

MINUTES of a meeting of the **REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 2 June 2014 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

Councillors Mrs D Charles, Mrs L Chilton (substitute member) P Dunn, J Frudd, Mrs Janet Hill, Ms Julie Hill, D McGregor, Mrs J Patten (substitute member), and Mrs J S Street.

Apologies for absence were submitted on behalf of Councillors A I Lewer and M Tomlinson.

12/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 14 April 2014 be confirmed as a correct record and signed by the Chair.

13/14 **PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 3 – PARISH OF MERCASTON (DERBYSHIRE DALES) AND PUBLIC FOOTPATH NO. 4 (PART) – PARISH OF RAVENSDALE PARK (AMBER VALLEY)** Members were informed that the County Council had received an application for the permanent diversion of Public Footpath No. 3 in the parish of Mercaston, and part of Public Footpath No. 4, in the parish of Ravensdale Park. The footpath currently ran within close proximity to the residential dwelling and the proposed diversion would remove it on to a line across open fields improving security and safety and allowing better use of the land.

If the proposed diversion took effect it would divert the whole of Public Footpath No. 3 in the parish of Mercaston and approximately 175 metres of that part of Public Footpath No.4 in the parish of Ravensdale Park shown as a bold solid line between points A-B-C on the plan appended to the report. The proposed alternative would be approximately 120 metres long shown as a bold broken line between points C-D-E. The alternative route would cross land within Hulland Ward and Ravensdale Park parishes and would have a natural grass surface and a recorded width of 2 metres.

No objections were received to the proposed diversion when informal consultation was carried out in January 2014. The local Elected Member and Amber Valley Borough Council and Derbyshire Dales District Council had been consulted and had no objections to the proposal.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order under Section 119 of the Highways Act 1980 to divert Public Footpath No.3, in the parish of Mercaston, and part of Public Footpath No.4, in the parish of Ravensdale Park, with authority for the structure as detailed in the report; and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

14/14 PROPOSED DIVERSION OF PUBLIC FOOTPATH NOS. 4 (PART) & 8 (PART) IN THE PARISH OF NETHER PADLEY (NOW IN THE PARISH OF GRINDLEFORD), AND PUBLIC FOOTPATHS NOS. 4 (PART) & 6 IN THE PARISH OF FROGGATT (NOW PARTLY IN THE PARISH OF GRINDLEFORD) Members were informed that the County Council had received an application for the permanent diversion of Public Footpath Nos. 4(part) and 8 (part) in the parish of Nether Padley (now in the parish of Grindleford) and Public Footpath Nos. 4 (part) and 6 in the parish of Froggatt (now partly in the parish of Grindleford) in the interests of the landowner to provide privacy and added security in the immediate vicinity of their house.

If the diversion order took effect it would:-

- a) Divert approximately 150 metres of Public Footpath Nos. 4 (in the parish of Froggatt) and 8 (in the parish of Nether Padley) shown on the plan appended to the report as a bold solid line between points A-B-C to a line shown as a bold broken line between points A-E-C, a distance of approximately 164 metres, with a recorded width of 2 metres and a natural grass and partially stoned surface where it passed over the culvert. The new alignment would pass over the culverted stream to be maintained by the applicant; and
- b) Divert approximately 44 metres of Public Footpaths No. 4 (in the parish of Nether Padley) continuing as Public Footpath No 6 (in the parish of Froggatt), shown on the plan appended to the report as a bold solid line between points D-B to a route shown as a bold broken line between points D-E a distance of approximately 62 metres with a recorded width of 2 metres and a natural grass and partially stoned surface, where it passed over the private access track.

No objections were received to the proposed diversion when informal consultation was carried out. The local Elected Member, Grindleford and Froggatt Parish Councils, Derbyshire Dales District Council and the Peak

District National Park Authority had been consulted and had no objections to the proposal.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order under Section 119 of the Highways Act 1980 to divert Public Footpath Nos. 4 (part) and 8 (part) in the parish of Nether Padley (now in the parish of Grindleford) and Public Footpath Nos. 4 (part) and 6 in the parish of Froggatt (now partly in the parish of Grindleford) with structures as detailed; and

(2) that should objections be received to the making of the Orders that could not be resolved then the matter be forwarded to the Secretary of State for determination.

15/14 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 55 (PARTS) - WHALEY BRIDGE Members were informed that the County Council had received an application for the permanent diversion of parts of Public Footpath No. 55 in Whaley Bridge.

The proposed diversion would take the path from the curtilage of the residential property, vehicular area, garden and stable yard, improving privacy and security and allowing better use of the land.

If the Diversion order took effect it would divert approximately 127 metres of that part of Public Footpath No. 55 shown on the plan appended to the report as a solid bold line between points A-B to a line shown as a bold broken line between points A-C. The new path would be approximately 96 metres long with a recorded width of 2 metres and a natural grass surface.

It would also divert approximately 155 metres of that part of Public Footpath No. 55 shown as a bold solid line between points B-D the new path would be approximately 158 metres shown as a bold broken line between points B-D with a recorded width of 2 metres and a natural grass surface.

Objections were received from County Councillor David Lomax and Whaley Bridge Town Council following informal consultation in November 2013. Councillor Lomax objected on the grounds that it would be a steeper gradient than the current path and that he saw no need for the diversion. Whaley Bridge Town Council objected on the grounds that the proposed new route was less attractive for walkers and that the proposed new route would include a steeper incline (A-C) than currently.

The objections were addressed and were detailed in the legal considerations to the report.

High Peak Borough Council had been consulted and had no objections to the proposal. The Peak and Northern Footpath Society responded believing that the diversion was acceptable in principle subject to some minor works.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order to divert parts of Public Footpath No. 55 in Whaley Bridge under Section 119 of the Highways Act 1980 with authorisation for structures as detailed in the report; and

(2) that should objections be received to the making of the order that could not be resolved, then the matter be forwarded to the Secretary of State for determination.

16/14 APPLICATION TO REGISTER LAND KNOWN AS ASKER LANE FIELDS, MATLOCK AS A TOWN OR VILLAGE GREEN (VG137)

Approval was sought to appoint an independent inspector to advise the Council in respect of the application to register land at Matlock, described in the application as “Asker Lane Fields” as a Town or Village Green (VG137), and if necessary to hold a Public Inquiry into the application and to make recommendations to the Council as to its determination. An application was accepted as validly made on 17 December 2012 with a plan showing the land affected by the application appended to the report.

A planning application had been made to Derbyshire Dales District Council for outline planning permission, for residential development for up to 110 dwellings, public open space, water attenuation and safe and convenient access. The Town or Village Green application therefore fell within priority 2 of the scheme of prioritisation approved by Committee.

An objection to the application was received from solicitors acting on behalf of the Trustees of the Presentation Sisters of the BVM English Province who were the freehold owners of the land. A letter in support of the application was received from Matlock Town Council, which held a 50 year lease (until 2055) for an area of land known as Baileys Tump.

It was usual to seek initial advice from an Inspector as to whether it was appropriate to determine an application on the basis of the application form, statements of objection and further written comments received from the parties. Where there were disputes of facts it was usually recommended that an inquiry be held to test for conflicting evidence.

In this case there was a dispute as to the facts and it was probable that an Inspector would recommend that a Public Inquiry be held in order that the evidence may be tested.

RESOLVED to approve the appointment of an Inspector to advise the Council, if necessary to hold a Public Inquiry, and make recommendations to the Council as to the determination of the application to register land known as Asker Lane Fields, Matlock as a Town or Village Green.

17/14 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD A BRIDLEWAY ALONG DARK LANE FROM BACK LANE TO HARDSTOFT ROAD, PILSLEY Members were informed that a joint application had been received in February 2012 to add a Bridleway along Dark Lane between Back Lane and Hardstoft Road, Pilsley. The application was accompanied by 18 user evidence forms and a copy of the 1923 Ordnance Survey map of the area. A plan showing the claimed route was appended to the Director of Legal Services report.

Consultation was carried out between October and December 2012 and a number of letters and emails objecting to the proposal had been received and were detailed in the report. The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the Committee.

RESOLVED that approval be given to make an Order under Section 53 of The Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement by adding a Bridleway along Dark Lane, Parish of Pilsley which was shown between Back Lane (point A) and Station Road (point B) on the plan appended to the report.

18/14 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD A FOOTPATH FROM UPPERTHORPE ROAD TO GREEN LANE, KILLAMARSH Members were informed that an application had been received in March 2012 to add a footpath from Uppertorpe Road to Green Lane, Killamarsh. The application was accompanied by 42 user evidence forms a further form being submitted later. 6 photographs of the route, a copy of a Sheffield A-Z map and a copy of a plan from a 2004 planning application to North East Derbyshire District Council were also included. A plan showing the claimed route was appended to the report.

Consultation was carried out in November and December 2013 with a number of letters and emails of objection being received. Details of these were given in the Director of Legal Service report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the Committee.

RESOLVED to approve the making of an Order under Section 53 of The Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement by adding a Footpath between Green Lane and Footpath 41 (point E) as shown on the plan appended to the Director of Legal Services report.

19/14 CLAIM TO ADD A BYWAY OPEN TO ALL TRAFFIC (BOAT) ACROSS PEAK PASTURE – PARISHES OF CALVER AND HASSOP

Members were asked to consider the available evidence relating to a track which crossed an area known as Peak Pasture in the parishes of Calver and Hassop and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add it to the Definitive Map and Statement. A plan showing the claimed route between points A and D was appended to the Director of Legal Services report.

A DMMO claim dated 26 November 2003 had been made to the County Council the effect of which, if such an Order was confirmed would be to add a Byway Open to All Traffic (BOAT) across an area known as Peak Pasture in the parishes of Calver and Hassop.

Consultation was carried out in January 2014 with various groups and individuals regarding the claim it had received including any relevant landowners, local and national rights of way user groups and the district and parish councils.

The consultees were asked whether they were aware of any evidence or information which might be helpful to the Council in terms of deciding what level of public access rights existed over the claimed route. Details of the consultation responses were given in the Director of Legal Services report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

RESOLVED that an order be made under Section 53 of The Wildlife and Countryside Act 1981 to add to the Definitive Map and Statement for the area a Public Bridleway along the non-classified highway from point E on the attached plan via point C south westwards to the junction with the non-classified highway in the vicinity of Deep Rake.

PUBLIC

MINUTES of a meeting of the **REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 28 July 2014 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

Councillors Mrs D Charles, P Dunn, J Frudd, Mrs Janet Hill, Ms Julie Hill, D McGregor, R A Parkinson, Mrs J S Street and M Tomlinson.

20/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 2 June 2014 be confirmed as a correct record and signed by the Chair.

21/14 **CHESTERFIELD FOOTBALL CLUB GENERAL SAFETY CERTIFICATE AND UPDATE ON REGULATED STANDS/SMALLER GROUNDS INSPECTIONS** The Director of Legal Services updated Members on the General Safety Certificate granted to Chesterfield Football Club on 21 June 2010 and with regard to grounds with regulated stands and non-regulated grounds.

