

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way,
Swadlincote on 28th February 2005
at 6.00 p.m.

PRESENT:-

Labour Group

Councillor Mrs. Mead (Chair) and Councillors Bambrick, Bell, Carroll, Dunn, Harrington, Isham, Lane, Lauro, Murphy, Pabla, Richards, Shepherd, Southern, Stone, Taylor, Whyman, M.B.E. and Wilkins.

Conservative Group

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

Independent Member

Councillor Mrs. Walton.

APOLOGIES

Apologies for absence from the Meeting were received from Councillors Jones (Vice-Chair), Mulgrew and Southerd (Labour Group) and Councillor Mrs. Renwick (Conservative Group). Councillor Lane had also advised that he would need to leave the Meeting early.

CL/124. **FORMER COUNCILLOR JACK LESTER**

The Chair referred to the recent death of former Councillor Jack Lester (Gresley Ward) and Members stood in silence as a mark of respect. Several Members paid tribute to his service as a Member.

CL/125. **HILTON WARD CASUAL VACANCY - 17TH FEBRUARY 2005**

The Chief Executive reported that Councillor Mrs. Littlejohn had been elected on 17th February 2005 to fill the casual vacancy in the Hilton Ward. Councillor Mrs. Littlejohn had previously served as a District Council Member until 1999 and Members welcomed her on her return to office.

CL/126. **MINUTES**

The Open Minutes of the Meeting of the Council held on 20th January 2005 (Minutes Nos. CL/104 - CL/120) were taken as read, approved as a true record and signed by the Chair. With regard to Minute No. CL/110(a) relating to the Asian Tsunami Disaster, Councillor Harrison enquired whether any families affected in South Derbyshire had been identified. The Chief Executive reported that with the help of the local media, three family connections had been identified but in each case, no assistance had been required.

CL/127. CHAIR'S ANNOUNCEMENTS

The Chair advised that the Silent Auction held on 11th February 2005 had raised the sum of £845 towards her Charity Appeal. On 25th February 2005, the Chair had attended the launch of the "Get Active in the Forest" campaign with the opening of the new forest lodges at Rosliston Forestry Centre. All tickets for the Civic Dinner on 5th March had now been sold and 180 guests would be attending. The Chair's Charity Golf Competition would be held at the Branston Golf and Country Club on 20th May 2005 and further details and entry forms were now available. The Chair advised that a major three day "Community Transport Moving Forward" exhibition was to be held at the Bretby Conference Centre from 26th to 28th April 2005. This would bring together a host of manufacturers, suppliers and individuals from statutory, voluntary and private sectors and the latest in accessible vehicles, equipment and products would be exhibited.

CL/128. LEADER'S ANNOUNCEMENTS

The Leader advised that the World Expo was to be held in Japan from March to September 2005. Toyota had offered to facilitate the attendance of the Chief Executive together with the Chief Executives of Derby City Council and Derbyshire County Council. There would be no cost to the Council and the UK Day at the Expo would be 22nd April 2005, when there may be an opportunity for South Derbyshire to be represented. The visit would provide the opportunity to enhance relationships with inward investors and the attendance of the Chief Executive was endorsed by Members. The Chief Executive expressed his gratitude for the support and would report back to Members following the visit.

CL/129. NATIONAL TRUST PRESENTATION

Stewart Alcock, the Property Manager of Calke Abbey attended the Meeting and made a presentation to Members on the National Trust. The Trust was a registered charity and Mr. Alcock explained the structure together with details of the landholdings. With 3.4 million members, the Trust was the largest membership organisation in Europe and relied heavily on volunteer support. Derbyshire was one of the most significant counties within the Trust and there were in excess of 250,000 members in the East Midlands region. The Trust wished to concentrate on improving visitor facilities and there was also a strong commitment to learning. The Trust wanted to work more closely with external partners and it was also working to protect against various development threats. Mr. Alcock outlined the history of Calke Abbey and Members took the opportunity to ask questions.

Members thanked Mr. Alcock for the informative presentation.

CL/130. 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 Committee (Special), 4th January 2005 (Minutes Nos. EDS/50 - EDS/52)

(Minute No. EDS/51(4), Fees and Charges – it was noted that there had been a mistake in the report to the Committee on the fee for the annual licence for breeding of dogs, which should have read “£81.00” instead of “£164.70”.

