

MINUTES of the SPECIAL MEETING of the  
SOUTH DERBYSHIRE DISTRICT COUNCIL  
held at Civic Offices, Civic Way,  
Swadlincote on 28th February 2002  
at 6.00 p.m.

**PRESENT:-**

**Labour Group**

Councillor Rose (Chair), Councillor Mrs. Mead (Vice-Chair) and Councillors Bambrick, Bell, Brooks, Carroll, Dunn, Ford, Harrington, Knight, Pabla, Richards, Mrs. Rose, Shepherd, Sherratt, Southern, Stone, Taylor, Whyman and Wilkins.

**Conservative Group**

Councillors Bale, Bladen, Douglas, Harrison, Hood, Shaw, Mrs. Walton and Mrs. Wheeler.

**APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Evens, Lauro, Routledge and Southerd (Labour Group) and Councillors Lemmon and Mrs. Robbins (Conservative Group).

CL/106. **MINUTES**

The Open Minutes of the Meeting of the Council held on 31st January 2002 (Minutes Nos. CL/91 - CL/103) were taken as read, approved as a true record and signed by the Chair.

CL/107. **CHAIR'S COMMUNICATIONS**

The Chair referred to the recent death of Mrs. Norma Mathews, a former Councillor for the Etwall Ward who served for a term of office approximately fifteen years ago. Her funeral took place on 19th February 2002 and Members stood in silence as a mark of respect. Councillors Bale and Dunn paid tribute to the work of Mrs. Mathews during her period of office.

The Chair welcomed the new Public Relations Officer, Carole Warburton to the Meeting and wished her well on behalf of all Members during her time with the Authority. The Chair advised that the closing date for applications for Civic Dinner tickets was 1st March 2002. The Chair read an acknowledgement from Her Majesty the Queen following the recent death of Princess Margaret.

Members were reminded that Jonathan Eatough, the Legal and Members' Services Manager was to leave the employment of the Authority on 1st March 2002 after three years service to take a senior position with Kettering Borough Council. The Leader and other Members paid tribute to the work of Mr. Eatough during his period of employment and Mr. Eatough responded accordingly.

CL/108. **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:-*

*Corporate Scrutiny Committee (Special), 11th February 2002 (Minutes Nos. COS/33 - COS/34)*

*(Minute No. COS/34, Spending Plans 2002/03 – Members expressed concern at the local media headlines in respect of the possible disposal of the Council's housing stock. It was noted that all possibilities would be investigated and tenants would be involved in any consultation process).*

*Finance and Management Committee, 19th February 2002 (Minutes Nos. FM/91 - FM/102)*

*(Minute No. FM/93, Derby and Sandiacre Canal Trust – It was noted that the Canal Society was a registered Charity).*

CL/109. **GENERAL FUND ESTIMATES OF EXPENDITURE AND INCOME 2002/03 AND COUNCIL TAX 2002/03**

(Councillor Ford left the Meeting at 6.35 p.m. and Councillor Knight left the Meeting at 6.50 p.m.)

**RESOLVED:-**

- (1) That the revised general fund revenue estimates (net expenditure) for the financial year commencing 1 April 2001 be approved in the sum of £7,185,030 (as approved by Finance & Management Committee on 19<sup>th</sup> February 2002)*
- (2) That the general fund revenue estimates (net expenditure) for the financial year commencing 1 April 2002 be approved in the sum of £7,810,480 as approved by Finance & Management Committee on 19<sup>th</sup> February 2002)*
- (3) That it be noted that at its meeting held on 31st January 2002 the Council calculated the following amounts for the financial year commencing 1 April 2002 in accordance with Regulations made under Section 33 (5) of the Local Government Finance Act 1992.*
  - (a) 27,508.5 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*

<b>Ash</b>	<b>23.3</b>
<b>Aston-on-Trent</b>	<b>671.0</b>
<b>Barrow-on-Trent</b>	<b>226.0</b>
<b>Barton Blount</b>	<b>31.2</b>
<b>Bearwardcote</b>	<b>11.8</b>
<b>Bretby</b>	<b>336.3</b>
<b>Burnaston</b>	<b>545.5</b>
<b>Calke</b>	<b>9.9</b>
<b>Castle Gresley</b>	<b>455.8</b>
<b>Catton</b>	<b>19.8</b>
<b>Cauldwell</b>	<b>47.3</b>
<b>Church Broughton</b>	<b>215.0</b>
<b>Coton-in-the-Elms</b>	<b>268.6</b>
<b>Dalbury Lees</b>	<b>107.9</b>
<b>Drakelow</b>	<b>59.8</b>
<b>Egginton</b>	<b>256.6</b>
<b>Elvaston</b>	<b>709.0</b>
<b>Etwall</b>	<b>926.7</b>
<b>Findern</b>	<b>627.2</b>
<b>Foremark</b>	<b>32.3</b>
<b>Foston &amp; Scropton</b>	<b>213.7</b>
<b>Hartshorne</b>	<b>1,140.9</b>
<b>Hatton</b>	<b>864.8</b>
<b>Hilton</b>	<b>1,374.7</b>
<b>Hoon</b>	<b>19.2</b>
<b>Ingleby</b>	<b>41.1</b>
<b>Linton</b>	<b>663.5</b>
<b>Lullington</b>	<b>60.0</b>
<b>Marston-on-Dove</b>	<b>15.8</b>
<b>Melbourne</b>	<b>1,758.1</b>
<b>Netherseal</b>	<b>333.3</b>
<b>Newton Solney</b>	<b>281.3</b>
<b>Osleston and Thurvaston</b>	<b>119.6</b>
<b>Overseal</b>	<b>702.0</b>
<b>Radbourne</b>	<b>53.2</b>
<b>Repton</b>	<b>966.7</b>
<b>Rosliston</b>	<b>256.9</b>
<b>Shardlow and Great Wilne</b>	<b>387.2</b>
<b>Smisby</b>	<b>114.6</b>
<b>Stanton-by-Bridge</b>	<b>109.5</b>
<b>Stenson Fields</b>	<b>1,196.3</b>
<b>Sutton-on-the-Hill</b>	<b>61.8</b>
<b>Swadlincote</b>	<b>8,075.8</b>
<b>Swarkestone</b>	<b>83.3</b>
<b>Ticknall</b>	<b>291.6</b>
<b>Trusley</b>	<b>40.5</b>
<b>Twynford and Stenson</b>	<b>57.8</b>
<b>Walton-on-Trent</b>	<b>303.7</b>
<b>Weston-on-Trent</b>	<b>454.9</b>
<b>Willington</b>	<b>862.0</b>
<b>Woodville</b>	<b>1,023.9</b>