The Safety of Sports Grounds Advisory Group, chaired by an Assistant Director of Legal Services was responsible for ensuring that the contents of the certificate were observed by the club. The terms of reference and policy objectives of the group were agreed at a previous meeting of this committee.

The group co-ordinated the work of the various agencies involved; police, fire, ambulance, building control and environmental health as well as DCC Emergency Planning and Structures and Contract Management section of the Highways Division. Match day inspections were conducted by a member of the Advisory Group on a regular basis.

In May 2012 the committee had agreed that the holder of the Certificate should be amended to Mr Chris Turner, Chief Executive at the Cub.

In May 2014 Special Safety Certificates were granted by committee for the Tom Jones and Party at the Proact events in June. The events were generally successful and a “lessons learned” debrief held by the Events Advisory Group in July. Safety management arrangements had continued to be considered to be satisfactory by the Safety of Sports Grounds Advisory Group and issues that had arisen from time to time had been adequately addressed by the club.

As required by the Act consultation had taken place with partner agencies and no substantial concerns or proposed amendments to the Certificate had been raised by any of the consultees and it was agreed at the Advisory Group Meeting in July 2014 that the club should continue to be assessed as having a Physical Condition factor of 1 and a Safety Management factor of 1, in both cases the maximum allowable. The capacity of the ground would therefore remain as previously agreed by the committee. All necessary certificates and inspection reports would be provided by the club prior to the start of the season.

There were currently 3 “places of sport” in the County where there was a regulated stand. Regulated stands were stands which were capable of accommodating at least 500 people under cover. These were, Buxton Football Club, Silverlands (2 stands), Buxton Raceway, Dale Head Road and Ilkeston Football Club’s ground.

In addition to the regulated stands at these grounds there were other non-regulated stands and facilities that did not fall within the certification for the regulated stands but for which the County Council retained responsibility to the extent of identifying whether they might pose a serious risk to spectators.

The frequency of inspection of these grounds depended on the degree of risk which had been identified in the nature of any matches that were likely to be played at the grounds. Members were informed of the dates of the forthcoming Safety Group visits of which local members had been advised and invited to attend should they so wish, as members of the Regulatory Licensing and Appeals Committee.

RESOLVED that the report be noted.

22/14 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD A FOOTPATH FROM PUBLIC FOOTPATH NO. 36 TO PUBLIC FOOTPATH NO. 37 – PARISH OF SOUTH DARLEY Members were asked to approve the making of a Modification Order to add a footpath from Public Footpath No. 36 to Public Footpath No. 37, Parish of South Darley as shown on the plan appended to the report in compliance with the Direction by the Secretary of State for the Environment, Food and Rural Affairs.

The Direction arose from successful appeal against an earlier decision of the Regulatory and Licensing Appeals Committee not to make a Definitive Map Modification Order and it required the Council to make such an Order.

On 21 October 2013 a request was submitted to this committee requesting that consideration be given to the claim under the Wildlife and

Countryside Act 1981 as described above. The recommendation was to dismiss the claim on the grounds that there was insufficient evidence, both user and documentary to raise a statutory presumption of the claimed route having been dedicated as a highway. This recommendation was approved by the committee.

On 15 November 2013 the applicant exercised their right of appeal against the County Council's refusal to make an Order. The Secretary of State's direction had been made on her behalf by an Inspector who was appointed from an independent specialist panel to consider the appeal. Following a short exchange of statements via the Planning Inspectorate, the Inspector decided that an Order should be made in this instance. The Secretary of State's Direction followed the recommendation of the Inspector whose report was detailed at Appendix 2 to the Director of Legal Services report.

The Inspector considered the evidence submitted by the applicant and by the Council and determined that, whilst there was conflicting evidence, there was no incontrovertible evidence that a right of way could not reasonably be alleged to subsist.

Once made the Order would be subject to a statutory period of 42 days for the receipt of objections and representations as is the case for all such Orders. If no objections were received the County Council may itself confirm the Order but in this case it was anticipated that objections would be made by the landowners. If objections were made, and not withdrawn, the decision as to whether or not the Order should be confirmed would rest with the Secretary of State. The matter would be referred to the planning inspectorate who would decide whether determination of the matter should follow a local Public Inquiry at which witnesses would give evidence in person and be subject to cross-examination, a less formal hearing or written representations.

RESOLVED to approve that the Director of Legal Services make an Order to add a footpath from Public Footpath No. 36 to Public Footpath No. 37 in Wensley, Parish of South Darley to the Definitive Map and Statement.

23/14 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO UPGRADE TO BRIDLEWAY PUBLIC FOOTPATH NO 52 – PARISH OF WHITWELL (NOW IN THE PARISH OF HODTHORPE AND BELPH)

Members were informed that an application had been received in March 2013 to upgrade Footpath No. 14, Parish of Hobthorpe and Belph to a Bridleway. The application was accompanied by 21 user evidence forms and various photographs of historical plans. A plan showing the claimed route was appended to the Director of Legal Services report.

The claimed route was recorded on the Definitive Map and Statement as a footpath which was not publically maintainable. It was approximately 600 metres long and was bounded by hedges on both sides.

Consultation was carried out in September/October 2013 with only one letter in support of the application being received, which was detailed in the report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

RESOLVED that approval be given to make an Order under Section 53 of the Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement by upgrading to bridleway Public Footpath No. 14, Parish of Hodthorpe and Belp which was shown between Hennymoor Lane (Point A) and the A60 (Point B) on the plan appended to the Director of Legal Services report.

24/14 WILDLIFE AND COUNTRYSIDE ACT 1981 CLAIM TO ADD A FOOTPATH BETWEEN BRIDGE VIEW, MILFORD AND MAKENEY ROAD, BELPER Members were informed that an application had been received in 1997 for a Modification Order to add a footpath to the Definitive Map and Statement between Bridge View, Milford and Makeney Road, Belper. The application based on documentary evidence was accompanied by a map showing the claimed path, photographs and copies of documentary evidence.

The claim was considered by the Regulatory Licensing and Appeals Committee on 24 March 2003 which resolved in accordance with the officer recommendation to authorise the making of an Order. That Order had not yet been made owing to difficulties in establishing the line of the route on the ground. Site visits had shown that in many places the route was either inaccessible or had ceased to exist as a result of natural erosion.

The documentary evidence had been reanalysed to see whether it could assist in identifying the line of the route. As a result of that reanalysis it was considered that the original recommendation and decision were mistaken. The application was therefore placed before the committee again in order to reconsider the claim.

Members were informed that a consultation exercise was carried out in 2001 and details of the objections received were provided for members.

These comments implied that there had been continued natural erosion to the area of the claimed route and any route along the edge of the quarry ceased to exist on the ground many years ago.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

Mr N Wain, owner of the land in question, attended the meeting and made representations to the Committee in support of the officer's recommendation that the claim be rejected.

RESOLVED to reject the claim made under Section 3 of the Wildlife and Countryside Act 1981 to add a footpath between Bridge View, Milford and Makeney Road, Belper to the Definitive Map and Statement.

25/14 CLAIM TO ADD A BYWAY OPEN TO ALL TRAFFIC (BOAT) FROM DEEP RAKE TO THE B6001 – PARISHES OF CALVER AND HASSOP Members were asked to consider the available evidence relating to a non-classified highway (NCH) between Deep Rake in Calver Parish to the junction with the B6001 opposite Bramley Lane in the Parish of Hassop, and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add it to the Definitive Map and Statement. A plan showing the claimed route between points A and B was appended to the Director of Legal Services report.

A DMMO claim dated 26 November 2003 was received by the County Council, the effect of which if such an Order was confirmed would be to add the above route to the Definitive Map and Statement as a Byway Open to All Traffic (BOAT).

Consultation was carried out in February 2013 with various groups and individuals regarding the claim it had received including any relevant landowners, local and national rights of way user groups and the district council and parish council. The consultees were asked whether they were aware of any evidence or information which might be helpful to the Council in terms of deciding what level of public access rights existed over the claimed route. Details of the consultation responses were given in the Director of Legal Services report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

Mr D Sparkes attended the meeting and made representations to the Committee against the officer's recommendation.

RESOLVED to authorise the making of an Order under Section 53 of the Wildlife and Countryside Act 1981 to add to the Definitive Map and Statement for the area a Byway Open to all Traffic (BOAT) between points A

and X and between points Y and B on the plan appended to the report and a restricted byway between points X and Y also marked on the attached plan.

26/14 CLAIM TO ADD A BYWAY OPEN TO ALL TRAFFIC (BOAT) FROM TOP FARM AT ROWLAND ACROSS HASSOP COMMON TO DEEP RAKE – PARISHES OF ROWLAND, HASSOP AND CALVER Members were asked to consider the available evidence relating to a non-classified highway (NCH) Top Farm at Rowland across Hassop Common to the junction with another NCH at Deep Rake and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add it to the Definitive Map and Statement. A plan showing the claimed route between points A, B, C and D was appended to the Director of Legal Services report.

A DMMO claim dated August 2003 was received by the County Council, the effect of which, if such an Order was confirmed would be to add the above route to the Definitive Map and Statement as a Byway Open to all Traffic (BOAT).

Consultation was carried out in January 2014 with various groups and individuals regarding the claim it had received including any relevant landowners, local and national rights of way user groups and the district and parish council.

The consultees were asked whether they were aware of any evidence or information which might be helpful to the Council in terms of deciding what level of public access rights existed over the claimed route. Details of the consultation responses were given in the Director of Legal Services report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

RESOLVED that an Order be made under Section 53 of the Wildlife and Countryside Act 1981 to add to the Definitive Map and Statement for the area a Byway Open to all Traffic (BOAT) along the non-classified highway (NCH) from Top Farm at Rowland (point A) on the plan appended to the report across Hassop Common to the junction with another NCH at Deep Rake (point D) on the attached plan.

PUBLIC

MINUTES of a meeting of **the REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 8 September 2014 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

Councillors P Dunn, J Frudd, Mrs Janet Hill, Ms Julie Hill, R A Parkinson and Mrs J S Street.

Apologies for absence were submitted on behalf of Councillors Mrs D Charles, D McGregor and M Tomlinson.

27/14 **MINUTES RESOLVED** that the minutes of the meeting of the Committee held on 28 July 2014 be confirmed as a correct record and signed by the Chair.

28/14 **PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 9 (PART) – PARISH OF BRADLEY** Members were informed that the County Council had received an application for the permanent diversion of part of Public Footpath No 9 in the parish of Bradley. The proposed diversion would take the path from the curtilage of the property and garden to a route across open fields.

If the diversion order took effect it would divert approximately 568 metres of that part of Public Footpath No 9 shown as a solid bold line between points A-B on the plan attached to the report to a line shown as a bold broken line between points A-B. The new path would be approximately 672 metres long with a recorded width of 2 metres and a natural grass surface.

