



F. McArdle
Chief Executive

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Our ref: DT/CL
Your ref:

Date: 16 January 2014

Dear Councillor,

Council

A Meeting of the **Council** will be held in the **Council Chamber**, on **Thursday, 23 January 2014 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

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



AGENDA

Open to Public and Press

- 1 Apologies
- 2 To confirm the Open Minutes of the Meeting held on 7th November 2014.

Open Minutes **5 - 9**
- 3 To receive any declarations of interest arising from any items on the Agenda
- 4 To receive a response by Flight Lieutenant Alyn Thompson to the award of the Council's Order of Merit
- 5 To receive any announcements from the Chairman, Leader and Head of Paid Service.
- 6 To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 7 To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 8 To deal with any business remaining from the last Meeting.
- 9 To consider any Notices of Motion in order of which they have been received.

Motion 230114 **10 - 10**
- 10 To receive and consider the Open Reports of the following Committees:

Overview & Scrutiny Committee 23.10.13 OS/12 / OS/16 **11 - 13**

Planning Committee 29.10.13 PL/42 - PL/49 **14 - 16**

Licensing and Appeals Sub Committee 05.11.13 LAS/22	17 - 17
Planning Committee 19.11.13 PL/51 - PL/59	18 - 20
Environmental and Development Services Committee 21.11.13 EDS/17 - EDS/25	21 - 24
Licensing and Appeals Sub-Committee 27.11.13 LAS/23	25 - 25
Housing and Community Services Committee 28.11.13 HCS/19 - HCS/26	26 - 28
Finance and Management Committee 05.12.13 FM/60 - FM/70	29 - 32
Overview and Scrutiny Committee 11.12.13 OS/17 - OS/19	33 - 34
Overview and Scrutiny Committee (Special) 11.12.13 OS/20 - OS/21	35 - 36
Licensing and Appeals Sub-Committee 12.12.13 LAS/24 - LAS/25	37 - 37
Planning Committee 17.12.13 PL/60 - PL/71	38 - 41
Linton Area Forum 24.10.13 LA/9 - LA/17	42 - 45
Etwall Area Forum 06.11.13 EA/9 - EA/17	46 - 52
Swadlincote Area Forum 12.11.13 SA/10 - SA/18	53 - 55
Melbourne Area Forum 13.11.13 MA/9 - MA/16	56 - 60
Newhall Area Forum 14.11.13 NA/8 - NA/16	61 - 64
11 To Authorise the sealing of the document set out in the report.	
Sealed Documents	65 - 65
12 Review the compositions of Committees, Sub-Committees & Working Panels for the remainder of the muni	



- 13 To review the compositions of Substitute Panels.
- 14 To review the representation on Outside Bodies.
- 15 Council Tax Reduction Scheme Regulations 2014 and other discount charges **66 - 70**

Exclusion of the Public and Press:

- 16 The Chairman may therefore move:-
That in accordance with Section 100 (A) of the Local Government Act 1972 the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 17 To receive the Exempt Minutes of the Council Meeting held on 7th November 2013.
Exempt Minutes
- 18 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 19 To receive and consider the Exempt reports of the following committees:
Planning Committee 29.10.13 PL/50 - PL/51
Environmental and Development Services Committee 21.11.13 EDS/26 - EDS/27
Housing and Community Services Committee 28.11.13 HCS/27
Finance and Management Committee 05.12.13 FM/71 - FM/74
Licensing and Appeals Sub-Committee 12.12.13 LAS/26 - LAS/27
Planning Committee 17.12.13 PL/72

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 7th November 2013
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, Lemmon, Mrs. Patten, Mrs. Plenderleith, Smith, Stanton, Watson and Wheeler.

Labour Group

Councillors Bambrick, Bell, Chahal, Dunn, Frost, Mrs. Heath, Mrs. Mead, Mulgrew, Pearson, Rhind, Richards, Shepherd, Southerd, Stuart, Tilley and Wilkins.

CL/44. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs. Watson and Roberts (Conservative Group) and Councillor Taylor (Labour Group).

CL/45. **MINUTES**

The Open Minutes of the Meeting of the Council held on 26th September 2013 (Minute Nos. CL/31 – CL/41) were taken as read, approved as a true record and signed by the Chairman.

CL/46. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that she had recently carried out a very enjoyable visit to Japan where she was made very welcome. The annual Poppy Appeal had also been a great success, and the Civic Service had been held at All Saints Church, Findern.

CL/47. **LEADER'S ANNOUNCEMENTS**

The Leader reported on the successful Japan Visit and confirmed that no Council Tax money had been spent. He also reported that Derbyshire Fire and Rescue Service was currently consulting on proposed changes. There would be a presentation for Members in the Chamber on 20th November 2013. The consultation document would then be reported to Housing and Community Services Committee for Members to agree a formal response. Public consultation was also proposed to take place on The Delph in Swadlincote.

The Leader concluded by introducing the BBC Programme 'Inside Out', from which a short excerpt on Swadlincote was shown to members.

CL/48. **HEAD OF PAID SERVICES ANNOUNCEMENTS**

The Head of Paid Services advised Members of the new Visitor Guide, which covered the District. He added that tourism was very important to the District with £167 million visitor spend during April 2012 – April 2013.

He also spoke about the Japan visit which had traditionally been very important in bringing investment to the District.

CL/49. **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:-

Planning Committee, 17th September 2013 (Minute Nos. PL/35 – PL/41).

(Minute No. PL/35 – subject to Councillor Dunn being noted under Apologies. It was also requested that either ipads or paper copies of agendas be made available at Planning Meetings as members of the public should have access. The Chief Executive agreed to consider options for future meetings),

Overview and Scrutiny Committee, 18th September 2013 (Minute Nos. OS/1 – OS/6).

(Subject to Councillor Dunn replacing Councillor Bell as present).

Licensing and Appeals Sub-Committee, 23rd September 2013 (Minute Nos. LAS/12 – LAS/13),

Licensing and Appeals Sub-Committee, 23rd September 2013 (Minute No. LAS/15).

(A Member asked if an article in the Burton Mail had involved a licensed driver from South Derbyshire. The Chief Executive confirmed that he understood that it did not involve a licensed driver, and therefore wasn't a matter for the Licensing Committee).

Licensing and Appeals Sub-Committee, 23rd September 2013 (Minute No. LAS/21).

Special Finance and Management Committee 25th September 2013 (Minute Nos. FM41 – FM/43).

***Environmental and Development Services Committee, 3rd October 2013
(Minute Nos. EDS/11 – EDS/15).***

(Subject to Councillor Stuart being noted as present).

***Housing and Community Services Committee, 10th October 2013
(Minutes Nos. HCS/10 - HCS/16).***

***Finance and Management Committee, 17th October 2013 (Minute Nos.
FM44 – FM/51).***

***(Minute No. FM/47 – It was requested that the Chairman of Finance and
Management Committee provide further information on his recent trip to
Westminster to discuss the Government Grant***

***Councillor Wheeler responded he had had a positive meeting, and
provided full details on his talks regarding Government Grant, New
Homes Bonus and Transformation Grant.***

***A supplementary question was asked - if the New Homes Bonus was
being shared appropriately and if Councillor Wheeler could assert any
influence in this area, Councillor Wheeler responded that it was very
difficult to assert any influence although he would make every effort to
do so).***

CL/50. **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/51. **LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW LETTER
2012/13 AND UPDATE ON RECENT DEVELOPMENTS TO THE
OMBUDSMAN SERVICE**

A report was submitted which informed Members of the Council’s Annual Report, together with updates on the recent developments to the ombudsman service.

On the 16th July 2013 the Council received the annual review letter for the period 2012/2013. In contrast to previous years, the Local Government Ombudsman had only stated how many complaints were received, but had not provided any statistical data, as the Local Government Ombudsman had changed its business processes considerably during the course of 2012/13 and would, therefore, be unable to provide a consistent set of data for the entire year.

The Ombudsman’s Office received 11 complaints about the Council in 2012/13. The Ombudsman decided not to investigate 8 of the complaints, 2 investigations were discontinued and 1 complaint was not in the Local

Government Offices jurisdiction. There were no findings of maladministration causing injustice during this period.

RESOLVED:

- 1) *That the Local Government Ombudsman's Annual Review 2012/2013 be accepted.*
- 2) *That no decisions of maladministration causing injustice against the authority during 2012/13 be noted.*

CL/52. **ANNUAL AUDIT LETTER 2012/13**

A report was submitted from Grant Thornton (as the Council's appointed Auditor) to present the Annual Audit Letter for 2012/13.

The Letter covered key messages and conclusions from work on:-

- Auditing the 2012/13 year end accounts.
- The accuracy of grant claims and returns to various government departments and other agencies.
- Assessing the Council's arrangements for securing economy, efficiency and effectiveness to ensure that Value for Money was achieved.

RESOLVED:

That the report be approved.

CL/53. **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 26th September 2013, 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:-

Licensing and Appeals Sub-Committee, 23rd September 2013.

Licensing and Appeals Sub- Committee, 23rd September 2013.

Environment and Development Services Committee, 3 October 2013.

Housing and Community Services Committee, 10 October 2013.

Finance and Management Committee, 17 October 2013.

A. HOOD

CHAIRMAN

In accordance with Council Procedure Rule No. 12, Councillor Stanton will move the following motion:-

“That this Council;

- a) Recognises a legitimate consumer demand among members of the communities of South Derbyshire for short-term loan facilities.
- b) Notes with concern the growth of heavily marketed ‘payday lending’ companies which can allow financially challenged borrowers into unsustainable debt.
- c) Encourages increased access to not-for-profit credit unions including, specifically, Moneyspider.
- d) Asks the Finance and Management Committee and Officers to:
 - Promote awareness of credit unions to both public and Council employees and promote volunteers to assist through the Council’s Communications Team.
 - Introduce and publicise a facility for employees and Elected Members to save with credit unions via the payroll system.
- e) Asks the Housing and Community Services Committee and Officers to introduce and publicise an offer to pay the registration fee of appropriate Council tenants wishing to join credit unions.
- f) Asks the Director of Finance to investigate the practicalities of supporting Moneyspider via an interest-free loan of £50,000 and, subject to his positive advice, authorises the Chairman of Finance and Management Committee and the Chief Executive to progress this”.

OVERVIEW AND SCRUTINY COMMITTEE

23rd October 2013

PRESENT:-

Conservative Group

Councillor Mrs. Plenderleith (Chairman), Councillor Atkin (Vice-Chairman) and Councillor Mrs Patten.

Labour Group

Councillors Bambrick and Pearson.

OS12. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Mrs. Hood (Conservative Group) and Councillors Dunn and Mrs. Mead (Labour Group).

OS/13. **MINUTES**

The Open Minutes of the Meetings held on 15th May and 26th June 2013 were taken as read, approved as a true record and signed by the Chairman.

OS/14. **SERVICE REVIEW OF GROUNDS MAINTENANCE**

The Committee received a report from the Director of Housing and Environmental Services which advised Members of progress on actions following the 2012 Overview and Scrutiny Committee service review of grounds maintenance. There were four sections to the report, namely, quality control, feedback, county funded works and external accreditation.

It was reported that overall service standards were satisfactory at worst and good in a number of areas. New feedback cards issued in the summer showed that 65% of clients rated the service as good or excellent. With regard to works funded by Derbyshire County Council, officers advised that this had been maintained at previous levels but it was important for the Council to keep lobbying to keep the budget at these levels. It was also reported that the team had not sought external accreditation for the service, as there were other priorities at this time. It was explained that officers would develop further in-house quality monitoring processes and would produce an annual report detailing priorities for future action. The first such report for the 2013 season was being produced and would be available in the next few weeks.

