

MINUTES of the COUNCIL MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at the Civic Offices, Civic Way
on Wednesday, 22 February 2023
at 6:00pm

PRESENT:

Labour Group

Councillor Dunn (Chair) and Councillor Bambrick (Vice-Chair)
and Councillors Gee, Heath, L. Mulgrew, M Mulgrew, Pearson, Pegg, Rhind,
Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

Conservative Group

Councillors Atkin, Dawson, Fitzpatrick, Haines, Hewlett, Lemmon, Muller,
Redfern, Smith and Watson.

Independent Group

Councillor MacPherson

CL/115 **APOLOGIES**

Council was informed that apologies had been received from Councillors Ackroyd, Brown, Bridgen, Corbin, Ford and Patten (Conservative Group) and Councillor Roberts (Independent Group) and Councillors Churchill and Wheelton (Non-Grouped).

CL/116 **THE OPEN MINUTES OF COUNCIL MEETINGS**

The Open Minutes of Council Meeting held on 19 January 2023 (CL/95 to CL/111) were approved as a true record and signed by the Chair of the Council.

CL/117 **DECLARATIONS OF INTEREST**

On behalf of all Members, the Chair declared a pecuniary interest in relation to Item CL/129, Budget and Council Tax Setting 2023/24, in accordance with Clause 14(4)(vi) of the Members' Code of Conduct.

CL/118 **ANNOUNCEMENTS FROM THE CHAIR**

The Chair of the District Council addressed Members and informed them of the events he had attended which included, the Royal Legion's Burns' Night Supper, the Beat the Street photo shoot, Melbourne's Creative Art Gallery, tree planting for the Queen's commemorative Green Canopy at Rosliston Forestry Centre and the Hosting of the Toyota City delegation. The Chair thanked the Chief Executive for his advice and guidance during his time as Chair of the District Council and thanked the Strategic Director (Corporate Resources) for his support whilst Chair of Audit Sub-Committee and wished them both well in their retirement.

CL/119 **ANNOUNCEMENTS FROM THE LEADER**

The Leader of the Council addressed Council and informed Members of his attendance of events alongside the Chair of the District Council and noted that Toyota had announced its commitment to UK manufacturing by moving towards carbon net zero by 2030. The Leader of the Council informed Members that whilst there were concerns regarding the recruitment and retention of staff for many local authorities the advert for Chief Executive had attract a number of high calibre candidates.

The Leader of the Council thanked the Strategic Director (Corporate Resources) for his service and expressed his gratitude for his guiding hand and all that he had achieved for the Council.

The Leader of the Council expressed his thanks for all that the Chief Executive had achieved for the Council during his service including the extensive amount of business that had been brought into the District.

Councillor Smith thanked the Strategic Director (Corporate Resources) for his support and guidance and thanked the Chief Executive on behalf of the Conservative Group for all that he had done for the Council and the residents of South Derbyshire.

Members of the Council gave thanks and applauded both the Strategic Director (Corporate Resources) and the Chief Executive for all they had done for the Council and South Derbyshire.

The Strategic Director (Corporate Resources) expressed his gratitude for the time working at the Council and thanked Members for their kind words.

CL/120 **ANNOUNCEMENTS FROM THE HEAD OF PAID SERVICE**

The Head of Paid Service addressed Council and updated Members regarding the Derbyshire County Council devolution issue that was moving forward following the end of the consultation period. The Head of Paid Service announced support from Derby County FC for the Chair's Charity Dinner and that it had donated a signed shirt and gifts to help raise funds for the Chair's chosen charity, the NSPCC.

The Head of Paid Service thanked Members for all their words of appreciation and thanked the Strategic Director (Corporate Resources) for all his work and dedication during his time with the Council.

CL/121 **QUESTIONS BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

Council was informed that no questions had been received.

CL/122 **QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

Council was informed that no questions had been received.