*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 2002 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:**

- (a) £27,716,591.50** *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) £19,522,279.00** *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) £8,194,312.50** *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) £4,762,417.00** *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) £124.76** *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) £230,431.50** *being the aggregate amount of all special items referred to in Section 34(1) of the Act.*

- (g) **£116.38** *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:*

	<b>£:p</b>
<b>Aston on Trent</b>	<b>140.97</b>
<b>Barrow-on-Trent</b>	<b>136.85</b>
<b>Bretby</b>	<b>121.58</b>
<b>Burnaston</b>	<b>125.55</b>
<b>Castle Gresley</b>	<b>129.06</b>
<b>Church Broughton</b>	<b>128.94</b>
<b>Coton-in-the-Elms</b>	<b>135.00</b>
<b>Dalbury Lees</b>	<b>121.48</b>
<b>Egginton</b>	<b>137.74</b>
<b>Elvaston</b>	<b>125.55</b>
<b>Etwall</b>	<b>146.59</b>
<b>Findern</b>	<b>125.95</b>
<b>Foston and Scropton</b>	<b>144.45</b>
<b>Hartshorne</b>	<b>126.36</b>
<b>Hatton</b>	<b>130.49</b>
<b>Hilton</b>	<b>124.38</b>
<b>Linton</b>	<b>122.41</b>
<b>Melbourne</b>	<b>121.18</b>
<b>Netherseal</b>	<b>132.88</b>
<b>Newton Solney</b>	<b>125.80</b>
<b>Overseal</b>	<b>129.41</b>
<b>Repton</b>	<b>124.66</b>
<b>Rosliston</b>	<b>129.75</b>
<b>Shardlow and Great Wilne</b>	<b>132.01</b>
<b>Smisby</b>	<b>126.85</b>
<b>Stenson Fields</b>	<b>126.04</b>
<b>Ticknall</b>	<b>125.13</b>
<b>Walton-on-Trent</b>	<b>131.45</b>
<b>Weston-on-Trent</b>	<b>128.47</b>
<b>Willington</b>	<b>138.26</b>
<b>Woodville</b>	<b>126.63</b>

*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 2002 Derbyshire County Council have 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 2002 Derbyshire Police Authority have 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, 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 2002 for each of the categories of dwellings shown.*

*(In accordance with Council Procedure Rule No. 16.5, a recorded vote was agreed. Voting was as follows:-*

**For the Motion**

**Councillors Bambrick, Bell, Brooks, Carroll, Dunn, Harrington, Mrs. Mead, Pabla, Richards, Rose, Mrs. Rose, Shepherd, Sherratt, Southern, Stone, Taylor, Whyman and Wilkins.**

**Against the Motion**

**Councillors Bale, Bladen, Douglas, Harrison, Hood, Shaw, Mrs. Walton and Mrs. Wheeler).**

**CL/110. FEES AND CHARGES 2002/03 – LOCAL LAND CHARGES**

It was reported that the Land Charges Service provided information to prospective purchasers and/or their solicitors regarding the local area. This may include details regarding planning histories, footpaths and other highways issues and certain statutory notices relating to the property. There was a statutory fee of £5 for providing some of this information but a substantial level of other information was provided on a contractual basis on a standard form (CON29).

During the financial year 2000/01, the cost of the CON29 search had increased by over 10%. In view of this, together with the possibility that a new CON29 would be introduced during the current financial year requiring

further information from the County Highways Department (and a subsequent fee increase for providing this further information), it was proposed to increase fees in line with inflation, i.e. 2.5%.

Members considered a comparison of the fees for last year together with the proposed fees.

**RESOLVED:-**

- (1) That Land Charges fees for the period 1st April 2002 to 31st March 2003 be set as indicated:-**

	£
<b>Basic search fee (CON 29)</b>	<b>91.00</b>
<b>Optional Part II enquiries for CON 29</b>	<b>9.00</b>
<b>Optional Part II enquiries – 18,19,20</b>	<b>15.00</b>
<b>Additional parcels of land</b>	<b>11.00</b>
<b>Register Search only (LLC1)</b>	<b>5.00</b>

- (2) That any further increases in the price of highways enquiries necessitated by the change in the format of the CON 29 that may occur during 2002/03 be passed directly on to the service users.**

**CL/111. 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 31st January 2002 were duly received and approved.***

**REPORT OF COMMITTEE**

***The Exempt report of the following Committee was received and noted:-***

***Finance and Management Committee, 19th February 2002***

C.H. ROSE