Members asked a number of questions relating to work done for Parish Councils and other external clients. It was suggested that these issues be discussed at the next Parish Liaison Meeting. There were also questions regarding the schedule for the cleaning of jitties. It was reported that jitties not on a maintenance schedule were most likely to be those not in the ownership

of the District Council. A review of jitties, their ownership and maintenance schedule would be undertaken.

It was agreed:-

- (1) To note the report and agree the recommendations therein;***
- (2) To instruct officers to arrange that this issue be placed on the next agenda of the Parish Liaison meeting; and***
- (3) A review of the maintenance of jitties be undertaken.***

OS/15. **CLEAN TEAM**

The Committee received a report from the Director of Housing and Environmental Services which had been prepared in response to a request from the Committee. The report sought to advise Members of the current arrangements for tackling littering, fly tipping and dog fouling in the district and sought members input and comments on current processes.

Officers stated that the general perception of the service was positive and that the system worked well and was much appreciated by the public. Members confirmed that this was also their view of the service and asked that this be conveyed back to the staff.

Members discussed the approach taken with its emphasis on advice and education, with prosecution as a last resort in extreme cases; Members debated whether it might be appropriate to take a harder line, for example, in cases of dog fouling of playing fields.

Members also debated the issues of the dumping of green waste and the fly-tipping of old refrigerators. With regard to green waste, officers advised that some nearby councils were now charging for collection which could be causing or contributing to the problem. Officers stated that in their view, it was time to review multi-waste collection charges to deal with the problem of dumped refrigerators. Members expressed the view that stronger enforcement and greater publicity might be appropriate to deal with this particular problem.

Members also expressed concern as to the age and poor condition of the vehicles used by the Clean Team. Members were advised that consideration needed to be given to the type of vehicle used in the future, with an emphasis on flexibility before they were replaced.

Members raised a number of other issues around the work of the team. Members were requested to report any hotspots or problem areas so that they could be tackled.

The Committee agreed to note the report and to recommend to Council that the issues of publicity for the service and the charging regime be reviewed.

OS/16. **OVERVIEW & SCUTINY WORK PROGRAMME**

A draft work programme document was circulated for the Committee's consideration. Consideration was given to the topics of cemetery review, elections management and crime and disorder.

The updated work programme for 2013/14 was approved.

MRS. A. PLENDERLEITH

CHAIRMAN

The Meeting terminated at 7.15 pm.

PLANNING COMMITTEE29th October 2013**PRESENT:-****Conservative Group**

Councillor Ford (Chairman) and Councillors Bale, Mrs Hall, Jones, Roberts (substitute for Councillor Mrs. Brown). Stanton and Watson.

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd and Southerd.

In attendance

Councillor Harrison.

PL/42. **APOLOGY**

An apology for absence from the Meeting was received from Councillor Mrs Brown.

PL/ 43. **MINUTES**

The Open Minutes of the Meetings held on 25th June, 16th July, 6th August and 27th August 2013 were taken as read, approved as true records and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEEPL/44. **TREE PRESERVATION ORDER NO. 372**

It was reported that this Tree Preservation Order had been made on 17th June 2013, in respect of a wood known locally as Badgers Wood, Linton which formed part of the National Forest. A vehicular access had been constructed which involved the felling of part of the woodland to protect the wood from further unauthorised works and a temporary preservation order was made. Comments received which related to the proposed Order were summarised, together with the responses from Officers.

RESOLVED:-

That Tree Preservation Order 372 be confirmed without modification.

PL/45. **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

- PL/46. **CHANGE OF USE FOR SITING OF 3 LOG CABINS INCORPORATING NEW VEHICULAR ACCESS ON LAND AT SK3727 2805 DERBY ROAD, STANTON BY BRIDGE, DERBY (9/2013/0493/NO)**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr Wheat (objector) attended the Meeting and addressed Members on this application.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/47. **THE FELLING OF A CEDAR OF LEBANON TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER SED 1996 AT 7 HALL PARK BARROW ON TRENT, DERBY (9/2013/0587/TP)**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr. Harrison (applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That consent be granted, subject to the terms of the Officer's report.

- PL/48. **APPROVAL OF RESERVED MATTERS OF APPLICATION 9/2010/0535 FOR RESIDENTIAL DEVELOPMENT OF 14 DWELLINGS ON LAND TO THE REAR OF 33 TO 59 COURT STREET WOODVILLE, SWADLINCOTE (9/2013/0715/RSD)**

It was reported that amended plans had been received, and therefore the relevant condition required amendment.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/49. **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs

of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 16th July 2013 were received.

ENFORCEMENT ACTION (Paragraph 2)

No further action was taken.

M. FORD

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

5th November 2013

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillors Stanton (Chairman) and Councillor Atkin (Conservative Group) and Mrs. Heath (Labour Group)

District Council Representatives

J Green (Senior Legal Officer), S. Broome (Senior Licensing Officer) , D. Townsend (Democratic Services Officer) and L. Kinsey (Democratic Services Officer).

MATTER DELEGATED TO SUB-COMMITTEE

LAS/22 **APPLICATION FOR A PREMISES LICENCE – MERCIA MARINA, WILLINGTON, DE65 6DW.**

The Sub-Committee considered an application for a Premises Licence at Mercia Marina, Willington, DE65 6DW.

RESOLVED:-

That the application for a Premises Licence be granted, as detailed in the Decision Notice, a copy of which is incorporated in the Signed Minute Book at ‘SMB 1’.

M. STANTON

CHAIRMAN

The Meeting terminated at 10:05 a.m.

PLANNING COMMITTEE

19th November 2013

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs. Brown (Vice-Chairman) and Councillors Bale, Mrs. Hall, Jones, Lemmon (substitute for Councillor Watson) and Stanton

Labour Group

Councillors Bell, Dunn, Pearson, Richards, Shepherd and Southerd.

The following Members also attended the Meeting and, with the approval of the Chairman, spoke to the Minutes Nos. indicated:-

Councillor Hewlett – Minute No. PL/54
Councillor Harrison – Minute No. PL/54
Councillor Mrs. Watson

PL/51. **APOLOGY**

An Apology for absence from the Meeting was received from Councillor Watson (Conservative Group).

PL/52. **MINUTES**

The Open Minutes of the Meeting held on 17th September 2013 were taken as read, approved as a true record and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

PL/53. **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/54. **OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR UP TO 450 DWELLINGS INCLUDING THE PROVISION OF A SMALL DISCOUNT SUPERMARKET (A1 USE -1,650SQM) LOCAL CENTRE COMPRISING OF NO MORE THAN FIVE INDIVIDUAL UNITS (A1/A2/A3 USE TOTALLING 1,650SQM) DAY NURSERY (D1 USE - 450SQM) PRIMARY SCHOOL AND OPEN SPACE ON LAND OFF SWARKESTONE ROAD CHELLASTON DERBY, (9/2012/0568/OM)**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr. Bowden of Chellaston Residents Association (objector) and Mr.

Chastney of Televera Estates Ltd (applicant), attended the Meeting and addressed the committee.

It was also reported that further letters of objection and a letter from the Head of Chellaston Academy had been received.

Members were reminded of the background to this case, the current status of the Local Plan and an identified lack of 5 year supply of housing. In this context the site would assist in increasing supply and had been identified as a preferred site for allocation in the draft Local Plan. It was reported that both Local Education Authorities had objected to the scheme primarily on the grounds that there was no secondary school accommodation available. However, both were now working towards a solution for accommodating the incoming population, particularly at secondary level. As such, members were advised that a Section 106 agreement would not be signed and no planning permission would be issued prior to the education issue being resolved to a satisfactory degree. In the absence of this, the case would be brought back to the Committee for further consideration.

RESOLVED:-

That planning permission be granted, subject to the conditions set out in the report of the Director of Community and Planning Services, and subject to the Section 106 agreement being signed following a satisfactory proposal for the provision of secondary education.

- PL/55. **THE ERECTION OF EXTENSIONS TO SIDES AND REAR, RE-CLADDING OF EXISTING BUILDING AND ERECTION OF DOUBLE GARAGE TO FRONT AT SOMERTON HOUSE MAIN STREET DALBURY LEES ASHBOURNE (9/2013/0749/FH)**

It was reported that Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/56. **THE DEVELOPMENT OF A FA COMPLIANT 7V7 ARTIFICIAL TURF PITCH WITH ASSOCIATED FENCING, FLOODLIGHTING AND ACCESS PATHWAY AT MELBOURNE RECREATIONAL GROUND COCKSHUT LANE MELBOURNE DERBYSHIRE (9/2013/0759/NO)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/57. **THE PRUNING OF LIME TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 132 AT PLAYGROUND SWAN HILL MICKLEOVER DERBY (9/2013/0748/TP)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/58. **PRUNING WORKS TO AN ASH TREE COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 132 ON PUBLIC OPEN SPACE WILSON CLOSE MICKLEOVER DERBY (9/2013/0767/TP)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

- PL/59. **APPEAL DECISIONS**

The content of the following reports was noted:-

Appeals Dismissed

- a) Erection of a fence and gates to front of properties, 10 and 12 Bells End Road, Walton on Trent, Swadlincote, Derbyshire, DE12 8ND
- b) To demolish an attached garage, build new two storey side extension and install a pitched roof over rear single storey existing extension at 15 Farm Side, Newhall, Swadlincote, Derbyshire, DE11 0RP.

M. FORD

CHAIRMAN

The Meeting terminated at 7.20 p.m.

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

21st November 2013

PRESENT:-

Conservative Group

Councillor Watson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Mrs. Brown, Ford, Mrs. Hall, Mrs. Patten and Stanton.

Labour Group

Councillors Frost, Mulgrew, Shepherd (substitute for Councillor Chahal), Stuart, Taylor and Tilley.

In attendance

Councillor Atkin.

EDS/17 **APOLOGY**

An apology for absence from the Meeting was received from Councillor Chahal.

EDS/18 **MINUTES**

The Open and Exempt Minutes of the Meeting held on 3rd October 2013 were approved as a true record and signed by the Chairman.

EDS/19 **DECLARATION OF INTEREST**

Councillor Stuart declared a personal interest in Minute No. EDS/21, as he was involved in voluntary work for Sustrans.

MATTERS DELEGATED TO COMMITTEE

EDS/20 **CORPORATE PLAN 2009 – 14: PERFORMANCE MANAGEMENT REPORT (1st JULY – 30th SEPTEMBER 2013)**

A report was submitted which provided details on progress and achievements during the period 1st July to 30th September 2013, in relation to the Council's Corporate Plan 2009 – 2014. Members scrutinised the performance of the Council, making particular reference to any highlighted targets that had not been met and were at risk of failure. Further information was provided on the contaminated land strategy and also on recycling.

RESOLVED:-

- (1) *That progress and achievements for the period 1st July to 30th September 2013, in relation to the Council's Corporate Plan, be noted.*

- (2) ***That where progress has failed to achieve the specified target the adequacy of the remedial action taken be considered.***

EDS/21 **HS2 PHASE 2 ROUTE CONSULTATION**

A report was submitted which described the preferred route for the eastern leg of the HS2 phase scheme, connecting the West Midlands to Leeds via the East Midlands, including proposals for a station at Toton. It also described the main alternative route that had been considered, which would pass through South Derbyshire, Derby and Amber Valley. It briefly referred to other aspects of the scheme, which included the funding of the project and opportunities which had arisen from the release of capacity in established rail networks. It also proposed a Council response to specific questions posed by HS2 Ltd as part of the consultation exercise, which was summarised within the report.