No objections were received to the proposed diversion when consultation was carried out in July 2014 and the local Elected Member, Bradley Parish Council and Derbyshire Dales District Council also had no objections to the proposal.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order under Section 119 of the Highways Act 1980 to divert part of Public Footpath No 9 in the Parish of Bradley, with the structure as detailed in the report; and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

29/14 PROPOSAL TO RESCIND AN ORDER MADE UNDER SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990 – PROPOSED DIVERSION OF PUBLIC BRIDLEWAY NO 21 – PARISH OF HOPTON Members were informed that the County Council had made an Order on 1 May 2014 to divert part of Public Bridleway No 21 in the parish of Hopton, in order to facilitate works for which planning permission had been granted. Following the making of the Order, it was discovered that some of the necessary works were no longer required on the alternative route due to a slight change in the alignment of a proposed diversion alternative. A new Order was made on 5 June 2014 detailing the correct works and therefore, the May Order had been superseded and was no longer required.

RESOLVED that the Public Path Order, made on 1 May 2014 to divert part of Public Bridleway No 21 in the Parish of Hopton, under Section 257 of the Town and Country Planning Act 1990 be formally rescinded.

30/14 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 18 (PART) – PARISH OF OCKBROOK Members were informed that the County Council had received an application from the Trustees of Locko Park Estate for the permanent diversion of part of Footpath No 18 at Bartlewood Farm, Ockbrook which was tenanted. The route passed through the working farm yard and was currently obstructed by an agricultural building.

If the Diversion Order took effect it would divert approximately 956 metres of Public Footpath No 18, shown as a bold solid line between points A-B on the plan appended to the report. The proposed alternative footpath was shown as a bold broken line beginning at point A, to the north east of Bartlewood Farm, taking users away from the working farm yard and obstructing agricultural building in a southerly direction on the east side of adjacent field boundaries to point C. Rather than immediately re-joining existing alignment of Public Footpath No 18, which continued in a southerly direction through the centre of fields, an easy to follow field edge footpath was proposed from point C in a southerly direction along the eastern field boundaries to point B. The diverted footpath would be 72 metres shorter than the existing route and have a recorded width of 2 metres throughout.

No objections were received to the proposed diversion when informal consultation was carried out during July 2014. The local Elected Member,

Ockbrook and Borrowash Parish Council and Erewash Borough Council had been consulted and also had no objections to the proposal.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order to divert Ockbrook Public Footpath No 18 (part) in the Parish of Ockbrook, under Section 119 of the Highways Act 1980 with the structures as detailed in the report; and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

31/14 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 38 (PART) – PARISH OF CHINLEY, BUXWORTH AND BROWNSIDE Members were informed that the County Council had received a joint application from the owners of Monks Meadow Farm and The Nook for the permanent diversion of part of Public Footpath No 38, Parish of Chinley, Buxworth and Brownside that passed very close to the residential dwelling through the gardens of their properties. The proposed diversion was sought to provide privacy and security. The gardens were situated in a hollow that often flooded when rain falling on the surrounding hills caused the stream to rise very quickly, making the footpath unusable, whereas the new route was higher and drier.

If the Diversion Order took effect it would divert approximately 102 metres of the footpath shown on the plan attached to the report as a bold solid line between points A-B. The proposed alternative route was approximately 99 metres long and shown as a bold broken line between points A-D-C around the south eastern curtilages of both properties. It took the public out of the confines of both gardens to a route at a higher elevation, having a width of 2 metres with a grass surface.

No objections were received to the proposed diversion when informal consultation was carried out in July 2014. The local Elected Member, Chinley, Buxworth and Brownside Parish Council and High Peak Borough Council had been consulted and also had no objections.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order to divert Public Footpath No 38 (part) in the Parish of Chinley, Buxworth and Brownside, under Section 119 of the Highways Act 1980 with the structure as detailed in the report; and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

32/14 PROPOSED DIVERSION OF PART OF BOLSOVER PUBLIC FOOTPATH NO 42 Members were informed that the County Council had received an application from the owners of Limestone Farm for the permanent diversion of part of Bolsover Public Footpath No 42 that passed through the garden of their property to provide privacy and security.

If the Diversion Order took effect, it would divert approximately 94 metres of the footpath shown on the plan attached to the report as a solid bold line between points A-B to a line approximately 125 metres in length around the boundary of a newly grassed paddock. The new footpath was shown as a bold broken line between points C-D-E-F-B and would have a recorded width of 2 metres throughout.

The applicants had indicated that between points C-D-E-F the proposed alternative footpath would be enclosed by a post and rail fence for the purposes of controlling stock set back to give an overall width between fence lines of 3.7 metres. Between points B-E the route was bounded by the existing boundaries of the woodland and the garden hedge. A 2 metres wide rolled stone surface would be provided between points C-D-E whilst the well-drained natural surface between points E-F-B would remain.

The diversion would move the start point on Oxcroft Lane from point A to a position 30 metres to the north also on Oxcroft Lane at point C, opposite Bolsover Footpath No 41. This would provide a safer link between the 2 footpaths by removing pedestrians from Oxcroft Lane.

No objections were received to the proposed diversion when informal consultation was carried out in June 2014. The local Elected Member, Old Bolsover Town Council and Bolsover District Council had been consulted and also had no objections to the proposal.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order to divert Public Footpath No 42 (part) under Section 119 of the Highways Act 1980 with the structure as detailed in the report; and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

33/14 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 56 (PART) – PARISH OF ALFRETON (NOW IN THE PARISH OF SOMERCOTES)

The County Council had received an application for the permanent diversion of part of Alfreton Public Footpath No56 to provide security to the industrial site and allow better use of the land.

If the Diversion Order took effect it would divert approximately 237 metres of that part of Public Footpath No 56 shown on the plan attached to the report as a solid bold line, between points A-B.

The alternative route was proposed in 2 sections; the first section shown as a bold broken line between points B-C was approximately 89 metres in length and would link Public Footpath No 61 with the continuation of Public Footpath No56. It would be provided with a 2 metres wide compacted stone surface with an overall recorded width of 3 metres.

The second section, shown as a bold broken line between points D-E-F was approximately 46 metres in length and would be provided with a 2.5 metres wide all-weather surface with an overall recorded width of 3 metres. The terminus of Public Footpath No 56 would move slightly from point A to point F, taking it from the vehicular access road on to the adjacent land.

Two objections were received to the proposed Diversion Order when informal consultation was carried out in July 2013. The local Elected Members, Alfreton Town Council, Somercotes Parish Council and Amber Valley Borough Council had been consulted and had no objections to the proposal. Details of both of the objections were given in the Strategic Director's report with the County Council's considerations and response.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Order under Section 119 of the Highways Act 1980 to divert part of Public Footpath No 56, Parish of Alfreton (now in the parish of Somercotes); and

(2) that should objections be received to the making of the Order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

34/14 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD FOOTPATHS FROM LOCK LANE, PARISH OF SAWLEY TO THE DEFINITIVE MAP AND STATEMENT

Members were informed that 2 applications had been received to add footpaths in the parish of Sawley to the Definitive Map and Statement. Both footpaths started and terminated on Lock Lane crossing Trent Lock Golf Course and Lock Lane Ash Tip Nature

Reserve. The first route applied for was shown on the plan attached to the Director of Legal Services report as A-B-C-D-B and the second as A-B-C-D-E. The first application listed was accompanied by 25 user evidence forms accompanied by plans on which witnesses were required to mark the route they had used. All of the witnesses had marked a route approximating the claimed route from point A to point B following a circular route via point C and D returning to point D. A plan showing the claimed route was appended to the Director of Legal Services report. In relation to the second application this had been supported by 23 user evidence forms although 1 form had been discounted as the witness did not appear to be referring to the claimed route.

Consultation was carried out simultaneously on both applications in June and July 2014 and consultation letters were also sent to Sawley Parish Council, Erewash Borough Council and the local Elected Member. Two objections which applied to both claims had been received and were detailed in the report.

The Director of Legal Services summarised all of the available evidence detailed in the report and gave his conclusions to the committee.

RESOLVED to reject the applications made under Section 53 of the Wildlife and Countryside Act 1981 to add footpaths from Lock Lane in the parish of Sawley as shown on the plan appended to the report to the Definitive Map and Statement.

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 9 June 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors M Ford, Julie Hill, R L Hosker, R Mihaly, R A Parkinson, P Smith, T Southerd (for reconvened meeting following site visit), J Twigg and B Wright.

Councillor Julie Hill declared an interest in respect of the application under Agenda Item No 4.3 through her parents having an interest in land near the application site at Calow (Minute No 44/14).

All Members reported having received a significant number of communications in respect of the Calow application (Minute No 44/14).

40/14 **SITE VISITS** In accordance with the Code of Practice the Committee visited the site at Calow (Minute No 44/14).

41/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 12 May 2014 be confirmed as a correct record and signed by the Chair.

42/14 **PROPOSED INSTALLATION OF FACILITY FOR THE RECEPTION, STORAGE AND TREATMENT OF WASTE FOR THE PURPOSE OF RECOVERY OF RAW MATERIALS AND ENERGY AT THE BRICKWORKS, CAMPBELL DRIVE, BARROW HILL, STAVELEY, CHESTERFIELD APPLICANT: PHOENIX BRICK COMPANY LTD (CODE NO: CW2/0209/203)** (Minute No 125/09) Planning permission had been resolved to be granted for this proposal, subject to conditions and the completion of a legal agreement, on 7 December 2009. The Strategic Director for Economy, Transport and Environment reported that negotiations on the legal agreement had been continuing, however, since approval had been granted there had been several new national planning policy statements issued which were relevant to the assessment of the proposal and, therefore, it was necessary to reconsider the application against the new material considerations.

Details of the proposal were contained in the Strategic Director's report. The new material considerations, which were also to be taken in to account in

accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, included the Chesterfield Borough Council Local Plan: Core Strategy, July 2013; the National Planning Policy Framework March 2012; the National Planning Practice Guidance 2014; and the Waste Management Plan for England 2013, and these were examined in the report.

The Committee was reminded of the previous grounds of approval, which had been subject to the recommended conditions in terms of potential environmental impacts. In particular, it had been concluded that the proposed facility would not give rise to unacceptable adverse impacts on air quality, including odour, from the emissions or that the traffic generated would not adversely affect highway function or safety in the Barrow Hill area, subject to the proposed routeing arrangements.

The Strategic Director reported that the previous assessment of the proposal and the Committee's resolution had largely been based on the compliance of the proposal with the policy and guidance of PPS10. Although there were now several additional national policy statements to take into account, PPS10 remained the main statement of waste policy of relevance to this proposal. Whilst the National Planning Policy Framework was not specific to waste management developments it did seek to encourage the approval and fulfilment of sustainable developments. As this proposal was considered to accord with the relevant criteria for sustainable waste management, the Strategic Director considered that the National Planning Policy Framework supported PPS10 for the proposed development. This opinion had not been changed by the content of the other new material considerations or the change in circumstances at the application site since 2009.