CL/123 **TO CONSIDER ANY NOTICES OF MOTION PURSUANT TO COUNCIL PROCEDURE RULE NO. 12**

Council was informed that no motions had been received

CL/124 **PROPOSED CONTINUATION OF BANDED COUNCIL TAX REDUCTION SCHEME 2023-24**

The Strategic Director (Corporate Resources) presented the report to Council noting that it was a precursor to the Council Tax Setting and outlined the key benefits of the scheme.

Councillor Richards and Councillor Smith supported the report as it would help those residents on low incomes.

RESOLVED:

1.1 Council approved that the Council maintained a banded Council Tax Reduction Scheme for 2023/2024, to include the following changes as recommended by the Finance and Management Committee on 12 January 2023.

- ***Up-rating to the applicable amounts in line with the prescribed scheme but with the exception of non-dependent deduction for working age to remain at £5.00 for 23/24 for all cases.***
- ***Align with Housing Benefit regulations for Ukrainian Refugees regarding habitual residence to allow the payment of council tax support.***
- ***Adopt the prescribed scheme for Mixed Aged Couples.***
- ***Adopt any other changes within the prescribed scheme in accordance with the statutory instrument published in January 2023.***
- ***Current funding of £20,000 from the Welfare Reform Fund be continued to be set aside in 2023/2024 for hardship cases.***

CL/125 **CAPITAL STRATEGY 2022/23 TO 2027/28**

The Strategic Director (Corporate Resources) presented the report to the Council and sought ratification of the strategy.

RESOLVED:

1.1 Council approved the proposed Capital Strategy 2023/24 to 2027/28 as detailed in Appendix 1 of the report.

CL/126 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS 2023/24

The Strategic Director (Corporate Resources) presented the report to Council and outlined the movement of the housing debt and the management of investments. It was noted that monies out on deposit were as safe as they could be and that the Council strived to get the best interest rates it could.

Councillor Pearson and Councillor Southerd commended the report and noted the responsibility attached to investing public money and the importance of mitigating risks.

RESOLVED:

- 1.1 Council approved the Treasury Management Strategy for 2023/24 as per Appendix 1 of the report.**
- 1.2 Council approved the Prudential Indicators and Limits for 2023/24 – 2027/28 as per Appendix 2 of the report.**
- 1.3 Council approved the Investment Policy for 2023/24 including the associated counterparty (lending) list as per Appendix 3 of the report.**

CL/127 ANNUAL REPORT OF THE SECTION 151 OFFICER

The Strategic Director (Corporate Resources) addressed Council and explained how the report linked to the Council Tax Setting and set out the position of the Council now and in the future. The Housing Revenue Account was highlighted and it was made clear that the financial plan was to repay debt and maintain houses. It was clarified that the overall position of the General Fund had not changed and was in a good position. It was noted that government funding may impact on the future as funding of £1.8 million was not guaranteed past 2023/24 and the importance of having a five year plan was highlighted.

It was explained that the budget had been based on a 1% Council Tax increase following approval by Finance and Management Committee and that as the increase was lower than projected this would have a cumulative impact over the five-year financial plan.

Members commended the clear and very detailed report and recognised the importance of having a medium to long term financial plan.

RESOLVED:

- 1.2 Council considered and noted the Annual Report of the Section 151 Officer.**

- 1.3 Council would have due regard to the Annual Report when approving the Budget for 2023/24 and when considering future proposals for new spending and the utilisation of resources.**
- 1.4 Council approved that no new unfinanced spending commitments be added to the Base Budget and Medium-Term Financial Plan approved by the Finance and Management Committee on 9 February 2023.**
- 1.5 Council approved that the Medium-Term Financial Plan continued to be reviewed and updated on a quarterly basis.**

CL/128 **APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

The Chief Executive addressed Council and presented the report that allowed for succession planning with an experienced officer in post that would give a wider scope for the recruitment of the next Chief Executive.

Members commended the report.

RESOLVED:

- 1.1 Council approved the appointment of Ardip Sandhu, with effect from 23 February 2023, as the Returning Officer and Electoral Registration Officer for South Derbyshire District Council, to ensure legislative requirements be met.**

CL/129 **BUDGET AND COUNCIL TAX SETTING 2023/24**

The Leader of the Council addressed Council and proposed the level of Council Tax 2023/24 increase following approval at Finance and Management Committee.