Members debated the report, and concern was raised on the proposals for an alternative route.

RESOLVED:-

That the responses to the questions posed by HS2 Ltd, as set out in an appendix to the report, be submitted as the Council's response to the consultation exercise.

EDS/22 **REPTON DETAILED AIR QUALITY ASSESSMENT**

The Environmental Health Manager presented a report which advised Members of the outcome of a detailed air quality assessment in Repton.

Under Section 82 of the Environment Act 1995, all local authorities had a duty to undertake a periodic review and assessment of air quality within their administrative boundaries. The most recent assessment was undertaken in 2012, and was the subject of a Committee report on 4th October 2012. The report concluded that air quality across South Derbyshire met statutory standards. However, it also highlighted the possibility that air quality on High Street, Repton might be at risk of not meeting one of the air quality objectives. This report was submitted to DEFRA who accepted all the conclusions and recommendations. Air quality monitoring had been undertaken along High Street, Repton since October 2012, and now that a full year of results were available, it was possible to review the data and use it to model air quality at various locations within the village. The technical report was attached as an appendix to the report.

A full summary of the review and assessment findings was included, and it was reported that nitrogen dioxide at kerbside in Repton was above 40 $\mu\text{g}/\text{m}^3$, and that at the window of residential properties in the High Street, it was marginally below 40 $\mu\text{g}/\text{m}^3$. However the monitoring results showed an unusual trend which had led Officers to question whether the period

October 2012 to September 2013 was representative of typical conditions in Repton. Due to this trend, it was Officers opinion that no action should be taken until this question had been further investigated and resolved.

A detailed assessment report would be submitted to DEFRA in December to comply with the Council's duty under the Environment Act. It was proposed to submit the current report and then to submit a further supplementary report to DEFRA on the completion of a further calendar year of air quality monitoring through 2014.

RESOLVED:-

- (1) That the contents and conclusions of the Detailed Air Quality Assessment in Repton be approved.***
- (2) That the Environmental Health Manager issue the assessment report to DEFRA in order to meet the Council's statutory duties under the Environment Act 1995.***

EDS/23 **REGULATOR AND BUSINESS PARTNERSHIP CHARTER**

A report was submitted which provided Members with a summary of the existing work being undertaken by South Derbyshire's Regulatory Teams to support local business growth, and of the direction of travel being taken to further support growth. Member's approval was also sought for the District Council to become a signatory to the D2N2 Local Enterprise Partnership Regulator and Business Partnership Charter. Further details were provided on the Partnership with the D2N2 Chamber of Commerce and Derbyshire County Council Trading Standards to provide a pilot health and safety advisory for businesses in Derbyshire and Nottinghamshire.

Members requested that a further report be submitted to the Committee on completion of the six month pilot scheme.

RESOLVED:-

- (1) That South Derbyshire District Council become a signatory to the D2N2 Local Enterprise Partnership Regulator and Business Partnership Charter.***
- (2) That the proposed partnership with D2N2 Chamber of Commerce and Derbyshire County Council Trading Standards to provide a pilot health and safety advisory service for businesses in Derbyshire and Nottinghamshire be approved.***

EDS/24 **WORK PROGRAMME**

The Committee considered the updated work programme.

RESOLVED:-

That the updated work programme be approved.

EDS/25 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 3rd October 2013 were received.

REVIEW OF LAND CHARGES FUNCTION (Paragraph 1)

Members approved the review of the Land Charges function.

P. WATSON

CHAIRMAN

LICENSING AND APPEALS SUB-COMMITTEE

27th November 2013

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillors Stanton (Chairman) and Councillor Watson (Conservative Group) and Councillor Frost (Labour Group).

District Council Representatives

J Green (Senior Legal Officer), S. Broome (Senior Licensing Officer), E. McHugh (Licensing Officer), D. Townsend (Democratic Services Officer) and L. Kinsey (Democratic Services Officer).

Applicants

Mark Taylor (Representing Trident Reach the People Charity)
Keith Wheatcroft (Representing Trident Reach the People Charity).

In Attendance

M. Bell, G. Davies, C. Shelley R. Barstead, M. Woodings and A. Hubbard.

MATTER DELEGATED TO SUB-COMMITTEE

LAS/23. **APPLICATION TO VARY A PREMISES LICENCE – OAKLAND VILLAGE, HALL FARM ROAD, SWADLINCOTE, DE11 8ND.**

The Sub-Committee considered an application to vary a Premises Licence at Oakland Village, Hall Farm Road, Swadlincote, DE11 8ND.

RESOLVED:-

That the application to vary the Premises Licence be refused, as detailed in the Decision Notice, a copy of which is incorporated in the Signed Minute Book at 'SMB 1'.

M. STANTON

CHAIRMAN

The Meeting terminated at 11:40 a.m.

HOUSING AND COMMUNITY SERVICES COMMITTEE

28th November 2013

PRESENT:-

Conservative Group

Councillor Lemmon (Chairman), Councillor Hewlett (Vice-Chairman) and Councillors Bale (substitute for Councillor Murray), Ford, Harrison, Smith and Wheeler (substitute for Councillor Mrs. Hood).

Labour Group

Councillors Frost, Mrs. Heath, Mulgrew, Rhind, Richards, Shepherd.

In attendance

Councillor Mrs. Plenderleith (Conservative Group).

HCS/19. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs. Hood and Murray (Conservative Group).

HCS/20. **MINUTES**

The Open Minutes of the Meeting held on 10th October 2013, were taken as read, approved as a true record and signed by the Chairman.

HCS/21. **DECLARATION OF INTEREST**

Councillor Ford declared a personal interest in Minute Number HCS/23, as he was a Member of Derbyshire County Council.

MATTERS DELEGATED TO COMMITTEE

HCS/22. **CARELINE SERVICES – CONSORTIUM PROPOSAL**

The Director of Housing and Environmental Services provided an update on the progress of the consortium project to provide Careline Services across Derbyshire. He also reported that a business plan was being worked on and that a further update would be considered by the Housing and Community Services Committee in the first half of 2014.

RESOLVED:-

- 1) *That further expenditure from the Housing Revenue Account of up to £10,000 in the development of two separate companies in a consortium arrangement to deliver Careline Services County wide from April 2014, be approved.*
- 2) *That the detail of the expenditure to be approved by the Director of Housing and Environmental Services, in consultation with the Chairman of the Housing and Community Services Committee,*

HCS/23. DERBYSHIRE FIRE AND RESCUE SERVICE

Information was provided on the Derbyshire Fire and Rescue Service Transforming Service Delivery 2022 and Beyond – Fit to Respond Consultation.

It was reported that consideration should particularly be given to item number 10 in the document, as this contained three major proposals:

- 1) That Melbourne Fire Station is to close
- 2) That a new Fire Station be opened at Hilton, adjacent to the A5132.
- 3) That the full time fire engine at Swadlincote over time, be replaced by a Smaller Response Vehicle staffed by retained personnel.

In addition, key points had also previously been raised by Members, and these included,

- Flooding was not included in the report as a risk
- The proposal would have a detrimental impact on the initial response time.
- It was stated in the report that there would be 6,000 additional houses, not 13,000 as in the Local Plan.
- Stanton, Midway and Melbourne had already been identified as high risk locations.

RESOLVED:-

- 1) ***That the Derbyshire Fire and Rescue Services proposals for the future document (Transforming Service Delivery for 2022 and Beyond – Fit to Respond Consultation) be noted.***
- 2) ***That a response to the consultation be approved and submitted as follows:***

'This Council rejects Proposal 10 (Swadlincote, Melbourne and Hilton) because of the material statistical and other inaccuracies contained in the Fire Service's analysis of the District, particularly in respect of understating the housing growth through to 2028, as set out in the Emerging Local Plan, together with the substantial new business growth anticipated in the fastest growing District in the Midlands. This is in addition to the projected over optimistic first response times, due to the rationalisation of the Fire Stations in Derby City from 3 to 1 (Proposal 7), and in the absence of a Whole Time Station being maintained in Swadlincote, and the Retained Service in Melbourne completely closed down.

The Council, therefore, urges the Chief Fire Officer to undertake a fundamental review of Proposal 10 covering South Derbyshire'.

HCS/24. **CORPORATE PLAN 2009 – 14: PERFORMANCE MANAGEMENT REPORT (1st APRIL – 30th JUNE 2013)**

A report was submitted which detailed the achievements and out-turn performance during the period 1st July 2013 – 30th September 2013, in relation to the Council's Corporate Plan 2009 - 2014. Full details were provided in appendices attached to the report, and included progress against Corporate Plan Key Projects and Corporate Plan Performance Measures.

The Director of Housing and Environmental Services gave an update on the failed and abandoned tasks for the last quarter. He also gave an explanation of the performance measures for the last quarter and the projected outturn for the year. It was forecast that all 15 of the remaining targets would be met by the end of the year.

RESOLVED:-

- 1) *That the progress and achievements in relation to the Council's Corporate Plan 2009/14, for the period 1st July to 30th September 2013, be noted.*
- 2) *That where progress has failed to achieve the specified target, the response be noted.*

HCS/25. **WORK PROGRAMME**

Members were asked to consider the updated work programme and review its content where appropriate.

RESOLVED:-

That the updated work programme be approved.

HCS/26. **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 10th October 2013 were received.

J. LEMMON

CHAIRMAN

FINANCE AND MANAGEMENT COMMITTEE

5th December 2013

PRESENT:-

Conservative Group

Councillor Wheeler (Chairman), Councillor Mrs. Watson (Vice-Chairman) and Councillors, Hewlett (substitute for Councillor Jones), Lemmon, Murray, Stanton (substitute for Councillor Smith) and Watson

Labour Group

Councillors Bell, Rhind, Richards, Southerd, Taylor and Wilkins.

In Attendance

Councillors Atkin, Harrison and Mrs. Plenderleith (Conservative Group).

FM/60. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Jones and Smith (Conservative Group).

FM/61. **MINUTES**

The Open Minutes of the Special Meeting held on 25th September 2013, were taken as read, approved as a true record and signed by the Chairman.

MATTERS DELEGATED TO COMMITTEE

FM/62. **CARELINE SERVICES – CONSORTIUM PROPOSAL**

The Committee received a report from the Director of Housing and Environmental Services regarding the approval of further expenditure of up to £10,000 from the Housing Revenue Account in the development of 2 separate companies in a consortium arrangement to deliver Careline services county wide from October 2014.

RESOLVED:-

- (1) That further expenditure of up to £10,000 be approved from the Housing Revenue Account in the development of two separate companies in a consortium arrangement to deliver Careline services county-wide from October 2014. The detail of the expenditure be approved by the Director of Housing and Environmental Services in consultation with the Chairman of the Housing and Community Services Committee.***
- (2) That the recommendation of the Housing and Community Services Committee from the Meeting held on 28th November 2013, regarding this matter, be noted.***

FM/63. CORPORATE PLAN 2009 TO 2014: PERFORMANCE MANAGEMENT REPORT (1 JULY 2013 – 30 SEPTEMBER 2013)

A report was submitted on performance for the period 1st July 2013 to 30 September 2013, in relation to the Council's Corporate Plan 2009/14. The report and appendices gave detail on progress and achievements during this period. Details were also provided on key projects, performance measures and an overview of the number of accidents that had occurred during the period 1 July to 30 September 2013.