RESOLVED that, subject to the completion of a legal agreement to secure the routeing of Heavy Goods Vehicles, road widening and measures designed to minimise the risk of accidents at the entrance from Staveley Lane, the Committee maintained the resolution of 7 December 2009 that planning permission be granted, subject to the conditions set out in the report of the Strategic Director for Economy, Transport and Environment.

43/14 PROPOSED PLANNING CONDITIONS RELATING TO PROPOSED CONSTRUCTION OF 1.1 KILOMETRES GREENWAY BETWEEN SOMERSALL LANE, CHESTERFIELD AND GREENDALE AVENUE, HOLYMOORSIDE APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD4/0413/3 AND CD2/0413/3) (Minute No 33/14) In accordance with the Committee's resolution to grant planning permission for the above proposal, details of the conditions to be attached to the planning permission were considered by the Committee.

RESOLVED to approve the conditions set out in the report of the Strategic Director for Economy, Transport and Environment which relate to the grant of planning permission for planning application references CD4/0413/3 and CD2/0413/3.

**44/14 PROPOSED DRILLING OF EXPLORATORY
BOREHOLES, ERECTION OF CONTAINERISED UNITS, ASSOCIATED
PLANT AND EQUIPMENT, EXTRACTION OF NATURAL GAS,
ELECTRICITY GENERATION AND ANCILLARY OPERATIONS AT LAND
OFF DARK LANE, CALOW, CHESTERFIELD APPLICANT: SEVEN STAR
NATURAL GAS LIMITED (CODE NO: CM4/0114/156)** Councillor Hill confirmed that whilst she had provided comments on the proposal in response to consultation as local Member she was keeping an open mind with regard to the application and would listen to all the presentations on it at the meeting before deciding on it.

The Strategic Director for Economy, Transport and Environment reported that the application was for the development of an onshore gas extraction facility, extracting gas from a conventional source from a site based on land off Dark Lane, Calow. The proposal would involve the establishment of a site compound and the drilling of up to two directionally guided and inclined boreholes up to 500 metres deep into the stranded natural gas field lying beneath the area. The gas would be tested/appraised and if it was found to be present in sufficient quantities it would be used on site in gas combustion engines to generate electricity that would be exported to the local grid. The site would be operational for up to 15 years after which it would be restored to agricultural land. Details of the development were contained in the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity.

Councillor Julie Hill in her consultation response as the local Member had referred to the site as being far too close to residents' homes; to being concerned about the proposed access via a single track lane and its junction on to the main road; and noise and light pollution. North East Derbyshire District Council (Planning) in its consultation response had objected to the proposal with reference to the location of the site in the countryside, its closeness to residential properties, the creation of a new access track and access point to Dark Lane which it considered would have an urbanising effect and would adversely affect the character and quality of the area, and the restricted width of Dark Lane for traffic. Calow Parish Council had also maintained an objection to the development; its reasons for objection related to the closeness of the site to residential properties, the narrowness of the Dark Lane access, disturbance to wildlife, proximity of the site to a public footpath, noise and light impacts, and concerns that seepage of methane might possibly occur and that drainage problems would occur. Publicity had

generated 29 individual letters and 79 pro-forma letters in objection and a petition in objection with 42 signatures. The letters referred to concerns relating to the site's location, landscape and other visual impacts, noise, traffic, light pollution, air pollution, drainage and contamination, wildlife and ecology impacts, health issues, and subsidence and land stability, and other concerns which were raised were listed in the report.

It was reported that no objections to the proposal had been received from the Environmental Health Officer at North East Derbyshire District Council, the Environment Agency, Derbyshire Wildlife Trust, Severn Trent Water, and the Highways Authority, and that each of these consultees had provided advice on appropriate conditions to impose under a grant of permission.

The Strategic Director's representative explained how the recommendation for approval of the application had been reached.

He explained that the application had been evaluated on behalf of the Strategic Director in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004. All material considerations, including the National Planning Policy Framework and the National Planning Practice Guidance March 2014, the National Energy Policy, and the Energy Act 2013, had been taken in to account. It was considered that the main planning issues relating to this application were location, landscape and visual, noise, air quality, dust, light pollution, traffic and highway impacts, vibration/land stability/subsidence, hydrology, ecology, archaeological and cultural, site restoration and rights of way; these were all examined in the Strategic Director's report. The Strategic Director commented that a draft agreement under Section 106 of the Town and Country Planning Act had been prepared, which included obligations for a traffic routeing and a Construction Traffic Management Plan. A provision for the establishment of a Community Liaison Group had also been included.

The Strategic Director reported that there was strong support from Government for this type of development as a means of securing indigenous energy supplies and reducing the UK's reliance on imports whilst generating energy with a 'low carbon footprint'. The principle of this development was supported by the National Planning Policy Framework, the National Planning Practice Guidance and the Government's Energy Policy. Although the site was located in the open countryside he was satisfied that the development in the proposed location would not be unacceptable. Having assessed the potential environmental impacts of each phase of the development he had found no significant impacts or conflict with development plan policy that would warrant refusal of the application. He commented that the Committee

needed to balance against the possible impacts the benefits that would result from the application in making its decision.

Councillor I Allcock spoke on behalf of Calow Parish Council about its concern regarding the social impact the proposal would have on Calow.

Nine individuals who had representations in objection regarding the application addressed the Committee; the first eight were also members of 'Calow Against Gas Extraction' (CAGE).

Rob Senior introduced himself as an air quality engineer who lived 100 metres from the site. He perceived the proposed emissions and increase in traffic to be significant impacts on the surrounding area. He asked who would regulate the emissions and commented that the proposal should not be based on a mathematical evaluation or models. He was concerned about health issues.

Owen Downey introduced himself as an acoustic engineer. He commented that there was currently low background noise at the site and that it would increase hugely with the proposal. He did not consider that the low noise levels proposed would be achievable and had no confidence in the details provided. He urged the Committee to refuse the application.

Carl Winter stated that he lived closest to the site. He spoke of his concerns relating to removal of contaminated liquids off site, and of a risk of radioactive contamination of nearby wells by radon daughters, and health issues which could be experienced.

Liz Vardy, a local resident, spoke of the geology of the area, and referred to the drilling associated with the proposal as generating fractures in rock that could put the Chesterfield Royal Hospital and Brimington at risk from subsidence and earth tremors and of methane release.

Chris Wells introduced himself as a professional engineer who had concerns relating to methane. He referred to reports from which he reasoned that the application should not be allowed, and suggested that both Calow and Arkwright Town could be affected by escaping methane via old mine workings in the area.

Ian Allcock, a resident of the area, spoke of the potential for future expansion of the site and the area changing from a green field site to an industrial area. He also spoke of the proposal causing stress to residents and urged the Committee not to agree the application.

Margi Senior spoke of living 100 metres from the site and commented that she had horses in neighbouring fields and that Footpath 11 adjoined the site. She commented on the current traffic situation on Dark Lane, accidents which had occurred near the bend, the number of vehicle movements proposed and the noise of vehicles and the impact the proposed traffic plan would have on residents.

Glynis Ferraby, a resident of Dark Lane, spoke about footpaths and bridleways in the area, the regular use of lanes by horse riders and the distress the construction noise would have on them and on livestock.

Jeremy Truscott, a local resident, claimed that noise levels at the proposed limits would be detrimental to local people, and that there had not been a proper newt survey. He also referred to the concerns of local residents and asked that their concerns were not dismissed.

Mark Armstrong, a resident of Dark Lane, commented that he had spoken to the Chesterfield Fire Service regarding the extent of the exclusion zone around the site if any incidents occurred, and had been informed that it was a 250 metre zone, that all the properties in the locality would be included and this was causing stress and anxiety for local residents. He was concerned that the operation of the site would be throughout each day and night for 15 years, and commented that it would could disturbance to the sleep of shift workers, which he suggested would be in breach of their human rights. He also commented that the gas extracted from the directional drilling would be from beyond the proposed site.

Catherine Walker, a local resident, spoke of disruption being caused to local residents and health concerns. She considered that her children would be adversely affected and that the site was not comparable with other Alkane sites.

Stephen Sowerby spoke of local objections to the proposal being overwhelming. He wished to know what would happen to the stability of the land above the gas if it was removed. He considered that there should have been a prior review of seismic risk from the proposal. He wondered how seismic risk from the site would be monitored. Residents needed an assurance from Alkane that if any damage occurred to their property over time as a result of activity it would meet the costs of repairs.

Neil Baker of Baker Barnett spoke as the Agent for the applicant. He reported that the applicant had a petroleum license which covered the site for the extraction of natural gas. He urged the Committee not to confuse the proposals with proposals for fracking or for other shale gas extraction. He commented that the procedure involved in this case would not cause ground

movement and that there were no mine workings or seams close to the site. The drilling position was in the best location to minimise visual impact. He commented that the applicant took health impacts seriously. There would be some noise disturbance during the construction and drilling phase but none after that. All the proposed impacts had been considered. The applicant would work with the Environmental Health Officer, local community and Mineral Planning Authority and would facilitate a local liaison committee to discuss traffic and progress at the site. The site would be returned to agricultural once operations had ceased. He insisted that the proposal did not present any risk of damage to property.

The Strategic Director's representative was invited by the Chair to comment on the points raised by the speakers who had addressed the Committee. He referred again to the National Energy Policy as encouraging more local facilities rather than large operations. He reported that monitoring for emissions at the site would be regulated by the Environment Agency, and that other government bodies had responsibilities in relation to the design and operation of the site. He confirmed that 'live' monitoring would be undertaken remotely at the Markham HQ of the company. Noise data from the applicant had been critically assessed with the help of advice from the Environmental Health Officer. If noise limitations were exceeded the site could be redesigned or closed. The Environmental Health Officer had concluded that the likely emissions from the site would be acceptable. Day to day controls at the site would be subject to a licence. The Coal Authority had been consulted about methane and mine workings in the area and had not raised any concerns. Regarding fire risk and safety, the Health and Safety Executive had not any concern. The Department of Energy and Climate Change had granted a licence for the extraction and he was confident that it did not present any seismic issues. Any other proposals for the site would be considered separately. The application was for a temporary permission which covered this proposal only. There was a separate gas well permission for the Royal Hospital which had not yet been implemented. The Council, as Highway Authority, had considered the impact of the development in the area. According to current Government guidance (in the National Planning Policy Framework) the authorities should only refuse applications for permission on grounds of traffic impact if it would be severe. He reaffirmed that experts in various fields had been consulted for advice and that the applicant had responded to concerns raised by residents.

The Strategic Director's representative clarified that the highest number of goods vehicle visits to the site per day during construction would be 10 (ie 10 movements in each direction, 20 movements overall).