Minute No. EDS/52, Liquor Licensing – a Member queried the procedure to assess whether an applicant was a fit and proper person to hold a liquor licence and the Leader of the Council outlined the various issues in connection with this matter.)

Housing and Community Services Committee (Special), 6th January 2005 (Minutes Nos. HCS/64 - HCS/67)

Finance and Management Committee (Special), 13th January 2005 (Minutes Nos. FM/84 - FM/88)

Corporate Scrutiny Committee (Special), 24th January 2005 (Minute No. COS/22)

Finance and Management Committee (Special), 24th January 2005 (Minute No. FM/92)

(The Chair of the Committee hoped that the level of attendance by consultees could be increased in the future.)

Environmental and Development Services Committee, 27th January 2005 (Minutes Nos. EDS/53 - EDS/60)

(Minute No. EDS/59, Derbyshire Church Tourism Project – the beginning of the fourth paragraph of this Minute was amended, as follows:-

***“In accordance with the Council’s equal opportunity and diversity policies, the project had been discussed with the Equality and Diversity Champion, Councillor Isham. The discussions raised issues regarding the inclusiveness of the project. These issues had been investigated further*”)**

Housing and Community Services Committee, 3rd February 2005 (Minutes Nos. HCS/70 - HCS/87)

(Minute No. HCS/85, Community Partnerships Scheme – on behalf of the Aston-on-Trent Memorial Hall, Councillor Atkin expressed his gratitude for the grant relating to the upgrade of the Hall.)

Corporate Scrutiny Committee, 7th February 2005 (Minutes Nos. COS/23 - COS/26)

Development Control Committee, 8th February 2005 (Minutes Nos. DC/99 - DC/108)

Community Scrutiny Committee, 14th February 2005 (Minutes Nos. CYS/26 – CYS/31)

Finance and Management Committee, 15th February 2005 (Minutes Nos. FM/92 – FM/103)

Overview Committee, 21st February 2005 (Minutes Nos. OV/26 – OV/29)

Area Meetings**Melbourne, 18th January 2005 (Minutes Nos. MA/18 – MA/22)****Repton, 25th January 2005 (Minutes Nos. RA/16 – RA/20)****Linton, 1st February 2005 (Minutes Nos. LA/20 – LA/24)****Etwell, 2nd February 2005 (Minutes Nos. EA/20 – EA/24)****(Minute No. EA/23, Consultations on the Council's Budget – the Leader advised that when possible, consideration would be given in due course to the reinstatement of various services lost during the financial crisis, as requested by residents.)****Swadlincote, 7th February 2005 (Minutes Nos. SA/18 – SA/24)****Newhall, 10th February 2005 (Minutes Nos. NA/18 - NA/23)****Members expressed their gratitude to Kevin Stackhouse (Head of Finance and Property Services) for his informative budget presentations to the Area Meetings.****CL/. 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/. GENERAL FUND ESTIMATES OF EXPENDITURE AND INCOME AND COUNCIL TAX LEVELS 2005/06****RESOLVED:-**

- (1) *That the revised general fund revenue estimates (net expenditure) for the financial year commencing 1 April 2004 be approved in the sum of £8,884,380 (as approved by Finance & Management Committee on 15th February 2005).***
- (2) *That the general fund revenue estimates (net expenditure) for the financial year commencing 1 April 2005 be approved in the sum of £10,132,690 (as approved by Finance & Management Committee on 15th February 2005).***
- (3) *That it be noted that at its meeting held on 20th January 2005 the Council calculated the following amounts for the financial year commencing 1 April 2005 in accordance with Regulations made under Section 33 (5) of the Local Government Finance Act 1992.***
 - (a) *29,179.9 being the amount calculated by the Council, in accordance with Regulation 3 of The Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year.***
 - (b) *Part of the Council's area - parish of***