RESOLVED:-

- (1) That the progress and achievements during the period 1st July to 30th September 2013, in relation to the Council's Corporate Plan 2009/14, be noted.***
- (2) That where progress has failed to achieve the specified target the adequacy of the remedial action taken be considered.***
- (3) That a quarterly overview of the number of accidents be received, as part of the Council's Health and Safety performance management framework.***

FM/64. BUDGET AND FINANCIAL MONITORING 2013/14

The second budget and financial monitoring report for the financial year 2013/14 was presented for the Committee's consideration. Initially, this focused on the General Fund Revenue Account and a table summarised the savings across Council Services. A full analysis of each service area at cost centre level with variances across each policy committee was detailed in appendices to the report. Further tables showed performance against budgets for 2013/14 as at September 2013 for each committee and by main service area.

The report also focused on the Collection Fund, Housing Revenue Account (HRA), Capital Expenditure and Financing, Treasury Management and other financial indicators.

RESOLVED:-

That the latest budget and financial monitoring figures for 2013/14 be approved.

FM/65. LOCAL COUNCIL TAX SUPPORT SCHEME – FINANCIAL UPDATE

A report was submitted to provide an update of the costs associated with the Local Council Tax Support and Discount Schemes following their implementation on 1st April 2013. The report also provided an update on the demand for Discretionary Housing Payments (DHP).

RESOLVED:-

- (1) *That the latest costs associated with the Local Council Tax Support and Discount Schemes be noted.*
- (2) *That the demand for Discretionary Housing Payments and its affect upon the allocated budget be noted.*

FM/66. **COMPLAINTS, COMPLIMENTS & FREEDOM OF INFORMATION REQUESTS - 1st APRIL TO 30 SEPTEMBER 2013**

A report was submitted which provided a summary of comments, complaints, compliments & Freedom of Information requests received during the period 1st April to 30th September 2013. These comprised 2 comments, 33 compliments, 25 complaints and 236 Freedom of Information requests. Tables were included within the detail of the report showing the division to which each related.

RESOLVED:-

That the complaints and Freedom of Information requests 1st April 2013 to 30 September 2013 as detailed in the report, be noted.

FM/67. **CORPORATE SERVICES CONTRACT AND STRATEGIC PARTNERSHIP ANNUAL REPORT 2012/13**

A report was submitted which provided details of the performance of the Contract and Partnership agreement for the 3rd year between the Council and Northgate Public Services.

It was reported that more people were now working for Northgate Public Services than originally employed. They had guaranteed to provide 100 new jobs in the District, and were still pursuing a new site to relocate the Regional Centre to. A table was provided in the report showing savings achieved to date.

It was also reported that nearly all Key Performance Indicators were met. If any were outstanding, this was shown in a table by service area in the report.

RESOLVED:-

That the annual report detailing the performance of the Contract and wider Partnership in 2012/13 be approved.

FM/68. **ICT UPDATE AND WORK PLAN 2013 TO 2016**

The Director of Finance and Corporate Services presented a report on the ICT Work Plan, the recent developments and upgrades to the Councils Information Communications Technology (ICT) infrastructure, together with the main proposals for ICT until 2016 in the form of a work plan. Further information was provided on the customer access and paperlite projects.

Members asked questions on the paperlite project regarding providing copies of agendas at planning committee and the signing of documents.

RESOLVED:-

(1) That the proposed Work Plan for ICT for 2013 to 2016 be approved.

(2) That the level and timing of investment into Paperlite and Customer Access be noted.

FM/69. **WORK PROGRAMME**

The Committee was asked to review its work programme.

RESOLVED:-

That the updated work programme be received.

FM/70. **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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 17th October 2013 were received.

REVIEW OF LAND CHARGES FUNCTION (Paragraph 1)

The Committee approved the proposals for the review of the Land Charges Function.

REPLACEMENT STALLS FOR SWADLINCOTE MARKET (Paragraph 3)

The Committee approved the replacement of market stalls for Swadlincote Market.

COMMUNITY AND PLANNING RESTRUCTURE (Paragraph 2)

The Committee approved proposals for the restructure of Community and Planning Services

R. WHEELER
CHAIRMAN
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OVERVIEW AND SCRUTINY COMMITTEE

11th December 2013

PRESENT:-

Conservative Group

Councillor Plenderleith (Chairman), Councillor Atkin (Vice-Chairman), and Mrs. Patten.

Labour Group

Councillors Bambrick, Dunn and Pearson.

OS/17. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Mrs. Hood (Conservative Group) and Councillor Mrs. Mead (Labour Group).

OS/18. **ENVIRONMENTAL VOLUNTEERING PROJECT - UPDATE**

The Environmental Development Manager updated the Committee on progress with the Environmental Volunteering Project. She reported that the project would continue into next year and requested that the Overview and Scrutiny Committee consider future charging arrangements.

Members of the Committee asked a number of questions relating to funding of the project, costs to be charged, and how non-parished areas could access this project.

It was requested that a briefing note be produced for all Members to enable them to contact schools and parish councils regarding future projects.

It was agreed:-

That the report be noted, and that a scheme of charges be produced by the Environmental Development Manager in consultation with the Chairman of Overview and Scrutiny Committee, to be submitted to the Housing and Community Services Committee on 6th February 2014.

OS/19. **REGULATION OF INVESTIGATORY POWERS ACT 2000 – REPORT ON USAGE**

The Committee received a report on the Council's use of the Regulation of Investigatory Powers Act (RIPA) since August 2013. Members were reminded of the purpose of the legislation and recent changes to it. The Overview and Scrutiny Committee was authorised to review the Council's use of RIPA and for the period August to October 2013, there had been no authorisations requested for the use of these powers.

It was agreed to note the report.

MRS. A. PLENDERLEITH

CHAIRMAN

The Meeting closed at 6.20 p.m.

OVERVIEW AND SCRUTINY COMMITTEE (SPECIAL)

11th December 2013

PRESENT:-

Conservative Group

Councillor Plenderleith (Chairman), Councillor Atkin (Vice-Chairman), and Mrs. Patten.

Labour Group

Councillors Bambrick, Dunn and Pearson.

OS/20. **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Mrs. Hood (Conservative Group) and Councillor Mrs. Mead (Labour Group).

OS/21. **DOMESTIC ABUSE SERVICES WITHIN SOUTH DERBYSHIRE**

At a previous Scrutiny Meeting in May, an overview was provided on the structure of Domestic Abuse services within the district and the agencies involved. It had been requested that further, more in depth information on these agencies be provided.

It was confirmed that there were 4 main service providers in the District; Next Step, Trident Reach the Charity, and an Independent Domestic Violence Advisor who was employed by Women's Aid, and Victim Support, who also offered initial support to low risk victims. All of these agencies offered different services and were funded independently.

Full details, including the service they provided, the number of people accessing their service, how they were funded and by whom, what contingency plans they had in place when the funding ended, and which agencies support which level of victim were included in the report.

It was concluded that in the long-term, the future of many of these agencies was uncertain as much of the funding was provided by Derbyshire County Council. Also, suitable external funding streams were difficult to obtain for more than one year at a time and therefore any long term security was unlikely. In the short term the district was fortunate to have dedicated workers and volunteers who were committed to reducing the amount of Domestic Abuse cases within the district.

Members expressed concern, as there seemed to be no cohesive approach to the provision of service.

It was agreed:-

That the report be noted, and that a copy be sent to the Police Crime Commissioner along with a covering letter, highlighting the risks and concerns.

MRS. A. PLENDERLEITH

CHAIRMAN

The Meeting terminated at 6.45 p.m.

LICENSING AND APPEALS SUB-COMMITTEE

12th December 2013

PRESENT:-

Members of the Licensing and Appeals Sub-Committee

Councillors Mrs. Patten (Chairman) and Councillors Harrison (Conservative Group) and Rhind (Labour Group).

District Council Representatives

J. Green (Senior Legal Officer), S. Broome (Senior Licensing Officer), and D. Townsend (Democratic Services Officer).

MATTERS DELEGATED TO SUB-COMMITTEE

LAS/24. **APPOINTMENT OF CHAIRMAN**

RESOLVED

That Councillor Mrs. Patten be appointed Chairman for the Meeting.

LAS/25. **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (Paragraph 2)

The Sub-Committee considered an application for a Private Hire Driver's Licence, which was granted with standard conditions.

REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE (Paragraph 2)

The Sub-Committee considered a review of an existing Private Hire Driver's Licence, which was suspended, until such a time as the Applicant can pass a Driver Standards Agency test, as the applicant was not considered to be a fit and proper person for the purpose of holding a Private Hire Driver's Licence.

J. PATTEN

PLANNING COMMITTEE

17th December 2013

PRESENT:-

Conservative Group

Councillor Ford (Chairman), Councillor Mrs Brown (Vice Chairman) and Councillors Bale, Mrs Hall, Hewlett (substitute for Councillor Jones), Stanton and Watson.

Labour Group

Councillors Bell, Dunn, Mulgrew (substitute for Councillor Shepherd), Pearson, Richards and Southerd.

The following Member also attended the Meeting and, with the approval of the Chairman, spoke to the Minute No. indicated:-

Councillor Wheeler – Minute No. PL/63

PL/60 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillor Jones (Conservative Group) and Councillor Shepherd (Labour Group).

PL/61 **DECLARATIONS OF INTEREST**

Councillor Ford declared a pecuniary interest in planning application 9/2013/0733/SMD (Minute No. PL/65).

Councillor Mrs Brown declared a non-pecuniary interest planning application 9/2013/0745/SMD (Minute No. PL/64).

MATTERS DELEGATED TO COMMITTEE

PL/62 **REPORT OF THE DIRECTOR OF COMMUNITY AND PLANNING SERVICES**

The Director of Community and Planning Services submitted reports for consideration and determination by the Committee and presented oral reports to the Meeting to update them as necessary. Consideration was then given thereto and decisions were reached as indicated.

PL/63 **OUTLINE APPLICATION (ALL MATTERS EXCEPT FOR ACCESS TO BE RESERVED) FOR THE RESIDENTIAL DEVELOPMENT OF 110 DWELLINGS ON LAND AT SK2616 8753 OFF HIGH STREET, LINTON (9/2013/0689/OS)**

It was reported that Members of the Committee had visited the site prior to the Meeting. Mr. Wolsey (objector) and Mr. Dean (applicant) attended the Meeting and addressed Members on this application.

RESOLVED:-

That, contrary to the recommendation, planning permission be refused as it was considered to be (inter alia) unsustainable development and contrary to the Local Development Plan.

PL/64 **THE ERECTION OF 77 DWELLINGS, PUBLIC OPEN SPACE, ACCESS AND DRAINAGE INFRASTRUCTURE ON LAND AT SK2928 5584 ETWALL ROAD, WILLINGTON (9/2013/0745/SMD)**

It was reported that Members of the Committee had visited the site prior to the Meeting. John Orme (objector) and Andrew Clark (Architect), attended the Meeting and addressed Members on this application.

An update was provided on neighbour responses, and minor amendments to conditions were proposed.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services, minor amendments as proposed, and that the requirement for affordable housing be incorporated into a section 106 agreement rather than as a condition.