Councillor Hill spoke of her concerns regarding the use that vehicles associated with the development would have to make of the junction between

Dark Lane and the main road. The Strategic Director's representative acknowledged that Dark Lane would have problems during the construction phase, but on the basis of the current Government guidance did not consider these would be serious enough to warrant refusal of the application.

Councillor Smith commented on the restoration and aftercare of the site and considered that the visual impacts on the open countryside would be contrary to North East Derbyshire District Council policies. He noted that no planning obligation was being promised to supplement the basic proposed restoration and aftercare provision. The Strategic Director's representative commented in response that he did not judge the proposal to be contrary to North East Derbyshire District Council policies and that mineral development commonly took place in the countryside. He stated that mineral applications were to be regarded differently from developments of other kinds because they could only take place around where the minerals occurred. He explained that an easier surface location for the proposal would have been an adjoining field, which would have been more intrusive to local residents. Therefore, directional drilling was proposed to retrieve the gas.

Councillor Hosker noted that four of the individuals who had spoken had provided commentaries on technical issues which related to their professions and so he sought assurance that the issues had been carefully considered. The Strategic Director's representative explained that this was the third application which had been submitted by the applicant as a consequence of previous questions raised by consultees, additional information had been provided by the applicant. The Strategic Director's representative further commented that the issues raised individually did not warrant refusal and that it was for Members to consider the issues cumulatively.

Councillor Ford observed that some of the concerns were misplaced since the extraction process in this case would not involve or lead to fracking. He accepted that there would be serious short term effects but considered that they would be relatively modest in comparison to those associated with longer term construction work under other types of development. However, he would wish to see a financial bond being lodged with the County Council to secure costs of restoration.

Councillor Southerd commented that there were many environmental considerations which were required to be taken in to account. He considered that despite the statements in the report the surface site which had been chosen was inappropriate for such development, particularly regarding the noise impacts it would generate. He suggested that since the gas reserve could be reached and extracted through directional drilling as had been proposed a more suitable site could have been identified. He also mentioned having concerns about potential consequences to the Authority of a decision

to refuse. The Strategic Director's representative emphasised in response that in order to reach any decision to refuse permission which would be contrary to the recommendation they would need to identify and be persuaded by one or more substantial reasons for a refusal that could be supported by evidence in the event of an appeal to the Secretary of State against that decision.

Councillor Innes expressed concerns relating to the impacts on the health and wellbeing of residents during construction of the site, especially during the 6 weeks drilling phase.

Councillor Mihaly commented that whilst individually the impacts that would be experienced from the development might be regarded as small, they would cumulatively have a massive impact on the local community, particularly during 'phase 1'.

Following questions, the Strategic Director's representative confirmed that Derbyshire County Council would not gain financially from the proposed development.

Councillor Hill commented that having listened to the residents who had spoken at the meeting she continued to have a number of concerns in respect of radon, seismic monitoring and pollutions, which she did not feel had been adequately addressed.

A motion to refuse the application was then proposed and seconded. The Strategic Director's representative cautioned the Committee against proceeding with such a motion without any reason being expressed. During further discussion some Members suggested that the proposal was contrary to certain policies of the North East Derbyshire Local Plan as the District Council had indicated in its consultation response. An amended motion was then proposed and seconded for refusal of the application on the grounds that it was contrary to the North East Derbyshire Local Plan as indicated by the District Council in its consultation response and was unacceptable due to the location of the proposal in the countryside, and the cumulative impact of the proposal with regard to its impacts on the location and the local community, including impacts from the associated traffic.

Members of the Committee voted on the amended motion to refuse the application and this was carried.

RESOLVED that the application for planning permission be refused on the grounds that it was contrary to North East Derbyshire Local Plan as indicated by the District Council in its consultation response and was unacceptable due to the location of the proposal in the countryside, and the

cumulative impact of the proposal with regard to its impact on the location and the local community, including impacts from the associated traffic.

45/14 **CURRENT ENFORCEMENT ACTION RESOLVED** to receive the report on Current Enforcement Action.

46/14 **OUTSTANDING APPLICATIONS RESOLVED** to receive the list on decisions outstanding on 9 June 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

47/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

48/14 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for May 2014.

49/14 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 15 May 2014

- 1 Proposal for the Deposition of Pond Silt from the Lower Pond, Lumsdale, Upper Lumsdale Valley, Matlock
Applicant: The Arkwright Society
Planning Application Code No: CW3/0114/144
- 2 Proposed Installation of Replacement Double Glazed Timber Windows and Doors at Anthony Bek Community Primary School, Rotherham Road, Pleasley
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0314/178
- 3 Delegation Decisions of Schemes required by Planning Conditions
 - SM2533
 - SD2525
 - SD2566
 - SD2460
 - SW2562

(b) 22 May 2014

- 1 Proposal to Install an Outdoor Canopy at Longford C of E Controlled Primary School, Longford, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0414/5
- 2 Proposed Installation of a Metal Security Fence at Stenson Fields Primary Community School, Goathland Road, Stenson Fields
Applicant: Derbyshire County Council
Planning Application Code No: CD9/0414/6

(c) 29 May 2014

- 1 Application Not to Comply with Condition 2 (Form of Development) of Planning Permission CD1/1112/111 for the Construction of a New Salt Barn at Chapel-en-le-Frith Highways Depot, Sheffield Road, Chapel-en-le-Frith
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0414/4
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2547
 - SM2548

(d) 5 June 2014

- 1 Proposed Change of Use from a Steel Fabrication Workshop to a Scrap Metal Recycling Facility and Minor Amendments to the Site Layout at TME Recycling Limited, Unit 2-3 Burley Close, Chesterfield
Applicant: TME Recycling Limited
Planning Application Code No: CW2/0214/158

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 14 July 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors M Ford, Julie Hill, R L Hosker, R Mihaly, R A Parkinson, P Smith, T Southerd, J Twigg and B Wright.

No Declarations of Interest were received.

No Significant Lobbying had been received.

50/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 9 June 2014 be confirmed as a correct record and signed by the Chair.

51/14 **APPLICATION FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT, IN RESPECT OF USE FOR THE STORAGE OF METALS, SCRAP AND WASTE METALS, AND WASTE MATERIALS AND WASTE RECYCLING ON LAND AT GRIFFON ROAD, ILKESTON APPLICANT: DONALD WARD LIMITED (CODE NO: CL8/0114/153)** An application had been received for a Certificate of Lawfulness of an Existing Use or Development (CLEUD) relating to land for the storage of metals, scrap and waste metals and waste materials, and waste recycling. The Committee was reminded that, unlike a conventional planning application each application for a CLEUD was assessed entirely on its available factual evidence about planning history of the land to which it related, and whether or not it was considered 'on the balance of probability' to be an existing use or development which has become lawful over time.

The above application contended that the land had been in continuous use for the storage of metals, scrap and waste metals and waste materials and waste recycling for a period of over 10 years prior to the date of the application. The report contained details of supporting information, including aerial photographs, and comments received following consultation with the Environment Agency, Erewash Borough Council and businesses located next to the land.

The case analysis suggested that the key element to consider was the nature and continuity or otherwise use of the site during the 10 year period and witness statements were examined in the report.

It was concluded that the statements provided with the application did provide substantial evidence that Saint Gobain (a previous occupier of the land) had stored materials on various parts of the land, including scrap and other materials and that such materials were collected and transported to an adjacent site. However, it was not considered that this amounted to evidence of a change of use of the application land to a use primarily for storage and recycling of waste and it seemed unlikely that whatever scrap metal/waste storage had taken place at the land could amount to any continuous use of the land over a 10 year period. It was also felt that the Statutory Declarations and witness statements were lacking in any information regarding frequency or scale of any use.

Reference was made in the report about a planning permission which had been issued by the County Council on 4 May 2007 relating to the construction of a building and use of land for waste recycling operations, including the use of a new access. The Strategic Director considered that this permission had not been implemented and had lapsed. Furthermore, there was a condition in the permission which required the submission of several schemes for approval by the Council prior to commencement; these schemes had never been submitted.

Mr Piatt addressed the Committee on behalf of the applicant and suggested that evidence provided by witness statements in support of the application was compelling and weighted the balance of probability firmly in favour of lawfulness of the full use claimed under the application. He commented that there were no contrary witness statements presented and suggested that the evidence from the 2004 aerial photograph was the only item discovered by the Council which provided evidence relating to the relevant 10 year period and that it was of relatively limited weight. He expressed confidence that the 2007 planning permission referred to in the report had been implemented since it permitted the use of the existing means of access.

The Committee was reminded that the Certificate of Lawfulness related to the use of a particular area of land and not general activity on the site and that the relevant period of continual use was 10 years. The representative for the Head of Legal Services suggested the officer's report had addressed fairly the evidence submitted by the applicant and that its conclusion that the lawfulness of the use was not proven at the balance of probability over the full extent of the land subject of the application was sound. With respect to the 2007 planning permission, it was reported that the Strategic Director and the

Head of Legal Services remained of the view that this had not been implemented since it was considered that the consent for the access under the permission had been dependent on other aspects of that consented development taking place, and furthermore there were some pre-commencement requirements under the conditions to the permission which were never satisfied.

RESOLVED to approve the issue of a refusal under section 191 of the Town and Country Planning Act 1990 in response to the application regarding use of land at Griffon Road, Ilkeston, for the storage of metals, scrap and waste metals, and waste materials and waste recycling which is the subject of the report of the Strategic Director for Economy, Transport and Environment.

52/14 APPLICATION FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT, IN RESPECT OF USE FOR THE PROCESSING, RECYCLING MATERIALS INCLUDING VEHICLE DISMANTLING, OF LAND AT GRIFFON ROAD, ILKESTON APPLICANT: DONALD WARD LIMITED (CODE NO: CL8/0114/154) An application had been received for a Certificate of Lawfulness of an Existing Use or Development (CLEUD) relating to another area of land at Griffon Road, in respect of use for the processing, recycling and land for the storage of metals, scrap and waste metals and waste materials, including vehicle dismantling. The Committee was reminded that, unlike a conventional planning application each application for a CLEUD was assessed entirely on its available factual evidence about planning history of the land to which it related, and whether or not it was considered 'on the balance of probability' to be an existing use or development which has become lawful over time.

The application contended that the land had been in continuous use for the processing, recycling and storage of metals, scrap and waste metals, and waste materials (including vehicle dismantling) for a period of over 10 years up to the date of the application. The report contained details of supporting information, including aerial photographs and reference to permissions/certificates, and comments received following consultation with the Environment Agency, Erewash Borough Council and businesses located next to the land.

The case analysis suggested that the key element to consider was the nature and continuity or otherwise use of the site during the 10 year period. Witness statements and other evidence were examined in the report.

The Strategic Director for Economy, Transport and Environment concluded that on the balance of probability there was a lawful use of land for the processing, recycling and storage of metals, scrap and waste metals and waste materials which related to the land indicated on the plan CL8/0114/154

DCC2, hatched and edged by a dashed/dotted line and cross-hatched. It was considered that the remaining area of the application land shown dashed on plan CL8/0114/154 DCC2 had not been subject to any continuous use described in the application for a sufficient period so as to be capable of forming part of a lawful use.