Ash	24.3
Aston-on-Trent	668.3
Barrow-on-Trent	236.6
Barton Blount	29.2

Bearwardcote	12.6
Bretby	368.9
Burnaston	665.5
Calke	9.1
Castle Gresley	503.9
Catton	19.1
Cauldwell	44.6
Church Broughton	214.6
Coton-in-the-Elms	280.6
Dalbury Lees	109.4
Drakelow	63.6
Egginton	259.6
Elvaston	709.9
Etwall	927.0
Findern	637.0
Foremark	34.4
Foston & Scropton	231.3
Hartshorne	1,139.6
Hatton	872.7
Hilton	1,875.7
Hoon	23.0
Ingleby	46.3
Linton	673.1
Lullington	62.8
Marston-on-Dove	14.8
Melbourne	1,767.8
Netherseal	333.2
Newton Solney	281.4
Osleston and Thurvaston	122.1
Overseal	784.3
Radbourne	53.3
Repton	993.0
Rosliston	268.6
Shardlow and Great	
Wilne	383.8
Smisby	116.3
Stanton-by-Bridge	109.7
Stenson Fields	1,198.7
Sutton-on-the-Hill	59.4
Swadlincote	8,649.9
Swarkestone	87.2
Ticknall	300.4
Trusley	39.7
Twynford and Stenson	64.0
Walton-on-Trent	317.3
Weston-on-Trent	463.2
Willington	895.9
Woodville	1,133.7

being the amounts calculated by the Council in accordance with Regulation 6 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.

(4) That the following amounts now be calculated by the Council for the financial year commencing 1 April 2005 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- (a) £35,624,562 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 32(2)(a) to (e) of the Act.**
- (b) £25,955,940 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 32(3)(a) to (c) of the Act.**
- (c) £9,668,622 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its Budget Requirement for the year.**
- (d) £5,506,140 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant reduced by the amount of the sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with Section 97(4) of the Local Government Finance Act 1988 and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the Local Authorities (Alteration of Requisite Calculations and Funds) (England) Regulations 1994.**
- (e) £142.65 being the amount at 4(c) above less the amount at 4(d) above all divided by the amount at 3(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its council tax for the year.**
- (f) £305,822 being the aggregate amount of all special items referred to in Section 34(1) of the Act.**
- (g) £132,17 being the amount at 4(e) above less the result given by dividing the amount at 4(f) above by the amount at 3(a) 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 special item relates.**

(h) Part of the Council's area - parish of:

£:p

Aston on Trent	159.10
Barrow-on-Trent	155.84
Bretby	137.59
Burnaston	141.19
Castle Gresley	146.53
Church Broughton	147.69

Coton-in-the-Elms	151.06
Dalbury Lees	144.97
Egginton	156.21
Elvaston	137.80
Etwall	164.37
Findern	144.73
Foston and Scropton	166.76
Hartshorne	140.32
Hatton	147.64
Hilton	147.10
Linton	158.91
Melbourne	139.80
Netherseal	150.63
Newton Solney	144.25
Overseal	154.87
Repton	144.25
Rosliston	148.92
Shardlow and Great Wilne	156.20
Smisby	149.37
Stenson Fields	142.37
Ticknall	148.81
Walton-on-Trent	147.50
Weston-on-Trent	151.60
Willington	152.73
Woodville	144.52

being the amounts given by adding to the amount at 4(g) above the amounts of the special item of items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at 3(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

- (i) *Those amounts specified in Schedule 1 to this resolution being the amounts given by multiplying the amounts at 4(g) and 4(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.*
- (5) *That it be noted that for the financial year commencing 1 April 2005 Derbyshire County Council has stated the amounts detailed in Schedule 2 to this resolution in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown.*
- (6) *That it be noted that for the financial year commencing 1 April 2005 Derbyshire Police Authority has stated the amounts detailed*

in Schedule 2 to this resolution in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown.

- (7) *That it be noted that for the financial year commencing 1 April 2005 Derbyshire Fire and Rescue Authority has stated the amounts detailed in Schedule 2 to this resolution in a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown.*
- (8) *That, having calculated the aggregate in each case of the amount at 4(i), 5 and 6 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts detailed in Schedule 3 to this resolution as the amounts of council tax for the financial year commencing 1 April 2005 for each of the categories of dwellings shown.*

(Councillors Atkin, Bale, Bladen, Ford, Mrs. Hall, Harrison, Mrs. Hood, Hood, Lemmon, Mrs. Littlejohn, Nalty, Shaw and Mrs. Wheeler wished it to be recorded that they were not in favour of this decision.)

CL/131. **POLITICAL COMPOSITION 2004/05**

The Council reviewed the political proportionality for the composition of Committees and Sub-Committees, calculated accordingly to reflect the political proportionality of the Council.

RESOLVED:-

That the allocation of seats to the political groups attached at Annexe 'A' to these Minutes be approved for the remainder of the current municipal year.