PL/65 **THE VARIATION OF CONDITION 40 AND THE REMOVAL OF CONDITION 38 TO FACILITATE THE USE OF 30% (180) OF EXISTING RESIDENTIAL/LEISURE MOORINGS FOR UNRESTRICTED RESIDENTIAL OCCUPATION ON MERCIA MARINA, FINDERN LAND, WILLINGTON (9/2013/0733/SMD)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

PL/66 **THE DEMOLITION OF EXISTING BUILDING AND THE PROPOSED REDEVELOPMENT OF THE SITE FOR THE ERECTION OF 3 DWELLINGS AT NO. 43 OVERSETTS ROAD, NEWHALL, SWADLINCOTE (9/2013/0754/FM)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

PL/67 **THE ERECTION OF TWO DWELLINGS WITH ASSOCIATED PARKING, GARDENS AND ACCESS AT SDDC OWNED GARAGE COURT, ST CATHERINES ROAD, NEWHALL, SWADLINCOTE (9/2013/0855/FM)**

It was reported that Members of the Committee had visited the site prior to the Meeting.

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services and that the Director of Community and Planning Services be granted delegated authority to review the design.

PL/68 **THE ERECTION OF TWO BUNGALOWS WITH ASSOCIATED PARKING, GARDENS AND ACCESS AT PINE GROVE NEWHALL (9/2013/0859/FM)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

PL/69 **DEMOLITION OF EXISTING BUNGALOW AND AGRICULTURAL BUILDINGS AND THE ERECTION OF A SINGLE STOREY DWELLING, GARAGE AND ANCILLARY WORKS AT WEST VIEW, THE COMMON, MELBOURNE (9/2013/0932/FM)**

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report of the Director of Community and Planning Services.

PL/70 **APPEAL DECISIONS**

The content of the following report was noted:-

Appeals Dismissed

- a) The demolition of the existing house together with garage and attached outbuilding and the new construction of a dwelling house and detached garage block with ancillary accommodation above at No. 3 Stanhope Glade, Bretby.
- b) The erection of a 2-storey extension with porch canopy over new front entrance door, rear conservatory and internal modifications to provide additional living space and bedroom at No. 39 Stoneydale Close, Newhall.

PL/71 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCALGOVERNMENT [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 as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

ENFORCEMENT CASE AT EGGINTON (Paragraph 2)

No further action was taken.

M. FORD
CHAIRMAN

SOUTH DERBYSHIRE AREA FORUM

LINTON

24th October 2013

PRESENT:-

District Council Representatives

Councillor Wheeler (Chairman) and Councillors Jones, Frost; Mrs Hall.

R. Ledger (Director of Housing and Environmental Services); S. Winfield (Safer South Derbyshire Partnership).

Derbyshire County Council Representatives

County Councillor Mrs Lauro.

P. Jameson (Forum Liaison Officer).

Parish Council/Meeting Representatives

S. Jackson, J. and O. Pallett, C Wright (Castle Gresley Parish Council), P. McGibbon and T. Stone (Netherseal Parish Council), A. Lees (Coton in the Elms Parish Council), M. Horne (Walton on Trent Parish Council), M. Patrick, S. Jones and C. Knight (Overseal Parish Council).

Members of the Public

None

LA/9. **APOLOGIES**

Apologies for absence from the Meeting were received from H. Wheeler MP

LA/10 **DECLARATIONS OF INTEREST**

None.

LA/11. **CHAIRMAN'S ANNOUNCEMENTS**

The recent introduction of kerbside plastics collection has proved to be a flexible and efficient service. Under 100 complaints received from 44,000 properties. A vote of thanks was given from residents to the new system.

LA/12. **MINUTES**

The Minutes of the Linton Area Forum held on 24th July were noted.

LA/13. **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

The Chairman reviewed those items raised at the last Meeting and the Forum Liaison Officer reported the progress made in each case.

Digital Derbyshire – A significant step forward was taken in August when DCC signed a £27.75m contract with BT to make fibre broadband available to a further 88,000 premises across the county; bringing superfast speeds to more than 95% of homes and businesses by 2016. The project aims to ensure all remaining premises will also see uplifts in speed and deliver a minimum of 2mbps to almost all homes and businesses.

BT has begun work on the ground with engineers surveying locations around the county and analysing the best way to roll-out the programme. There will be a phased approach to the roll-out, with the first areas predicted to be upgraded in 2014.

The role of Broadband Champions is being re-launched as Digital Champions (hand-out available detailing what the role will entail). There will be no requirement to attend regular meetings; there may only be one a year as most of the information will be contained on the new website.

A Broadband Champion stated that the roll-out map is quite unclear; he has been asked by a number of local residents when they will be getting improvements and he is unable to answer. Another resident noted that the map shows that Netherseal and Overseal are 'not yet in programme'.

Cadley Hill roundabout – some rutting was identified on the roundabout which was dealt with as an actionable defect. A further inspection was carried out by the area Maintenance Manager who has now issued instructions for some carriageway patching to be undertaken. This will be carried out in conjunction with some patching works on the A444 (near Toons). No dates have been determined but it will be before the end of the current financial year.

Scotts bridleway between Mount Road and Hillside Road, Linton - another bridleway sign been installed at the northern end.

LA/14. **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

It was raised that a sign for Toons before Appleby Glade directs traffic left into the cul-de-sac instead of left at the roundabout. This needs moving onto the next lamppost.

Forum Liaison Officer to action.

It was raised that a footpath had been blocked off on the new housing development in Church Gresley. This complaint was forwarded to the Forum Liaison Officer and was promptly resolved.

It was asked if DCC was planning to charge £40 a year to empty brown wheelie bins. The Chairman stated this was Derby City Council and North West Leicestershire Council. There were no plans for DCC to implement these charges.

Resident thanked the Council for cutting back hedges at Coton Park, Linton and that speed signs were now visible but the chippings had been left all over the road.

Director of Housing and Environmental Services to action.

It was asked if Overseal School would continue to receive the money raised from the paper recycling at the Overseal bring site. Director of Housing and Environmental Services confirmed that the Council will review the effects of the new kerbside recycling on bring sites and a report will go to Council on whether to retain each individual site.

Reference was made to flooding outside the Cricketts Inn going across the road and making it dangerous for motorists. Some initial investigations were carried out which established that the highway drainage crosses under an adjacent field and into a brook. It is suspected that there is a broken pipe in the field which may be the cause of the flooding in the carriageway. DCC have recently written to the landowner, requesting permission to access their land to investigate the matter further.

Forum Liaison Officer to update at next meeting.

Resident raised that flooding in Appleby Glade occurs as there is only one drain and this gets blocked.

Forum Liaison Officer to enquire if drain can be cleared out more regularly.

It was raised that a JCB used to clear out gullies along the lanes from Cadley Hill roundabout towards Drakelow but this isn't being done any more.

Forum Liaison Officer to make enquiries with Highways.

LA/15. **COUNTY COUNCIL ISSUES**

None.

LA/16 **DISTRICT COUNCIL ISSUES**

Director of Housing and Environmental Services thanked everyone for their patience with the new recycling collections.

The Local Plan Consultation will end on 15th November and can be accessed on the website. Leaflet was available at the meeting.

A Neighbourhood Planning Workshop is taking place for Parish Councillors in the Council Chamber on 12th November from 5.30 pm for a 6 pm start. Leaflet was available at the meeting.

Apple Day takes place on Friday and Saturday 25th and 26th October on Swadlincote Market Place.

The Council have a garden tree giveaway with 2 trees per household until 31st October, the trees will be issued in November.

LA/17 **DATE OF NEXT MEETING**

The date of the next meeting would be confirmed in due course.

R WHEELER

CHAIRMAN

The Meeting terminated at 7.55 pm

SOUTH DERBYSHIRE AREA FORUM

ETWALL

6th November 2013

PRESENT:-

District Council Representatives

Councillors Mrs. Brown (Chairman) and Councillors Roberts; Bale; Ford; Mrs. Patten and Mrs. Plenderleith.

Kevin Stackhouse (Director of Finance and Corporate Services) & C Smith (Safer Communities Manager).

Derbyshire County Council Representatives

Councillor Ford and Mrs. Patten.

P. Jameson (Forum Liaison Officer).

Parish Council/Meeting Representatives

M. Paleman and J. Nichols (Dalbury Lees Parish Council), S. Cooper (Hilton Parish Council); I. Bennett, B. Myring and D. Muller (Etwall Parish Council), S. & M. Nesbitt (Egginton Parish Council), T. Beresford (Foston and Scropton Parish Council).

Members of the Public

G. Wale, C. Pidgeon, D. Mellors, O. Emery, D. Peacock, C. Hall, S. Jolly, T. Wherly.

EA/9 **APOLOGIES**

Apologies for absence were received from Councillor John Lemmon.

EA/10 **DECLARATIONS OF INTEREST**

None.

EA/11 **CHAIRMAN'S ANNOUNCEMENTS**

A Neighbourhood Plan Workshop is taking place at SDDC on 12th November and all Parish and District Councillors have been invited to attend.

The Chairman announced that recycling in South Derbyshire soared by 188 per cent in the first two weeks of the new service being rolled out. The District Council has heaped praise on residents for the way they have taken to the third bin, which allows them to recycle more than ever before. 417 tonnes of material

was recycled during the 2 weeks in October, compared to 144.9 tonnes over the same period in 2012.

A resident asked if the figures included local recycling collection points. Director of Finance and Corporate Services confirmed that it would if it was a council owned site.

Draft Local Plan – last workshop was taking place tonight at Mickleover Country Park. The Chairman gave an update from the Planning Policy Manager on the Hilton, Etwall and Hatton consultation events and some of the key issues raised:

Etwall

- The majority of those who attended the event were concerned about the proposed 100 dwellings at Etwall largely on the basis of loss of countryside/views and impact on traffic congestion at the junction of Willington Lane and High Street.
- Concern about on street parking in the village, particularly at school start and finish times.
- Concern that the relocation of the Etwall cricket pitch to the proposed housing site was not mentioned in the relevant housing policy.
- Concern over primary and secondary school provision within the area. Some consultees mentioned that the primary school was at capacity and some children from the village had to go to primary schools in neighbouring villages. There was also concern over capacity at John Port School.
- Concern over the potential Rail Freight Terminal
- Some consultees asked why dwellings are proposed for Etwall in the Draft Local Plan, whereas previously in the Preferred Growth strategy Etwall was a non-preferred site.
- Query as to whether small scale housing at Sutton Lane would be acceptable.

Hatton

- Some expressed concern over the existing road capacity of the village and how it would be affected by the proposed development
- Concern was expressed over primary school capacity of Hatton, however consultees were told that an extension to the primary school would be required as part of the housing development
- Some concern over secondary school capacity was expressed.

- Flooding concerns at the proposed housing site and potential to exacerbate flooding beyond the site.
- Interest in the provision of alternative access to the expanded Nestle site from Derby Road, to the north.
- View from the owners of the proposed housing site that retail provision should be at the former Trent Barton Depot, closer to the centre of the village, rather than forming part of the housing site itself.

Hilton

- Some expressed concern over primary school provision and how this would be addressed
- Some concern over secondary school capacity was expressed
- Some consultees asked why dwellings are proposed for Hilton in the Draft Local Plan, whereas previously in the Preferred Growth strategy Hilton was a non-preferred site
- The recent expansion of Hilton and the lack of infrastructure to provide for the population
- Flooding concerns at the site

The deadline for consultation responses is 15th November.

Pig Farm at Foston – The decision will ultimately be determined by Derbyshire County Council. The Environment Agency (EA), a most important consultee, is still considering the waste licensing aspect of the application and its opinion is expected by 30 November. Only when the EA decision has been received by DCC will the application be submitted to the DCC Planning Committee for determination. This is likely in the New Year.

