

MINUTES of the MEETING of the
SOUTH DERBYSHIRE DISTRICT COUNCIL
held at Civic Offices, Civic Way, Swadlincote
on 23rd January 2014
at 6.00 p.m.

PRESENT:-

Conservative Group

Councillor Mrs. Hood (Chairman), Councillor Murray (Vice-Chairman) and Councillors Atkin, Bale, Mrs. Brown, 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.

CL/56. **APOLOGY**

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

CL/57. **TO RECEIVE A RESPONSE BY FLIGHT LIEUTENANT ALYN THOMPSON TO THE AWARD OF THE COUNCIL'S ORDER OF MERIT.**

Flight Lieutenant Thompson gave a brief overview of the Squadron's history. They were formed in 1941, and currently had 17 staff, 100 Air Cadets and 12 members of the Squadron Support Team. Cadets had recently visited Normandy and a number of training camps.

He added that he was very grateful for the support of the Council, and very proud to receive the Council's Order of Merit.

CL/58. **MINUTES**

The Open Minutes of the Meeting of the Council held on 7th November 2013 (Minute Nos. CL/44 – CL/53) were taken as read, approved as a true record and signed by the Chairman.

CL/59. **DECLARATIONS OF INTEREST**

Councillor Wilkins declared a pecuniary interest in Item 9, Notice of Motion (Minute No. CL/63), as he was a Director of a Credit Union.

CL/60. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported that she had recently attended the Christmas lights switch-on in Melbourne, and a local care home to celebrate a 106th birthday.

She had also very much enjoyed a carol concert which had been performed by both East Staffordshire and South Derbyshire schools, and also the Derby University awards ceremony.

CL/61. **LEADER'S ANNOUNCEMENTS**

The Leader thanked officers for their prompt response and clean-up of a flooding incident at Main Street, Rosliston.

CL/62. **HEAD OF PAID SERVICE ANNOUNCEMENTS**

The Head of Paid Service advised Members that it was important to encourage Members of the Public to stay to both the Safer Neighbourhood Meetings, and also to the Area Forums, as there was a great deal of connectivity between them.

He also confirmed that it was Stress Awareness Week, and the Council had a number of initiatives including free swimming, weight management, gym tours etc. He added that an initiative that included breaking items that could not be recycled, had been proposed but was not taking place.

An update was provided on the golf course, which included that a company had been appointed, and parts of the facility would be open in Spring. Members would be kept fully informed of any further developments.

CL/63. **NOTICE OF MOTION**

In accordance with Council Procedure Rule No. 12, Councillor Stanton had given notice of 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”.

Members debated the motion, and an amendment was agreed, as follows;

e) Asks the Housing and Community Services Committee and Officers to introduce and publicise an offer to pay the registration fee of appropriate South Derbyshire residents wishing to join credit unions.

The motion, including the above amendment was then put to a vote.

RESOLVED:-

That the motion, as set out above be carried.

(Councillor Wilkins declared a pecuniary interest in this item and withdrew from the Meeting).

CL/64. **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:-

Overview and Scrutiny Committee, 23rd October 2013 (Minute Nos. OS/12 – OS/16).

Planning Committee, 29th October 2013 (Minute Nos. PL/42 – PL/49).

Licensing and Appeals Sub-Committee, 5th November 2013 (Minute No. LAS/22).

Planning Committee, 19th November 2013 (Minute Nos. PL/51 – PL/59).

Environmental and Development Services Committee, 21st November 2013 (Minute Nos. EDS/17 – EDS/25).

Licensing and Appeals Sub-Committee, 27th November 2013 (Minute No. LAS/23).

Housing and Community Services Committee, 28th November 2013 (Minutes Nos. HCS/19 - HCS/26).

Finance and Management Committee, 5th December 2013 (Minute Nos. FM60 – FM/70).

Overview and Scrutiny Committee, 11th December 2013 (Minute Nos. OS/17 – OS/19).

Special Overview and Scrutiny Committee, 11th December 2013 (Minute Nos. OS/20 – OS/21).

Licensing and Appeals Sub-Committee, 12th December 2013 (Minute Nos. LAS/24 – LAS/25).

Planning Committee, 17th December 2013 (Minute Nos. PL/60 – PL/71).

Area Forums

Linton, 24th October 2013 (Minute Nos. LA9 - LA/17).

(Subject to the correct spelling of Councillor Chilton).

Etwall, 6th November 2013 (Minute Nos. EA9 – EA/17).

Swadlincote, 12th November 2013 (Minute Nos. SA/10 – SA/18).

(Subject to Councillor Southerd being noted as present).

Melbourne, 13th November 2013 (Minute Nos. MA9 – MA/16).

Newhall, 14th November 2013 (Minute Nos. NA/8 – NA/16).

CL/65. **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/66. **REVIEW THE COMPOSITIONS OF COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS**

Councillor Wheeler reported that Councillor Stanton had replaced Councillor Watson as Heritage Champion.

CL/67. **COUNCIL TAX REDUCTION SCHEME REGULATIONS 2014 AND OTHER DISCOUNT CHANGES**

A report was submitted requesting Members adopt the detailed regulations for the proposed Local Council Tax Support Scheme for South Derbyshire for 2014/15.

The report was based on the recommendations 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.

As a billing authority, the Council was statutorily required to adopt a local scheme before 31st January 2014. The regulations would come into force immediately and would be effective from 1st April 2014.

Members were also requested to note the very recent changes to the eligibility tests for persons from abroad that would apply to Housing Benefit. The impact on local schemes was currently unclear, but it was expected that discretion to adopt the same criteria would follow.

RESOLVED:

- (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.**
- (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.**
- (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.**
 - 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**
- (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.**
- (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.**
- (6) That the remaining second homes discount of 10% be removed 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.

(7) That subject to (6), the Council's Local Scheme of Exemptions and Discounts is amended appropriately and Statutory Notice published.

CL/68. **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 7th November 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:-

Planning Committee, 29th October 2013 (PL/50 – PL/51.)

Environment and Development Services Committee, 21st November 2013 (EDS/26 – EDS/27).

Housing and Community Services Committee, 28th November 2013 (HCS/27).

Finance and Management Committee, 5th December 2013 (FM/71 – FM/74).

Licensing and Appeals Sub-Committee, 12th December 2013 (LAS/26 – LAS/27).

Planning Committee, 17th December 2013 (PL/72).

A. HOOD

CHAIRMAN