CL/132. **COMPOSITION OF COMMITTEES, SUB-COMMITTEES AND WORKING PANELS**

Councillor Mrs. Wheeler advised that Councillor Mrs. Littlejohn would fill the Conservative Group's vacancies on the Overview Committee and the Community Scrutiny Committee following the resignation of Councillor Martin. Following the review of the political composition 2004/05 (Minute CL/131 refers), Councillor Mrs. Littlejohn would also replace Councillor Isham on the Licensing and Appeals Committee.

CL/133. **SUBSTITUTE PANELS**

There were no amendments to the compositions of Substitute Panels.

CL/134. **REPRESENTATION ON OUTSIDE BODIES**

There were no amendments to the Council's representation on outside bodies.

CL/135. **LOCAL DEVELOPMENT SCHEME**

It was reported that at its Meeting held on 27th January 2005, the Environmental and Development Services Committee had recommended the approval of a Local Development Scheme (LDS) for submission to the Secretary of State. The LDS had been submitted to the Government Office for the East Midlands (GOEM) for informal comments but the response had arrived too late to report to the Committee so it had been agreed that, subject to an explanation of the changes, these should be incorporated into the document prior to this Meeting. The majority of comments had resulted in the addition of a few words to clarify the new requirements further. The main changes resulting from the comments of GOEM were as follows:-

- The inclusion of a diagram to provide further explanation on how the system was changing.
- The inclusion of a profile of the Statement of Community Involvement and a re-ordering of the profiles to follow the order set out in the programme.
- Additions to the glossary.
- The insertion of anticipated dates for examination, based upon the Planning Inspectorate's draft guidelines.

Informally, GOEM had no comments on the number of documents included in the LDS. However, it was considered that the programme of Supplementary Planning Documents was quite ambitious but GOEM was content, if the Council was confident that the programme could be resourced. As much of the research was currently being undertaken by consultants paid by the Planning Delivery Grant, Officers were confident at the present time that the programme was deliverable. However, as the Council had not previously undertaken a Sustainability Appraisal or Strategic Environmental Assessment in accordance with the new legislation, time would tell if the timescales were realistic and the monitoring of progress should identify any future need to adjust the LDS.

A further amendment was necessary to the programme contained in the LDS as a result of Members' consideration at the Environmental and Development Services Committee of a draft Supplementary Planning Document relating to the location of mobile phone masts. The establishment of a Working Panel would delay this process and accordingly, the milestones relating to the consultation and completion of the document had been revised. However, it was crucial that Members considered timescales when discussing this issue, as the Council's achievement in meeting milestones in the LDS was taken into account when assessing PSA6.

The LDS formed the first stage in the Local Development Framework process and must be submitted to the Secretary of State via GOEM by 28th March 2005. The Secretary of State had 28 days within which to assess the fitness for the purpose of the document in accordance with emerging guidelines. GOEM would consult the Planning Inspectorate to ensure that an Inspector would be available at the appropriate times. Once approved, the document must be made available on the Council's website.

RESOLVED:-

- (1) That the Local Development Scheme be approved for formal submission to the Secretary of State.**

- (2) That, other than where any subsequent changes directed by the Secretary of State relate to significant changes in the programme, the Chief Executive in consultation with the Chair of the Council be authorised to amend the document accordingly.**

CL/136. **BEST VALUE PERFORMANCE PLAN (BVPP) SUMMARY 2005**

It was reported that the Council was required to produce and distribute the BVPP Summary by 31st March of each year and the full Plan by 30th June. The proposed format of the BVPP Summary would be the same as last year, i.e. single A4 size leaflet, printed both sides, folded three times and in colour.

The focus of the statutory guidance was now to link Best Value Performance Plans to Comprehensive Performance Assessment outcomes, improvements and priorities, which was now reflected in the Summary leaflet circulated to Members. On the first side of the leaflet, there was a short summary of the Council's performance over the previous year and the Council's plans and priorities for improvement, including reference to the results and priorities for improvement of the Council's Comprehensive Performance Assessment. The second side of the leaflet contained a selection of Performance Indicators and targets. Much of the material had already been the subject of separate reports to Members.

Approximately 40,000 copies of the BVPP Summary leaflet were to be printed for circulation to all households in the District together with local businesses, voluntary sector organisations and other stakeholders. It was intended that this leaflet would be despatched with the council tax information to comply with the publication deadline of 31st March. A copy would also be placed on the Council's website. The costs of printing the Summary leaflet could be met from existing budgets.