Rail Head at Egginton Common – This application of national significance will come forward in due course and likely, well into next year. The proposal will be examined by the planning inspectorate and determined by the relevant Government Minister due to its size. There will be 2 rounds of consultation and the District Council will agree on a consultation strategy with the applicant. Specialist consultants appointed by the Developer will produce reports on each and every aspect and impact of the proposal.

EA/12 **MINUTES**

The Minutes of the Etwall Area Forum held on 18th June 2013 were noted.

There was a request from the floor to put the location that the meeting took place onto the Area forum minutes.

EA/13 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

The Chairman read out the following update on the Ash Dieback disease:

1. Three local sites are now confirmed to have the disease, they are;
 - Pick triangle at Albert Village
 - Feandock Woods
 - Willersley Woods
2. Any sites within 1.5km are presumed to be infected and confirmation therefore is not required. Swadlincote Woodlands is within this catchment area
3. The Government are looking into lifting restriction on Ash imports from countries where the disease is not out in the wide environment and lightening the restrictions on movement of infected timber. Arboricultural groups are lobbying Ministers to ensure the current restrictions are retained.
4. At Swadlincote Woodlands, where trees are exhibiting signs of the disease, these will be included in our annual thinning programme of woodland management. We have implemented a simple action plan based on F.C. guidance, which includes the introduction of biosecurity measures and disposal of infected material, by burning on site.

Following the update provided by the Tree Officer on Ash Dieback, a request was made for the Tree Officer to attend the next meeting.

Tree officer to be approached to attend the next meeting

A resident raised that a tetra-pak recycling bank is present in Hatton and questioned why this was not available through the SDDC recycling scheme. The Chairman confirmed that the Council were looking into this as they would like to be 100% on recycling.

Senior Waste Manager to provide info on whether there are plans to recycle Tetra Packs

EA/14 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

A resident asked if anything was discussed during the previous Safer Neighbourhoods meeting on the proposed Railhead, the Chairman confirmed that it wasn't.

A resident asked if there was any progress with wind turbines. Another resident replied that there had been a meeting about a proposed Turbine in Long Lane near Thurvaston.

A resident raised that 375 more houses were to be built in Hilton. If it wasn't for the rail link then Egginton and Hilton would be one village. It was asked if the proposed houses were due to the rail head. The Chairman stated that it was more down to the requirement of South Derbyshire to have over 13,000 new

homes by 2028. It was asked if flooding had been considered as part of the local plan proposals.

There was a comment that there was little mention of the rail head proposals in the Local Plan documentation.

A resident asked about public consultation on St Modwen's housing and new primary school development proposal. The Chairman confirmed that the developers are encouraged to have consultation with the public and there is a meeting scheduled for 20th November at Hilton Village Hall.

A resident stated he was concerned that elected members were not always informed by the Council of pre-application discussions on planning applications.

Resident raised concerns about a housing stock letter, which came out with a postage stamp from Edinburgh. It made it look like it could have been bogus. The Chairman confirmed that the company in Edinburgh would have been consultants that the Council had used to distribute the letter and that it was genuine. It would have been useful for a note to have been added to the, letters stating the council had appointed the consultants to issue the letter.

A further resident added it would have been useful to have detail of this letter on the Council website as there had been previously.

Information to be fed back to Housing.

A resident asked what's happening with Hilton level crossing as there had been a recent serious accident. Cllr Patten stated that the police had confirmed the recent accident was human error. A resident stated that the existing crossing will be removed as part of Network Rail's programme of upgrading the line.

A question was raised on schools in Hilton and with the proposed new housing was there plans for a new secondary school. The Chairman confirmed there was a statutory obligation for DCC to provide schools and SDDC planning dept are liaising with the Education Authorities. As John Port is an academy will it not be part of DCC discussions although the Chairman confirmed that they have a good relationship.

It was raised that the cardboard container isn't large enough; the Chairman confirmed she will feedback to Gillian Coates at SDDC. One resident complimented the council as they were still collecting the bins at 7.30pm which was beyond the call of duty.

EA/15 **COUNTY COUNCIL ISSUES**

The DCC Forum Liaison Officer provided a DCC update.

Digital Derbyshire –

- A significant step forward was taken in August when DCC signed a £27.75m contract with BT to make fibre broadband available to a further 88,000 premises across the county; bringing superfast speeds to more than 95% of homes & businesses by 2016. The project builds on BT's existing commercial fibre deployment in the county.
- The project aims to ensure all remaining premises will also see an uplift in speed and deliver a minimum of 2mbps to almost all homes & businesses (i.e. fast enough to use online services such as BBC iplayer).
- The Digital Derbyshire programme is separate from any commercial activity and exists to plug the gap where the commercial market either has not, or does not intend to invest in superfast broadband (up to 2015). DCC are keen to ensure that no one gets left behind digitally; the programme funding will be used to make areas currently deemed as not commercially viable, commercially viable.
- The funding is made up of a £12.87m contribution from BT, DCC contributing £4.9m, £7.4m from BDUK, as well as £2.5m from the European Regional Development Fund.
- Openreach (BT's local network division) have now begun work on the ground with engineers surveying locations around the county and analysing the best way to roll-out the programme. There will be a phased approach to the roll-out, with the first areas predicted to be upgraded in 2014.
- If you have internet access and go onto the Digital Derbyshire page on DCC's website, there is a map of the county showing the expected roll-out. The map is high level only; so it's not accurate at premises/postcode level. Still at an early stage so the expected deployment plans will be subject to change as further work is progressed.
- There are no specific details of which areas will get what and when at this stage; phased announcements will be made when available.
- The role of Broadband Champions is being re-launched as Digital Champions – details of what that will entail and how to get involved are provided in the hand out.
- Essentially, as the programme moves into the delivery phase, DCC are looking for Digital Champions who can act as 'agents' in their community; to showcase the benefits of broadband locally – i.e. the convenience of internet banking, price comparison sites, social networking, etc. Encouraging people to get online.

- In the new role, there will be no requirement to attend regular meetings. There may only be one a year as most of the information will be contained on the new website when launched.

Cllr Patten was disappointed not to hear more specifics on areas which will get uplift and when. The Forum Liaison Officer was asked to see if he could obtain more info on a timescale and feedback to Cllr Patten.

A question was raised as to why are more users being encouraged to become broadband champions before speed has been improved.

The Chairman asked if an officer with more technical knowledge could attend future meetings. The Forum Liaison officer said he would ask the question but only one officer was doing the project so probably wouldn't be able to attend couldn't all meetings.

Forum Liaison officer to enquire and feedback at a future meeting.

It was stated that Hatton, Scropton and Etwall all use an exchange located outside of Derbyshire (in Tutbury) so will they benefit from Digital Derbyshire? Forum Liaison Officer confirmed that Digital Derbyshire should cover all Derbyshire regardless of where the exchange is.

It was mentioned that Drop down box on Gold Card application form online doesn't recognise certain areas.

Customer Services to provide feedback for next meeting.

EA/16 **DISTRICT COUNCIL ISSUES**

None provided.

EA/17 **DATE OF NEXT MEETING**

The date of the next Meeting would be confirmed in due course.

MRS L BROWN

CHAIRMAN

The Meeting terminated at 8.30 pm.

SOUTH DERBYSHIRE AREA FORUM

SWADLINCOTE

12th November 2013

PRESENT:-

District Council Representatives

Councillor Tilley (Chairman) and Councillors Stuart, Dunn, Rhind, Mulgrew and Mrs. Heath.

F. McArdle (Chief Executive) and S. Winfield (Safer South Derbyshire Partnership).

Derbyshire County Council Representatives

Councillors Chilton, Dunn.

P. Jameson (Forum Liaison Officer).

Parish Council/Meeting Representatives

M. Mycock (Hartshorne Parish Council).

Members of the Public

P. Yates, M. Barsby, A. Clarke, R. Causer, G. Sargeant.

SA/10 **APOLOGIES**

Apologies for absence from the meeting were received from Councillor Bell and Taylor and M. Lunn.

SA/11 **DECLARATIONS OF INTEREST**

None.

SA/12 **CHAIRMAN'S ANNOUNCEMENTS**

To be discussed later in the meeting.

SA/13 **MINUTES**

The Minutes of the Swadlincote Area Forum held on 2nd July 2013 were noted.

SA/14 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

The Chairman reviewed those items raised at the last meeting and reported the progress made in each case.

Item 2. It was reported that a good job had been made of the carriageway repair.

Items 3&4. Senior officer agreed to meet local members on site to look at options available. No date fixed as yet. Cllr Dunn & Taylor met with DCC regarding traffic calming along Moira Road and Belvedere Road.

Item 7. Carriage way patching to be done in conjunction with other works outside Toons. Cllr Stuart raised that the stretch from Newhall to Toons was an issue with regard to the damaged drains.

Item 10. Complaints have been minimal and compliments have been many. Thanks were issued to residents for their patience. Residents present at the meeting praised the new recycling collections.

Item 11. The Chief Executive responded that he met on site with the developer's agent about 12 months previous and agreed the sign to be used. Developer, unfortunately, was unable to provide the sign and so it was agreed that the tenants notified their suppliers with the correct postcode for satnav's which made a significant difference.

SA/15 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

Resident thanked the County Council for removing a wheel clamping sign on West Street, Swadlincote.

Resident raised that a lampstand sited in the road opposite the old Dominoes pub at Goseley Estate was very corroded. There was also water constantly leaking out of the rubble adjacent to the footpath, which could be a burst pipe. **The Forum Liaison Officer agreed to raise this issue and report back to a future meeting.**

Cllr Heath raised that the island outside Springfield Road School has structural damage to its construction. Cllr Mulgrew raised that it is also one of the main routes into the town. **The Forum Liaison Officer agreed to raise this issue and report back to a future meeting.**

Resident questioned what was happening around Gresley Common. The Chief Executive confirmed that this was a continuation of the original scheme with the wooden stumps.

A discussion took place regarding the upkeep of the island at the bottom of Coppice Side outside Morrison's. **The Forum Liaison Officer agreed to raise this issue and report back to a future meeting.**

Resident raised that an article in the Burton Mail confirmed that funding was no longer available for Woodville regeneration. Cllr Dunn discussed the funding situation and confirmed this would be considered at another round of bidding.

A discussion took place over the Memorial Hall adjacent to Gresley Common, which stands in a derelict state.

Resident raised flooding issues opposite the skate park and black shed island. **The Forum Liaison Officer agreed to raise this issue and report back to a future meeting.**

SA/16 **COUNTY COUNCIL ISSUES**

None.

SA/17 **DISTRICT COUNCIL ISSUES**

The Chief Executive discussed the draft local plan and that consultation is still ongoing. Residents can make comments by contacting the planning department and many have attended drop in sessions.

SA/18 **DATE OF NEXT MEETING**

The date of the next Meeting would be confirmed in due course.

N TILLEY

CHAIRMAN

The Meeting terminated at 8.25 pm

SOUTH DERBYSHIRE AREA FORUM

MELBOURNE

13th November 2013

PRESENT:-

District Council Representatives

Councillor Harrison (Chairman) and Councillors Hewlett, & Mrs. Watson.

F. McArdle (Chief Executive Officer and C. Smith (Community and Planning).

Derbyshire County Council Representatives

Councillors Davison and Mrs. Chiltern.