The Leader of the Council presented a brief statement regarding the recovery of Covid and the Council's volatility due the economic situation. It was clarified that when deliberating the Council Tax, rising inflation, increases in fuel, energy and food prices and the level of salaries had all been taken into account. It was also noted that whilst the Council's overall position was considered to be healthy there was a possibility that the current level of reserves could fall quite quickly and therefore it was prudent to have a financial plan which set aside reserves.

The Leader of the Council confirmed that the Section 151 Officer's advice had been taken on board and as it was envisaged that there would be not cuts to services and to demonstrate the commitment of the Council to support the Community the Council Tax increase proposed would be as low as possible.

The Leader of the Council proposed a Council Tax increase of 1% for 2023/24 and a 2% increase for concurrent functions for Parish Councils.

The Leader of the Council thanked the Chief Executive and members of staff for their excellent work during the previous year.

Councillor Smith addressed Council and explained that following the advice from the Section 151 Officer the Conservative group could not support the proposed increase.

Councillor Pearson and Councillor Southerd supported the proposed increase stating that, taking all factors into account it was a sensible proposal and noted that there would be financial support available for those that required it.

RESOLVED:

1. ***It be noted that on 12 January 2023, the Full Council calculated the Council Tax Base 2023/24:***
 - (a) ***For the whole area as 37,663 (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 25,767.***
2. ***Calculated that the Council Tax £6,577,466.***
3. ***That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 and 36 of the Localism Act 2011:***
 - (a) ***£48,064,829***

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) ***£40,450,146***

Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
 - (c) ***£7,614,684***

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) ***£202.18***

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) £1,037,217

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

(f) £174.64

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. Noted 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.**
- 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.**
- 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, as the amounts of Council Tax for 2023/24 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) of £174.64 is not excessive compared to 2022/23 and therefore there is no requirement for a local referendum.**

As required by the Council's Procedure Rules a recorded vote was taken.

The Members who voted in favour of the resolution above were:

Councillors Bambrick, Dunn, Gee, Heath, MacPherson, L. Mulgrew, M. Mulgrew, Pearson, Pegg, Rhind, Richards, Shepherd, Singh, Southerd, Stuart, Taylor and Tilley.

The Members who voted against the resolution above were:

Councillors Atkin, Dawson, Fitzpatrick, Haines, Hewlett, Lemmon, Muller, Redfern, Smith and Watson.

CL/130 **TO REVIEW THE COMPOSITIONS OF COMMITTEE, SUB-COMMITTEES AND WORKING PANELS**

The Members reviewed the composition of Committees, Sub-Committees and Working Panels 2022-23.

RESOLVED:

Environmental and Development Services Committee

Councillor Ford to replace Councillor Dawson

Housing and Community Services Committee

Councillor Dawson to replace Councillor Ford

CL/131 **TO REVIEW THE COMPOSITIONS OF THE SUBSTITUTE PANELS**

The Members reviewed the composition of the composition of Committees, Sub-Committees and Working Panels.

RESOLVED:

Council was informed no amendments were to be made

CL/132 **TO REVIEW THE REPRESENTATION ON OUTSIDE BODIES**

Members reviewed the Outside Bodies representation list.

RESOLVED:

Council was informed no amendments were to be made.

CL/133 **TO REVIEW MEMBER CHAMPIONS**

Members reviewed the Representation of Member Champions.

RESOLVED:

Council was informed no amendments were to be made.

CL/134 **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.

THE EXEMPT MINUTES OF COUNCIL MEETINGS

The Exempt Minutes of the Council Meeting held on the 19 January 2023 (CL112-CL114) were approved as a true record.

EXEMPT QUESTIONS BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NUMBER 11

Council was informed that no questions had been received.

APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE

The Committee approved the recommendations within the report.

The meeting terminated at hours.19:20 hours

COUNCILLOR P DUNN

CHAIR OF THE DISTRICT COUNCIL