RESOLVED:-

That the proposed arrangements for distributing the Best Value Performance Plan Summary together with the content of the Summary leaflet be approved.

CL/137. **IEG 4 STATEMENT**

It was reported that in 2001, the Government had asked all Councils to prepare an Implementing Electronic Government (IEG) Statement, setting out their plans for delivering 100% of services electronically by December 2005, where possible. The Council had submitted three statements in July 2001, October 2002 and November 2003, all of which had been considered satisfactory. As part of the IEG 4 process, the ODPM had requested all Councils to report on progress and review their strategies against the "Baseline of priority service and national strategy transformation outcomes for local e-government in December 2005". This review was designed to plan how councils would achieve the target for delivering 100% of services electronically by December 2005. Efficiency gains of 2.5% year on year were expected, utilising technology.

The proposed IEG 4 Statement had been circulated to Members for consideration and it was noted that this had been submitted to the Office of

the Deputy Prime Minister (ODPM) on 20th December 2004 on the understanding that it had not yet been approved by Members.

A brief summary was provided of the “Baseline of priority service and national strategy transformation outcomes for local e-government in December 2005” that would affect South Derbyshire, as follows:-

- ❑ Community Information – making information more available to customers, highlighting the increasing importance of the website and supporting other local organisations in placing information on-line.
- ❑ Democratic Renewal – enabling access to information (agendas, reports and Minutes), providing Councillors with their own web pages and citizen participation through e-consultation.
- ❑ Local Environment – on-line receipt of planning and building control applications and helping the public to track other environmental service requests together with accessing geographic information.
- ❑ E-procurement – enabling the Council to purchase goods and services on the internet.
- ❑ E-payments – enabling the public to pay over the internet for services, checking of individual account balances on-line and setting up direct debits over the telephone.
- ❑ Benefits – making it easier to complete and process a benefits claim electronically, providing access to an eligibility check and the potential to offer a mobile service.
- ❑ Support New Ways of Working – by providing e-mail and internet access for Members and staff either in the office or at home, where there was a need.
- ❑ Accessibility of Services – Making it easier to access information and request services outside of office hours by improving the website and improving access to general documents as part of the Freedom of Information requirements.
- ❑ Making it easy for citizens to do business with the Council, including tracking of service requests, responding to e-mails from the public within one working day and single notification of address change.

To date, the following outcomes had been met:-

- ❑ On-line receipt and processing of planning and building applications.
- ❑ Public access to corporate Geographic Information Systems.
- ❑ On-line facilities to allow payments to the Council.
- ❑ Geographic Information Systems information on road works in the local area.
- ❑ Home/remote working policies in place.
- ❑ Access to home/remote working facilities.

To date in 2004/05, milestones in the following projects had been achieved that would assist in meeting the required outcomes:-

- ❑ Customer Relationship Management System and Contact Centre
- ❑ A-Z of Services
- ❑ Content Management System for the Website
- ❑ Updated IT Infrastructure
- ❑ Financial Management System
- ❑ Revenues and Benefits Consortium
- ❑ National Land and Property Gazetteer
- ❑ Planning and Land Charges

It was noted that the IT Division could not deliver these solutions alone and the continued help of Members and Officers was needed to enable the Council to meet the challenging targets. Due to the satisfactory IEG returns to date, the Council had received the following Government funding:-

<u>Year</u>	<u>Government Funding</u>
2002/03	£200,000
2003/04	£200,000
2004/05	£350,000

A further grant of £150,000 would be claimed for 2005/06 but this was dependent on the Council meeting the specified ODPM targets outlined in the Statement.

RESOLVED:-

That the Council's IEG 4 Statement, as submitted, be approved.

CL/138. **LOCAL GOVERNMENT 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 20th January 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 (Special), 6th January 2005

Finance and Management Committee (Special), 13th January 2005

Environmental and Development Services Committee, 27th January 2005

Housing and Community Services Committee, 3rd February 2005

Finance and Management Committee, 15th February 2005

Overview Committee, 21st February 2005

RECRUITMENT AND RETENTION IN BUILDING CONTROL (Paragraph 1)

The Council referred consideration of this item to the Finance and Management Committee.

MRS. J. MEAD

CHAIR