P. Jameson (Forum Liaison Officer).

Parish Council/Meeting Representatives

C. Blackmore & K. Atkin (Barrow on Trent Parish Council), J. Carroll & G. Hudson (Melbourne Parish Council), T. Scott (Shardlow and Great Wilne Parish Council) and P. Bickerton Elvaston Parish Council.

Members of the Public

T. Mills and C. Pidgeon.

MA/9 **APOLOGIES**

Apologies for absence were received from Councillors Watson and Atkin.

MA/10 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced the Council are moving to 'paperlite'. As part of this Councillors will now have i-pads rather than paper copies of minutes for all council meetings. This results in a saving of £20k per year.

Draft Local Plan - the Chairman gave an update from the Planning Policy Manager on the local plan consultation events and the concerns raised by the local public:

Elvaston

- The majority of those who attended the event had concerns over the proposed dwellings at Boulton Moor

- Existing Road capacity was a concern, including strategic and local network including the roundabout off the A6
- Concern over school capacity
- Concern over flooding in the area
- There was interest in development proposed at Aston Hall Hospital site.

Melbourne

- There was significant concern expressed about the growth on the edge of Derby City, particularly around Chellaston and how this could impact on Chellaston Academy if growth were to be accommodated by the School
- A number of attendees raised concerns regarding the adequacy of Swarkestone Bridge and were worried that development in close proximity to the bridge could increase traffic locally which would result in congestion and additional impacts on the causeway.
- A small number of attendees expressed concern that any level of growth in the village could affect the Village centre which they considered significantly constrained and unable to accommodate additional growth
- A single attendee highlighted the need to protect the distinct identities of Melbourne and Kings Newton and avoid the further coalescence of the two villages
- A need for further homes in the village to meet the needs of older people, and those wishing to downsize were expressed by one resident
- One attendee was interested in HS2 and the potential of this proposal to affect Melbourne and South Derbyshire.

Aston

- Comments mainly on the former Aston hospital site allocation: the majority were pleased that something was going to happen to prevent the anti-social behaviour and would welcome an application ahead of the Plan. Also interest in the care village element. Concerns were raised about access to the site both during the construction phase and long term. Concern too about primary school capacity.
- Interest in Boulton Moor; how it would affect traffic and schools. Interest too in the proposed green belt swap.

The consultation period doesn't close until this Friday 15th November so you can still make comments by contacting the Planning policy team at SDDC on: 01283 595 983.

Lots of compliments received on the new recycling bins that have been rolled out across the district, only a few concerns about the times of collections. The Chairman stated that he had read there had been a significant reduction in the amount of rubbish taken to landfill since the recycling scheme started.

The Chairman announced that Fire Service were currently in a period of consultation and that major changes are planned for the Fire Service in light of decreased calls for service and proposed funding cuts. The consultation will run until 23rd of December, All information is available at www.derbyshire-fire.gov.uk.

The proposals will have an impact on Melbourne as plans are to shut Melbourne Fire Station and provide a new one in Hilton. There are allegedly plans in the pipeline to build a new station just over the border in North West Leics which would also service Melbourne.

There is a consultation day at the Fire Station at Swadlincote this Friday 15th November between 9.00am and 16:00pm.

Melbourne Parish Council have arranged a meeting at 7:30pm on Thursday 28th November at Melbourne Assembly rooms for residents to raise their concerns. The fire service had not confirmed if they would be attending.

The Fire Service will be holding a consultation event at Melbourne Fire Station on Thursday 12th December from 2pm -7pm.

M.A/11 **MINUTES**

The Minutes of the Melbourne Area Forum held on 30th July 2013, were noted.

MA/12 **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

The Chairman referred those present to the report circulated with the Agenda. The Chairman stated the large fines issued on Swarkestone Causeway should act as a deterrent. The Forum Liaison Officer stated that the engineers report for the damage to Swarkeston Causeway was not yet available for release but did confirm there was no major structural damage.

Following a query raised at the last meeting, the Forum Liaison Officer confirmed that a bypass for Swarkestone remains in the LTP (Local Transport Plan) and is included on a long list of major schemes. The Chairman queried what route a proposed bypass would follow.

The Forum Liaison Officer recalled that the feasibility study, carried out 2-3yrs ago, explored a number of options but only a few were considered viable. A possibility would be for a bypass to commence from, or near to, the A50 roundabout in the north, continue south and terminate on the A514, beyond Stanton-by-Bridge village (junction with B587). It was believed that cost estimates at the time were in the region of £20m.

The Chairman commented that any proposed route would ideally bypass Kings Newton and Melbourne by commencing from the A50 roundabout and connecting to the A453 in the south. It was acknowledged however that, even if feasible, the cost of such a proposal would be much greater.

County Councillor Davison asked if any other gullies had been cleaned after the flooding. The Forum Liaison Officer did not have this information.

MA/13 **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

A resident stated that Ambaston Lane shouldn't be the national speed limit. The Chairman stated that without sufficient evidence it would be very difficult to get this reduced.

It was raised that there was flooding on both sides of Cuttle Bridge Swarkestone and there was concern that the drainage wasn't working.

The Forum Liaison Officer to arrange an inspection

A Parish Councillor enquired as to why a local resident was refused a 3rd recycling bin without a good reason. **Senior Waste Manager Gillian Coates to be passed the complainants details**

A Parish Councillor stated that at B587 Woodhouses in Melbourne the footway and drain cover had fallen below the surface of the carriageway and water was collecting which could turn to black ice and be a hazard now the weather is getting colder. **The Forum Liaison Officer to arrange inspection.**

County Councillor Chiltern thanked the Forum Liaison Officer for the 5 year report on the Swarkeston Causeway that he provided.

A Parish Councillor encouraged all other local Parish Councils to respond to the Fire Service consultation as the proposals to close the Melbourne Fire station will also affect the response times to the other nearby villages. The Chairman stated that the proposals are flawed as the proposals fail to take into consideration that District is the fastest growing area in the County. The District Council will be making a submission to the consultation as will Melbourne Parish Council.

MA/14 **COUNTY COUNCIL ISSUES**

Forum Liaison Officer provided brief update on the Drainage Improvement scheme at Woodshop Lane.

County Councillor Davison provided the following update:

The Fire Service proposals were initially drawn up by the Chief Fire Officer and that it was likely that there would be substantial modifications to the proposals by the end of the consultation.

There had been a full council meeting at Derbyshire County Council on 2nd October which highlighted that they were having to find £157 Million of cuts over the next 5 years which equates to almost 1/3 of their spending. A programme of consultation is about to start

There is a consultation meeting with Voluntary sector agencies taking place on 18th November at Belper Football Club

Local Area Committee meetings have started up which are open to the public to attend. The 8 County Councillors are present and the recent meeting focused on Local Area Plans. The County Councillor thanked officers from SDDC for attending that meeting.

MA/15 **DISTRICT COUNCIL ISSUES**

It was queried if the Area forum meetings were publicised enough. The Chief Executive Officer stated that they were always promoted in the local press and every attendee received a copy of the agenda and papers.

MA/16 **DATE OF NEXT MEETING**

The date of the next Meeting would be confirmed in due course.

J. HARRISON

CHAIRMAN

The Meeting terminated at 8:30pm

SOUTH DERBYSHIRE AREA FORUM

NEWHALL

14th November 2013

PRESENT:-

District Council Representatives

Councillor Mrs. Mead (Chairman) and Councillors Richards, Mulgrew, Bambrick, Wilkins and Dunn.

K. Stackhouse (Director of Finance and Corporate Services) and S. Winfield (Safer South Derbyshire Partnership).

Derbyshire County Council Representatives

Councillors Bambrick and Dunn.

P Jameson (Forum Liaison Officer).

Members of the Public

M. Richards, H. Hobson, C. Hobson, P. Bambrick, H. Kreft, R. House, G. Hall, P. Woods, C. Maddock, R. Foster, J. Foster, M. Lacey, R. Trim and C. Gillespie.

NA/8. **APOLOGIES**

Apologies for absence for the meeting was received from Councillor Pearson and P. Handley, L. Pardner and A. Argent.

NA/9. **DECLARATIONS OF INTEREST**

None.

NA/10. **CHAIRMAN'S ANNOUNCEMENTS**

Draft Local Plan (Part 1) consultation events - The consultation period doesn't close until Friday 15th November. Comments can be made by contacting the Planning Policy Team at SDDC.

Recycling Bins - Lots of compliments received by the council on the new recycling bins.

Fire Service Consultation – Running until 23rd of December. All information is available at www.derbys-fire.gov.uk The proposals will have an impact on Newhall and Swadlincote as it will change Swadlincote station to a retained service rather than full time as it is currently. There is a consultation day at the

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Delph in Swadlincote Town Centre on Friday 15th November between 9 am and 4 pm. There will be the opportunity to discuss the proposed transformation of the Service and to complete a consultation survey.

Ash Dieback update – The Chairman updated the group.

Councillor Wilkins raised that it was very important for people to comment on the draft local plan as this determines the shape of South Derbyshire for the next 15 years.

Councillor Wilkins commented that the majority of recycling centres would now be removed following the introduction of the new plastics collection.

Councillor Richards urged residents to attend the consultation day for Derbyshire Fire and Rescue.

NA/11. **MINUTES**

The Minutes of the Newhall Area Forum held on 17th July 2013 were noted. B Woods incorrectly noted as D. Woods. The B535 should be the B5353.

NA/12. **REPORT BACK ON ISSUES RAISED AT THE LAST MEETING**

Item 5. It was raised that when waiting at the lights in the middle of the road to turn right towards Newhall, on more than one occasion traffic coming from Newhall commences to turn out onto the A444.

Forum Liaison Officer to look into this and report back at a future meeting.

NA/12. **PUBLIC QUESTIONS ON ISSUES RAISED BY RESIDENTS**

Resident raised that the hedge alongside the B5353 requires cutting back before it gets out of hand. Councillor Richards raised that the hedge is owned by different organisations and a logical approach would be for each to cut the whole hedge on a rota system. Councillor Bambrick discussed the ownership of the hedge.

The Forum Liaison Officer updated the group on the footpath adjacent to the former Horse and Jockey pub. A proposal was put forward to have the footpath added to the Definitive Map & Statement and, if successful, the footpath would have to be reinstated. Objections were received during the Public Notice period which were not withdrawn. As such, DCC are now legally required to prepare and submit a case to the Planning Inspectorate for an independent decision to be made. Legal department advised that – given existing workloads and other cases being ahead of this one in the queue – it is unlikely that this case will be submitted to the Planning Inspectorate before June/July 2014. Councillor Richards raised concerns that this matter had now been going on for in excess of 8yrs; he made reference to the '11 year rule' and questioned whether the

landowner could invoke this, claim he has maintained the land for the required period of time and therefore make a case for the footpath not to be reinstated.

Councillor Mulgrew raised that the wooded area up the hill from Garden King was very overgrown. Buses have to use the middle of the road to avoid overhanging branches. Resident raised that Japanese Knotweed was encroaching onto his garden from this wood. A discussion took place within the group as to the ownership of the wooded area.

Resident raised that 3 years ago enquires were made to the County Council about land at Plummer Road. Advised it would be cleaned up and sold but this land is still derelict, littered with rubbish, damaged and missing manholes.

Councillor Dunn to make enquiries with County Council and report back to a future meeting.

Resident raised that a property adjacent to the Old Post on Main Street, Newhall was finally being renovated and makes a difference to the area. The Spread Eagle pub on Oversetts Road has been demolished.