Mr Piatt addressed the Committee on behalf of the applicant and urged it to grant the Certificate of Lawfulness for the entire site on the basis that the evidence submitted demonstrated a continuous use of the entire area of the site. He also commented that no contrary witness statements had been submitted and that the aerial photograph showed only a snapshot of a particular period of time. He considered that it was illogical for the report to have recommended inclusion in a certificate of the part of the land which was cross-hatched on the report plan yet at the same time to have recommended exclusion from any certificate of another part of the land under the application.

The Strategic Director's representative commented that the officer's interpretation and recommendation in the report was logical. The report placed the witness statements in the context of other information available and necessary evidential considerations. It was not considered to be correct to assume that the witnesses when referring in their statements to plans showing the land were in a position to give precise or accurate accounts of the extent or area of land affected by the use in question.

RESOLVED to approve the determination of the application described in the report of the Strategic Director for Economy, Transport and Environment by the issuing of a certificate of lawfulness under section 191 of the Town and Country Planning Act 1990 which shall contain a substitute description to recognise the existing land use as:

the use of those parts of the land subject to the application comprising:

- (a) the part inside the area of planning permission CW8/0602/37
 - (b) the part outside the area of that permission and within the area of the certificate of lawfulness for use for the processing and storage of scrap issued by Erewash Borough Council dated 19 March 1994 and
 - (c) those parts (outside both the area of that permission and the area of that certificate), which are shown by cross-hatching on the Plan CL8/0114/154-DCC-2, attached to the report of the Strategic Director for Economy, Transport and Environment,
- for the storage and recycling of scrap and waste metals and other waste materials in a manner whereby (i) the element relating to the part of the land 'a)' conforms with the use permitted under planning permission CW8/0602/37 and with the conditions therein, (ii) the element relating to the part of the land 'b)' conforms with the provisions of the appendix to the certificate of lawfulness dated 16 March 1994, (iii) except in cases of emergency incoming

materials are not accepted earlier than 07:00 or later than 18:00 on any day, and (iv) except in cases of emergency activities are not undertaken on any Sundays or public holidays, or earlier than 06:00 or later than 20:00 on any other day.

53/14 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

54/14 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 14 July 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

55/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

56/14 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for June 2014.

57/14 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 12 June 2014

- 1 Section 73 Application not to comply with Previous Planning Conditions of Planning Permission CD3/0712/31 on Land Adjacent to the Whitworth Hospital, Bakewell Road, Matlock
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0414/3
- 2 Proposal for a Pedestrian Footpath Link and Retaining Wall at Whitworth Hospital, Bakewell Road, Matlock
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0414/9
- 3 Proposal to Install a Free-Standing Canopy at Ironville and Codnor Park Primary School, Victoria Street, Ironville
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0514/14

- 4 Delegation Decisions on Schemes Required by Planning Conditions:
- SD2589
 - SD2416
 - SD2510

(b) 19 June 2014

- 1 Proposal to Improve the Archaeological Way Multi-User Route at Poulter County Park, Langwith
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0514/20
- 2 Proposal to Demolish the Existing School Classroom Block and Re-develop a Three-Storey Classroom Block at Aldercar Community Language College, Daltons Close, Langley Mill
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0414/2
- 3 Proposal to Install a Storage Shed at Willington Primary School, Trent Avenue, Willington
Applicant: Derbyshire County Council
Planning Application Code No: CD9/0514/21
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
- SW2582
 - SW2583
 - SW2584
 - SW2585
 - SW2586
 - SW2587
 - SW2590
 - SW2591

(c) 26 June 2014

- 1 Proposed Installation of Two Temporary Modular Classrooms at Gamesley Community Primary School, Grindleford Grove, Glossop
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0514/22
- 2 Proposed Installation of a Kiosk at the Existing Sewage Treatment Works, Moss Lane, Hulland Ward
Applicant: Severn Trent Water Limited
Planning Application Code No: CW3/0214/168
- 3 Proposed Single-Storey Extension at Dronfield Henry Fanshaw School, Chesterfield Road, Dronfield

Applicant: Derbyshire County Council
Planning Application Code No: CD4/0514/19

- 4 Proposed Development: (1) Application under Section 73 of the Town and Country Planning Act 1990 to not comply with Condition 6 of Planning Permission CW4/0710/63 to enable Variation of Condition to Extend the Time for the Completion of Remediation Works to 28 February 2016 to enable the Implementation of the Tree Planting Scheme and (2) Application for Planning Permission for Works to enable Two Additional Small Areas to be Included in the Remediation Site at the Former Avenue Coking Works, Derby Road, Wingerworth
Applicant: Homes and Communities Agency
Planning Application Code Nos: CW4/0514/12 and CW4/0514/13
- 5 Proposed Installation of a Canopy at Scarcliffe Primary School, Fox Hill, Scarcliffe
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0514/18
6. Application for Non-Material Amendment at Elvaston Landfill Site, Bellington Hill, Elvaston, Derby
Applicant: Biffa Waste Services
Planning Application Code No: NMA/0414/26
- 7 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2450
 - SW2451
- (d) 3 July 2014**
 - 1 Proposed Replacement of Existing Canopy and Landscaping Works at New Mills Nursery School, Sett Close, New Mills
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0514/15
 - 2 Proposed Extraction of Sand and Gravel with Restoration to Open Water, Nature Conservation and Agricultural Uses at Willington Quarry, Castleway Lane, Egginton
Applicant: CEMEX UK Ltd
Planning Application Code No: CM9/0305/235
- (e) 10 July 2014**
 - 1 Proposed Small Scale, on Farm Composting Operation at Hall Plant Hire, The Birches, Old Brampton, Chesterfield
Applicant: Hall Plant Hire Limited
Planning Application Code No: CW4/0414/8

- 2 Proposed Retention and Continued Use of a Demountable Office Building at the Veolia ES Site, Norwood Industrial Estate, Ellisons Road, Killamarsh
Applicant: Veolia ES (UK) PLC
Planning Application Code No: CW4/0514/31
- 3 Proposed Replacement of Two Windows with Two Fire Exit Doors and Installation of an Access Ramp at Westhouses Primary School, Bolden Terrace, Westhouses
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0514/24
- 4 Proposed Installation of a Temporary Modular Building at Glebe Junior School, Hamlet Lane, South Normanton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0514/25
- 5 Proposed Installation of a Canopy at Creswell Infants and Nursery School, Gypsy Lane, Creswell
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0514/28
- 6 Section73 Application to Not Comply with Condition 2 of Planning Permission CD8/0713/63 at the Great Northern Greenway, between Brookside Road, Breadsall and Lime Lane, Morley
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0514/27
- 7 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2544
 - SD2593
 - SD2569
 - SD2596
 - SD2597
 - SD2598
 - SD2549
 - SM2530

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 11 August 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors Janet Hill (substitute Member), Julie Hill, R L Hosker, R Mihaly, R A Parkinson, T Southerd, J Twigg and B Wright.

Councillor C Bisknell attended the site visit and meeting in accordance with Standing Order 17.6 as local Member in respect of the Victory Quarry, Buxton application (Minute No 60/14).

Apologies for absence were received from Councillors M Ford and P Smith.

No Declarations of Interest were received.

No Significant Lobbying had been received.

58/14 **SITE VISIT** In accordance with the Code of Practice the Committee visited the site at Victory Quarry, Buxton (Minute No 60/14).

59/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 14 July 2014 be confirmed as a correct record and signed by the Chair.

60/14 **PROPOSED SECTION 73 APPLICATION TO NOT COMPLY WITH CONDITIONS 4 (CONSTRUCTION OF SCREENING BUND) AND 22 (MOVEMENTS OF HEAVY GOODS VEHICLES) OF PLANNING PERMISSION CODE NO.CW1/0612/22 AT VICTORY QUARRY, FIELD FARM, BATHAM GATE, BUXTON APPLICANT: BARRY WOOD PLANT HIRE (CODE NO: CW1/1213/140)** The application sought permission not to comply with Conditions 4 (construction of a screen bund) and 22 (movements of heavy goods vehicles) of planning permission CW1/0612/22 at Victory Quarry. It was reported that the amendment was sought to allow the bund construction to be carried out in line with local weather conditions and to avoid needing to recycle materials in adverse weather.

Details of the proposals were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Concerns had been

expressed by the local Member Councillor Bisknell, High Peak Borough Council and Wormhill Parish Council in respect of traffic movements. A letter from residents of a local property objecting to the proposal had been received and was summarised in the officer's report. Additional material from the objectors was circulated at the meeting.

The report explained that the application had to be considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; and that the material considerations to be taken into account in addition to the development plan policies included statements of Government policy in the National Planning Policy Framework, the National Waste Management Plan of England 2013 and Planning Policy Statement 10.

Concerns relating to residential amenity had been noted, but the Strategic Director commented that subject to suitable conditions being imposed to control the impacts of noise, dust and traffic to acceptable levels he was satisfied that a grant of a permission under the application would accord with the National Planning Policy Framework and development plan policies.

Councillor Bisknell spoke as the local Member for the area. She reiterated her concerns regarding the size of the proposed maximum number of vehicle movements in any day; she considered that 40 movements per day would be an excessively high number, and had doubts as to whether this limit could be monitored and enforced. She also requested that the frequency of local liaison meetings for the site be increased from one per year and that adequate notification of meetings be given.

The Strategic Director's representative commented that the new condition recommended to limit of goods vehicle movements associated with the development had a limit of 40 per weekday which would include all relevant loaded vehicles and not just heavy goods vehicles (HGVs, whilst the existing weekday maximum limit for vehicle movements (of 14) was restricted to HGVs. He reminded the Committee that the access to this site was also used by a skip hire business, which had no planning restrictions on vehicle movements. He commented that the operator could be given guidance on how the liaison meetings should be operated and times of meetings notified.

Mrs Eaves was a local resident who had made representations on the application and had expressed a wish to take the opportunity to address the Committee. She stated she had no confidence that any conditions imposed on a permission under the application would be complied with since breaches of current conditions relating to HGV movements had persisted since 2012. She considered the applicant company's logging of vehicles to be inaccurate. She felt that the changes in vehicle movements would result in constant traffic

movements. She expressed concern regarding dust control and commented that current measures had failed and that she did not have any reason to believe that dust control measures would be any more successful if the development was continued under a new permission. She also referred to not having been duly notified by the applicant company of the time of a liaison meeting.

The Strategic Director's representative commented in response that reports of dust problems were taken seriously. The site was visited regularly by experienced officers for monitoring of dust and noise impacts. However, it was not always appropriate to take enforcement action after breaches of planning control were observed and in this case no enforcement action had been considered to be warranted. The generation of visible dust was not necessarily indicative of any degree of severity of impact. He had viewed video recordings of use of the access track supplied by Mr and Mrs Eaves, and considered that the generation of dust from vehicle movements which it showed to be typical for the type of operation being undertaken at the site.

