-

That the Cycle of Meetings for 2014/15, attached at Annexe 'A' to the Minutes be approved.

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 23rd January 2014 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:-

Finance and Management (Special) 16th January 2014

Environmental and Development Services 30th January 2014

Housing and Community Services 6th February 2014

Planning 11th February 2014

Licensing and Appeals 12th February 2014

A. HOOD

CHAIRMAN