Resident raised that lights at the civic amenity site have again been on all night. Enquiries had been made with the County Council but no response received to-date.

The road surface through Newhall was raised as an issue between the Post Office and the Social Club. Councillor Bambrick confirmed that a programme of works was on-going along this stretch of road.

Resident issued thanks to the Council for the autumn flowers and crocuses.

NA/14 **COUNTY COUNCIL ISSUES**

It was raised that the wall along the A5111 is dangerous, sections are rotten between the top of Wood Lane to Hillcrest. A discussion took place as to the ownership of the wall.

It was raised that a footpath from the Royal Oak pub heading towards Swadlincote on the South side is in a bad state of repair.

Forum Liaison Officer to make enquiries and report back to a future meeting.

NA/15 **DISTRICT COUNCIL ISSUES**

Resident thanked the Council for the new recycling system.

Resident enquired whether the shops on the Swadlincote Delph were to be demolished and whether the old tram sheds area was to be developed.

Resident raised that enquiries were made with the District Council on an untidy area of land. He was advised to fill out a form on the website. Resident expressed disappointment and felt there had been a reduction in service.

Director of Finance and Corporate Services to make investigations and report back at a future meeting.

NA/16 **DATE OF NEXT MEETING**

The date of the next Meeting would be confirmed in due course.

MRS J MEAD

CHAIRMAN

The Meeting terminated at 8.10 pm

REPORT TO:	COUNCIL	AGENDA ITEM: 11
DATE OF MEETING:	23RD JANUARY 2014	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DEBRA TOWNSEND 01283 595848	DOC:
SUBJECT:	SEALED DOCUMENTS	REF:
WARD (S) AFFECTED:	VARIOUS	TERMS OF REFERENCE: N/A

1.0 Purpose of Report/Detail/Recommendation

1.1 To authorise the Sealed Documents listed below, which have no specific authority:-

<u>Date</u>	<u>No. of Seal</u>	<u>Nature of Document</u>
8.11.13	10743	Transfer – 1 Blakemore Avenue, Melbourne.
8.11.13	10744	Transfer – 3 Ford Lane, Willington.
8.11.13	10746	Transfer – 62a Bells End Road, Walton-on-Trent.
18.11.13	10757	Transfer – 25 The Crest, Linton.
21.11.13	10760	Transfer – 63 Elmsleigh Drive, Midway.
25.11.13	10762	Transfer – 8 The Close, Linton.
6.12.13	10770	Transfer – 93 Salisbury Drive, Midway.

2.0 Financial Implications

2.1 None.

3.0 Corporate Implications

3.1 None.

4.0 Community Implications

4.1 None.

5.0 Background Papers

5.1 Seal Register

REPORT TO:	COUNCIL	AGENDA ITEM:
DATE OF MEETING:	23rd JANUARY 2014	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF FINANCE & CORPORATE SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (01283 595811) Kevin.stackhouse@south-derbys.gov.uk	DOC: u/ks/council tax support scheme/scheme1415/local scheme regulations 2014
SUBJECT:	COUNCIL TAX REDUCTION SCHEME REGULATIONS 2014 and OTHER DISCOUNT CHANGES	REF
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 Under Section 10 of the Local Government Finance Act 2012, a Local Council Tax Support Scheme for South Derbyshire is adopted for the financial year commencing 1st April 2014.
- 1.2 Regulations are approved and cited as the Council Tax Reduction Scheme Regulations (South Derbyshire District Council Local Scheme 2014) and come into force on 23rd January 2014.
- 1.3 These regulations amend the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013 as set out in the Schedule to those Regulations for the purposes of paragraph 4 of Schedule 1A to the Local Government Finance Act 1992, by:
- Continuing the insertion of Section 18a Class G: exempt persons who are not pensioners.
 - Continuing the insertion of Section 18b Class H: persons who are not pensioners.
 - Continuing the amendment to Regulation 32 to vary the maximum entitlement in prescribed cases, i.e. to give effect to the designation of war pensioners and the disabled as protected groups (in addition to pensioners under the Prescribed Requirements) and to reduce benefit entitlement in non-protected groups by 8.5% for persons on passported benefit and by 10% in all other cases.
 - Continuing the amendment to Schedule 8 (20) to ensure the disregard of war pensions, to include other payments made under the Armed Forces Compensation Scheme. [Page 66 of 70](#)

- Continuing the insertion at Part 12 Chapter 6 the provision to increase the period of extended payments (as defined in the Regulations) from 4 to 8 weeks
- 1.4 That the amounts of pensions, tax credits, income related and non-income related social security benefits and allowances, component parts, applicable amounts, premiums and deductions are uprated in accordance with the 2013 Regulations in 1.3 above as set out in Circular A24/2013.
 - 1.5 That where a DWP claimant also makes it known they wish to claim Housing Benefit, during that organisation's telephone claim process the resultant computer generated claim form, issued to the Council electronically and known as either a LAID (local authority input document) or a LACI (local authority claim information) shall also be treated as a valid claim for Council Tax Reduction.
 - 1.6 That consideration is given to reducing the remaining second homes discount of 10% so that all dwellings classed as second homes across the District are subject to the full amount of Council Tax with effect from 1st April 2014.
 - 1.7 That subject to 1.6, the Council's Local Scheme of Exemptions and Discounts is amended appropriately and Statutory Notice published.

2.0 Purpose of Report

- 2.1 To adopt the detailed regulations for the proposed Local Council Tax Support Scheme for South Derbyshire for 2014/15.
- 2.2 This is based on the recommendation of the Finance and Management Committee of 17th October 2013. After considering options available, the Committee recommended that the scheme in place for 2013/14 should be continued into 2014/15, with no changes except that of a technical nature required for clarification as set out in regulations 1.4 and 1.5.
- 2.3 As a billing authority, the Council is statutorily required to adopt a local scheme before 31st January 2014. The Regulations will come into force immediately and will be effective from 1st April 2014.
- 2.4 The Council should also note the very recent changes to the eligibility tests for persons from abroad that will apply to Housing Benefit. The impact on local schemes is currently unclear, but it is expected that discretion to adopt the same criteria will follow.

3.0 Detail

Council Tax Support Scheme

3.1 The South Derbyshire regulations are based on the previous national scheme that applied to Council Tax Benefit prior to 2013/14.

3.2 In summary, the Local Scheme incorporates the previous parameters and thresholds for calculating Council Tax support for claimants, adjusted to reflect new parameters, as follows:

- That working age claimants currently receiving 100% benefit are deducted 8.5% from their entitlement calculated under the Local Scheme.
- That all other working age claimants are deducted 10% from their entitlement calculated under the Local Scheme.
- That full Council Tax support for claimants entering work is extended from 4 weeks to 8 weeks in the Local Scheme.

3.3 Within the Local Scheme, certain claimants are protected and continue to receive the same level of support as existed under the previous national scheme. Protection is afforded to :

- All claimants of pensionable age (this is a statutory requirement).
- All households who qualify for benefit through disability premiums.
- All war widow and war disabled claimants.
- All military compensation payments are fully disregarded in calculating Council Tax support.

3.4 The Local Scheme will also apply to all new claimants after 1st April 2014.

3.5 The detailed regulations are extremely detailed and are covered in over 200 pages. They can be accessed at:

<http://south-derbys.cmis.uk.com/south-derbys/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1533/Committee/275/Default.aspx>

Discount on Second Homes

3.6 On 5th September 2013, the Finance and Management Committee considered a report on the range of other local discounts and exemptions relating to Council Tax.

3.7 Second homes (unoccupied furnished lets or holiday homes) are subject to Council Tax, but a council has the discretion to apply a discount. Prior to 2009, these properties were subject to a statutory 50% liability.

- 3.8 Following a change to the Regulations in 2009, the Council reduced the discount to 10% and second homes in South Derbyshire are subject to 90% Council Tax.
- 3.9 The Council has the discretion to change this discount, including having no discount at all and charging the full Council Tax rate. The Council currently has 199 properties classed as second homes. This is an increase from 167 in 2012/13, and largely follows the imposition of the Empty Property Premium of a 50% additional charge approved by the Council.
- 3.10 These properties are not typically the main residence of the owner as they occupy another property elsewhere. Although they may not be occupied on a regular basis, these properties are not classed as empty unless they are unoccupied and unfurnished.
- 3.11 The Council is requested to consider the continuation of this Discount.
- 3.12 In special cases, a council has no discretion on the level of discount and a 50% charge applies. This is where the second home is owned by someone who cannot live there because they are required to live elsewhere in the UK as a condition of their job. There are currently no such cases in South Derbyshire.

4.0 Financial and Corporate Implications

- 4.1 These implications were considered in detail by the Finance and Management Committee in October 2013. The cost of the Local Scheme is currently being contained within the budget set-aside and it is anticipated that this will continue in 2014/15.
- 4.2 The Finance and Management Committee receive regular monitoring reports which keep under review actual claimants and costs. This will continue in 2014/15 with any changes being considered ahead of 2015/16.
- 4.3 The withdrawal of the remaining second homes discount would generate approximately £123,000 per year in additional Council Tax, of which £13,500 would directly accrue to the Council.

5.0 Community Implications

- 5.1 The proposals will have an impact upon residents of the District who currently claim support or in the future may become eligible under the Local Scheme.
- 5.2 Due to no changes being proposed, no formal consultation has been undertaken, although a two comments have been received recently, in that consideration should be given to reinstating the six month, 'free' from Council Tax period, where a property is difficult to sell.

- 5.3 In reality, this could be said to apply to almost all properties currently on the market and may lead to a considerable reduction in Council Tax income if anything other than a limited approach is endorsed. The powers under Regulation 13A (local discounts) may be used to deal with such applications on a case by case basis, subject to strict eligibility criteria.
- 5.4 This power, as previously agreed by the Council, is currently used only in cases where the long term empty premium applies to private ‘sheltered’ units i.e. where age restrictions limit the potential number of purchasers. The cost of any reduction falls entirely on the Council.
- 5.5 It is noted that a full consultation exercise was undertaken over a 12 week period from August to November 2012 which informed the final Scheme for 2013/14.
- 5.6 Following the adoption of the Local Scheme, this will be communicated to all stakeholders.
- 5.7 The other precepting bodies in South Derbyshire have raised no issues with the proposed scheme for 204/15.

6.0 Background Papers

- 6.1 Reports to Finance and Management Committee on 5th September and 17th October 2013:

<http://south-derbys.cmis.uk.com/south-derbys/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=n8ti0EOSrN4fnOo4uorP5DrRRH1zslVcPMYfnve4M6RKI95phTmaQ%3d%3d&rUzwRPf%2bZ3zd4E7lkn8LWw%3d%3d=pwRE6AGJFLDNih225F5QMaQWCtPHwdhUfCZ%2fLUQzqA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9lXnlq%3d%3d=hFfIUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFfIUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qij0ag1Pd993isyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJFf55vVA%3d>

<http://south-derbys.cmis.uk.com/south-derbys/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=suvUQQ8r5SVpdeBW4w0efGOSccOOQqM7NAKF33WEA HkDVT26NHOOIA%3d%3d&rUzwRPf%2bZ3zd4E7lkn8LWw%3d%3d=pwRE6AGJFLDNih225F5QMaQWCtPHwdhUfCZ%2fLUQzqA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9lXnlq%3d%3d=hFfIUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFfIUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qij0ag1Pd993isyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJFf55vVA%3d>

- 6.2 The Prescribed Requirements (2013):

<http://www.legislation.gov.uk/ukxi/2013/3181/contents/made>