He did not consider that the carrying on of the development under a permission with the recommended conditions would cause any unacceptable impacts, particularly since it would not extend the required timescale for completion of the development by 2017 which had been delineated firmly under the grant of permission in 2012.

He confirmed in response to a question that the quarry land where the waste was received was still in a depression compared to surrounding land and was not in itself the source of any particular dust generation and that the main source of dust generation in the case of this site was from the use of the access track.

Members suggested that it would be appropriate for at least three liaison meetings per year to be held and for a note to be provided to the applicant expressing the County Council's expectations for the meetings. Following discussion about the timing of last visits by vehicles in each day, it was suggested that it should be specified in the condition controlling the hours in which approved operations were able to be carried out that vehicle movements associated with the development were required to be carried out within the same hours of operation.

Members expressed concern that the applicant company might seek to continue with the development beyond the permitted period, and suggested that this would be intolerable. The Strategic Director's representative observed in response that if any application was made for a permission extending the period it would have to be duly considered on behalf of the Council. He also predicted that in such a case it would be unlikely for

permission to be granted by the Council, particularly bearing in mind that the Committee authorising the existing permission in 2012 had clearly found that the location was not suitable to remain in use for waste recycling beyond that period. He explained that the siting of waste recycling at the quarry despite its rural location had had a historic justification on a temporary basis through contributing material for use in quarry restoration but that there was no apparent justification for the co-location being permitted to continue for any additional period, particularly since modern trends in waste management were restricting the supply of waste derived material that could now be considered appropriate for use in land restoration, and modern quarry restorations often avoided replacement of land to previous contours.

RESOLVED (1) to authorise the grant of planning permission in respect of application under Code No CW1/1213/140, subject to:

- (a) the prior completion of an agreement under Section 106A of the Town and Country Planning Act 1990 to ensure that the planning obligations entered into by agreement which relate to the existing planning permission under code no CW1/0612/22 also apply in respect of the permission to be granted; and
- (b) the imposition of the conditions contained within the report of the Strategic Director for Economy, Transport and Environment, except for revision to the wording of condition 8 to specify that all activities under the permission, including all relevant vehicle movements must take place within the hours of operation set in the condition.

(2) to request that the Strategic Director when issuing a grant of permission as so authorised provides the applicant company that an informative note – emphasising the continuing requirement for the approved scheme details for establishment of local liaison meetings to be implemented as approved for the duration of the development recommending that such meetings are arranged to take place on a regular basis at least every four months , and providing guidance on appropriate methods for ensuring that all relevant parties received sufficient prior notification of such meetings.

61/14 PROPOSAL FOR THE DEMOLITION OF THE EXISTING “TERRAPIN” CLASSROOM AND THE CONSTRUCTION OF A PURPOSE BUILT SINGLE CLASSROOM AT WIRKSWORTH C OF E CONTROLLED INFANT SCHOOL, NORTH END, WIRKSWORTH APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NOS: CD3/1113/131 AND RD3/1113/132) The application proposed the demolition of a prefabricated classroom unit and the redevelopment of a purpose built classroom extension to match the existing school. The building was listed and located in the

Wirksworth Conservation Area and, therefore, listed building consent was required by the Secretary of State for Communities and Local Government.

Details of the proposal, together with comments received from consultees and following publicity, were given in the report. Two letters of objection and one letter of support for the proposal and were summarised in the report.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations including statements of Government policy in the National Planning Policy Framework had also been taken into account.

The key planning considerations for the application were need for the development, ecology, landscape and other visual impacts, built heritage, noise and highways, and these were examined in the report.

The Strategic Director concluded that subject to the recommended conditions the proposal did not conflict with the adopted national and local planning policies and the development would not have an adverse effect on the amenity of the Wirksworth Conservation Area.

RESOLVED (1) to inform the Secretary of State, via Derbyshire Dales District Council, that Derbyshire County Council has no objection to the application for relevant demolition in a Conservation Area; and

(2) that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment except for revision to the wording for condition 10 by changing the term “a bat emergence and dawn swarming survey” to “a bat emergence and/or dawn swarming survey”.

62/14 PROPOSED TWO BAY MODULAR CLASSROOM AT KENSINGTON JUNIOR SCHOOL, ST JOHN’S ROAD, ILKESTON
APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD8/0614/38)

Details of the proposal were contained in the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations including statements of Government policy in the National Planning Policy Framework had also been taken into account.

The key planning considerations for the application were need for the development, and landscape and other visual impacts, and these were examined in the report. The Strategic Director concluded that the proposal was appropriate for the location and accorded with relevant national and local planning policies.

RESOLVED that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

63/14 PROPOSED TEMPORARY DOUBLE MODULAR
CLASSROOM AT STENSON FIELDS PRIMARY COMMUNITY SCHOOL,
GOATHLAND ROAD, STENSON FIELDS, DERBY APPLICANT:
DERBYSHIRE COUNTY COUNCIL (CODE NO: CD9/0614/39) Details of the proposal were contained in the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Nine letters of objection to the proposal had been received and were summarised and addressed in the officer's report. The main concern related to traffic issues.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations including statements of Government policy in the National Planning Policy Framework had also been taken into account.

The Strategic Director commented that the temporary double modular classroom was required for a two year period from September 2014 which would allow for an additional 32 pupils and 4 members of staff. The key planning considerations for the application were need for the development, landscape and other visual impacts, and highways and these were examined in the report. The Strategic Director considered that although there would be a modest increase in pupil numbers the proposal would not have an adverse impact on local amenity and that the proposal was accorded with relevant national and local planning policies.

RESOLVED that planning permission be granted, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

64/14 CURRENT ENFORCEMENT ACTION The Strategic Director for Economy, Transport and Environment's representative at the meeting reported that following complaints regarding operations at Eckington Drift Mine he had met with the owner of an adjoining business on 29 July to discuss problems at the site.

RESOLVED to receive the report on Current Enforcement Action.

65/14 OUTSTANDING APPLICATIONS RESOLVED to receive the list on decisions outstanding on 11 August 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

66/14 CURRENT APPEALS/CALLED-IN APPLICATIONS RESOLVED to note the report on current appeals/called-in applications relating to County matters.

67/14 DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING RESOLVED to receive the Planning Services Development Management Monthly Performance Management Statistics for July 2014.

68/14 MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS RESOLVED to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 24 July 2014

- 1 Section 73 Application not to Comply with Previous Planning Conditions of Planning Permission CM6/1211/128, at the Camping and Caravanning Site, Bullock Lane, Riddings
Applicant: Mr and Mrs Whiting
Planning Application Code No: CM6/0614/34
- 2 Proposal for a Change of use from Shop to Temporary Library at 3 Ray Street, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0614/35
- 3 Proposal to Install a Kiosk at Milton Sewage Treatment Works, Meadow Lane, Milton
Applicant: Severn Trent Water Limited
Planning Application Code No: CW9/0514/16

(b) 31 July 2014

- 1 Proposed Section 73 Application not to Comply with Conditions 1 and 2 (Duration of Development) of Planning Permission Code Number CW2/0311/171 at Unit 6 and 7 Sheepbridge Industrial Estate, Chesterfield
Applicant: Ash Waste Recycling Ltd

Planning Application Code No: CW2/0514/11

- 2 Proposed Extension to Form a New Office Area at Dronfield Henry Fanshawe School, Green Lane, Dronfield
Applicant: Derbyshire County Council
Planning Application Code No: CD4/0614/40
- 3 Application for Non-Material Amendment at Longford C of E Controlled Primary School, Longford, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0614/27
- 4 Delegated Decisions on Schemes Required by Planning Conditions:
 - SW2489
 - SW2490
 - SD2601
 - SW2592

(c) 7 August 2014

- 1 Proposed Installation of a Two Classroom Extension with Link Corridor Incorporating a Canopy and Soft Play Area at Harpur Hill Primary School, Trent Avenue, Harpur Hill, Buxton
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0614/41
- 2 Proposed Installation of New Cladding and Insulation System at Norbriggs Primary School, Norbriggs Road, Mastin Moor, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0314/173
- 3 Proposal to Demolish the Existing School Out Building, Install Two Metal Sheds, Extend the Play Ground Area and Reposition the Existing Flag Pole at Little Eaton Primary School, Alfreton Road, Little Eaton, Derby
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0614/43
- 4 Proposal to Replace the Existing Access Ramp at the Sure Start Childrens Centre, Beauvale Drive, Cotmanhay, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0614/44
- 5 Proposed Single-Storey Classroom Extension and Landscaping at St Georges C of E Controlled Primary School, Church Street, Swadlincote

Applicant: Derbyshire County Council
Planning Application Code No: CD9/0514/30

6 Delegated Decision on Schemes Required by Planning Conditions:

- SW2600
- SD2599
- SD2602
- SD2610
- SD2605
- SW2606
- SD2594
- SD2595
- SD2603
- SD2604

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MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 1 September 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors S Freeborn (substitute Member, at reconvened meeting following site visits only), M Ford, Julie Hill (at reconvened meeting only), R L Hosker, R Mihaly, R A Parkinson, P Smith (at reconvened meeting only), T Southerd and J Twigg.

Apologies for absence were received from Councillor B Wright.

No Declarations of Interest were received.

No Significant Lobbying had been received.

69/14 **SITE VISITS** In accordance with the Code of Practice the Committee visited the sites at Hollington (Minute No 71/14) and Shardlow (Minute No 72/14).

70/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 11 August 2014 be confirmed as a correct record and signed by the Chair.

71/14 **PROPOSED CONSTRUCTION AND USE OF AN ANAEROBIC DIGESTER, WITH FEEDSTOCK BUILDING AND ASSOCIATED STRUCTURES ON LAND AT MARSH HOLLOW FARM, MARSH HOLLOW, HOLLINGTON APPLICANT: MR G NICKLIN (CODE NO: CW3/0514/17)** The proposal sought permission for the development and use of an on-farm anaerobic digestion unit with a combined heat and power plant (CHP), which would involve the construction of a series of large buildings and structures. The proposed equipment would handle and process up to 9,000 tonnes annually a combination of organic farm manure, arising from the applicant's working pig farm, together with imported farm wastes including those arising from a nearby poultry farm, and cattle slurry from a neighbouring dairy farm. The proposed plant would produce a soil conditioner and biogas which was proposed to be used both at the applicant's farm and the adjoining poultry farm and generate heat and electricity from the CHP.

Details of the proposal, including the history of the site, were contained within the report of the Strategic Director - Economy, Transport and Environment, together with comments received from consultees and following publicity. Objections had been received from the local Member, Councillor A Lower on the grounds that the development would be intrusive and generate extra vehicle movements. Hollington Parish Council had objected on the grounds of safety of the proposed plant, that the development was industrial not agricultural, the potential for import of wastes as and when without being monitored, an increase in traffic to and from the site on roads which were not suitable, and the detrimental impact of the proposal on Hollington. A number of objections to the proposal had been received as a result of publicity and these were summarised in the report. One letter of support had also been received. The comments/objections received were addressed in the planning considerations section of the report.

The application had been considered in accordance with Section 38(6) of the Town and Compulsory Purchase Act 2004; other material consideration, including the National Planning Policy Framework and Planning Policy Statement 10 had also been taken in to account. It was considered that the key issues raised by the application were the visual impact of the development and whether the introduction of the new buildings and structures would harm the appearance of the landscape, the potential impact of the development on the local highway network, and the cumulative impact of the proposals on local amenity, in particular traffic, odours and noise. These issues were examined in the report.

The Strategic Director commented that the pig farm was a relatively new and intensive enterprise, but was now established and operating with relevant planning consents for relevant buildings. He considered that the provision of the proposed facility offered several potential benefits; it was important and necessary from an environmental, economic and operational viewpoint to deal with the wastes arising from the farm in a modern sustainable manner and would assist with the Government and County Council's continuing and urgent commitment to reduce methane emissions, recycle and reuse waste, and in this case produce heat and electricity. He was, however, mindful of the concerns and objections received and raised predominantly from local people, and also the recent planning history relating to the farm. Whilst the proposal would bring some changes to the area, having taken detailed advice from the consultees in the planning process, including the Environment Agency and the Environmental Health Officer, he did not find that the proposal would be detrimental. It was his opinion that the amenities of the residents and the integrity of the countryside would not be threatened generally. He considered that the proposal was not in conflict with development plan policy or current Government guidance.

The following two individuals who had representations in objection regarding the application addressed the Committee –

Mr Holland did not regard the facility as being sustainable, it would not be 'green' because of transport requirements, the required tankers vehicles would be too wide for the roads, smells would affect tourism, it was the wrong development in the wrong place, the cheap electricity produced would be at the expense of the local community and asked the Committee to consider the effect on local residents. He referred to remarks about an explosion followed by a leakage of sludge from an anaerobic digestion plant at Harpur Adams University which were in a paper supplied by him which had been circulated and two photographs, which showed an articulated lorry on a single track section of road and a single track section with a slurry tank trailer being towed on it.

Mr Merkins lived in the closest residential property to the development. He stated that his objections related to traffic, pollution, noise, and visual impacts. He doubted the correctness of the figures in the report relating to traffic movement. He commented that the community had no mains water and so relied on groundwater and was very concerned about any pollution. He was also concerned about the cumulative effect of the proposal and other activities in the area, and about the possibility of future expansion of the plant.

The agent for the applicant, Mr Williams, also addressed the Committee. He commented that the farm diversification was supported by national planning policies and that the proposal would be an improvement to the farm. He considered that the officer's report covered the objections raised and noted that none of the technical consultees had objected. The site would require an Environmental Permit with conditions.

Following a question about noise, the Strategic Director's representative commented that CHP plants were generally not noisy but the Environmental Permit would include noise level requirements.

Councillor Hill asked what measures would be in place in case of a biohazard which affected the watercourse. The applicant was invited to respond to the question and explained that a leak detector system would be in place and the plant would be monitored continually by the plant provider and that he would be alerted if any problems were detected. The Strategic Director's representative commented that the Environment Agency had not raised any concerns in this respect and would be the responsible authority regarding action following such an incident.

Councillor Hill also commented on the width of tankers and the photographs within the circulated paper and asked if there were any passing

places on the roads to the farm. The Strategic Director's representative commented that the road was single track with no passing places but that the Highways Authority had been satisfied that traffic would not have more than a minor impact.

Councillor Mihaly suggested that the recommended condition 11 relating to vehicle movements and delivery times during construction should be strengthened by requiring construction traffic to keep to an approved route. The Strategic Director's representative indicated in response that the conditions attached to any permission could be altered to include a suitably worded provision to require compliance with a scheme to be submitted to and approved by the Council prior to commencement for keeping construction traffic travelling to and from the development to a route via the A52. Members expressed agreement with the addition of such a provision.

RESOLVED that planning permission be granted, subject to the conditions set out in the report of the Strategic Director - Economy, Transport and Environment, except with the inclusion by the Strategic Director of a provision to require compliance with a scheme to be submitted to and approved by the Council prior to commencement for keeping construction traffic travelling to and from the development to a route via the A52.

72/14 PROPOSED EXTENSION TO SAND AND GRAVEL WORKING AT THE SHARDLOW QUARRY ONTO LAND KNOWN AS THE 'WESTON EXTENSION' WITH RESTORATION TO AGRICULTURE AND BIODIVERSITY, RETENTION OF EXISTING PROCESSING FACILITY, INFRASTRUCTURE, ACCESSES AND ANCILLARY DEVELOPMENT WITH RESTORATION TO AGRICULTURE AND WATER HABITATS AT SHARDLOW QUARRY, ACRE LANE, SHARDLOW APPLICANT: HANSON QUARRY PRODUCTS EUROPE LTD (CODE NO: CM9/0811/53) The proposal was for an extension to an existing sand and gravel quarry to obtain a further 4 million tonnes of mineral over an eight year period. It was proposed to restore the site to pre-extraction levels and to agricultural usage by backfilling with inert waste and Pulverised Fuel Ash (PFA). This would take a further two years to complete. Details of the proposal, including the history of the site, were contained within the report of the Strategic Director - Economy, Transport and Environment, together with comments received from consultees and following publicity, including objections received from Save Aston Village Environment (S.A.V.E). These issues were addressed in the report.

The application had been considered in accordance with Section 38(6) of the Town and Compulsory Purchase Act 2004; other material consideration, including the National Planning Policy Framework and National Planning Practice Guidance had also been taken in to account. It was noted that the

site was not allocated for mineral development in the current Minerals Local Plan, although the Plan did provide for exceptions such as an extension to an existing site. It was considered that the main issues for the determination of this proposal were the need for the mineral as assessed against the latest demand/supply information, the environmental acceptability of the proposed method of working at this site at this point and whether or not there would be any significant cumulative impacts. These were examined in the report.

It was noted also that processing this application might affect the applicant's sand and gravel site at Potlocks Farm near Willington, since it was subject to an existing planning obligation under section 106 of the Town and Country Planning Act 1990, which was designed to provide protection against further working of the mineral planning permission. The obligation for the site had been provided due to its archaeological importance as the location of part of an ancient cursus. The addition to the applicant's permitted sand and gravel reserves under a grant of permission in this case, in combination with the planning obligation for Potlocks Farm would enable the planning permission for Potlocks Farm to be revoked without resort to compensation payment.

Taking account of the latest information available from the Local Aggregate Assessment work, the Strategic Director was satisfied that there was currently a need for the mineral from the proposed development. He was also satisfied that it could be obtained in an environmentally acceptable manner, subject to full adherence to the proposed amendments to the form of the development and other requirements detailed in the Strategic Director's report. He considered that it would contribute to the sand and gravel apportionment requirements for Derby and Derbyshire for the period up to 2030 and that the site and the proposed method of operations, including mitigation measures, would meet the requirements of the policies of the current Minerals Local Plan. The Strategic Director commented that if planning permission was granted, it would be necessary for the applicant to enter into another legal agreement pursuant to the Town and Country Planning Act 1990, Section 106, as substituted by the Planning and Compensation Act 1991, to secure similar obligations to those that were entered into for the grant of planning permissions CM9/900/48 and CM9/0211/163.

Mrs Plough addressed the Committee regarding her objections to the proposal. She was a local resident who had motor neuron disease and could not leave her house without assistance. She stressed that the extension to the quarry would affect her independence. She did not believe that the requirements for low levels of noise and dust would be met. Vehicles would create dust and noise pollution and the Donnington Park hill would be an amplifier of the grinding noise of operations. The planting of conifers would

provide a foreign landscape alongside current deciduous trees. She contended that the lives of residents would suffer and that their human rights were being overlooked.

Members who had visited the site expressed the view that the proposal contained an adequate buffer for local residents.

RESOLVED that planning permission be granted, subject to (1) the completion of an agreement under section 106 of the Town and Country Planning Act 1990 to secure planning obligations considered by the Strategic Director for Economy, Transport and Environment and the Director of Legal Services to make satisfactory provision for:

- Phasing of working (extraction and restoration)
- Restriction on working new areas in advance of restoration of earlier extraction areas
- Type of permitted infilling materials
- Bird Hazard Management Plan
- Water Pumping Operations
- Vehicle Routeing/Access/Egress
- Replacement of those Section 106 obligations contained in agreements or undertakings that were entered into with the grant of the planning permission code no. CM9/900/48 and planning permission code no. CM9/0211/163 to vary conditions 2 and 33 of planning permission Code No CM9/900/48 to permit the use of Pulverised Fuel Ash (PFA) to infill the mineral workings at Shardlow Quarry; and

(2) the conditions set out in the report of the Strategic Director - Economy, Transport and Environment;

and that the existing liaison committee for Shardlow Quarry be continued for the duration of development at this site.

73/14 PROPOSED EXTENSION OF TIME FOR THE SUBMISSION OF AN APPLICATION UNDER THE ENVIRONMENT ACT 1995 (SCHEDULE 14) FOR APPROVAL OF CONDITIONS TO WHICH A PLANNING PERMISSION IS TO BE SUBJECT (FIRST PERIODIC REVIEW OF MINERAL PLANNING PERMISSION OR 'ROMP' APPLICATION) AT DOWLOW QUARRY, STERNDAL MOOR, BUXTON (PLANNING PERMISSION CODE NUMBERS 1986/9/10 (DISPOSAL OF MINERAL WASTE/MINERAL WINNING AND WORKING), HPK/680/675 (DISPOSAL OF MINERAL WASTE), CM1/1292/57 (DISPOSAL OF MINERAL WASTE) APPLICANT: HOPE CONSTRUCTION MATERIALS LTD Hope Construction Materials Ltd had asked for the agreement of the Mineral Planning Authority to further postpone the date by which an application had to be made to

determine a new scheme of conditions, to which the above planning permissions related, from 28 April 2015 until 28 April 2016. The applicant's reasons for making this request were to enable detailed ecological and other survey work to be undertaken.

The report of the Strategic Director - Economy, Transport and Environment considered the request and the potential consequences of such an extension of time. The Strategic Director concluded that he did not foresee any immediate threat to the environment which would call for a more urgent reconsideration of the Schedule of Conditions approved in 1998 than would be the case with the due date being extended to 28 April 2016, as requested.

RESOLVED to authorise the Strategic Director – Economy, Transport and Environment to agree in writing to the due date for the submission of an application under paragraph 6 of Schedule 14 of the Environment Act 1995 for approval of new conditions to which planning permissions 1986/9/10 (disposal of mineral waste/mineral winning and working), HPK/680/675 (disposal of mineral waste), and CM1/1292/57 (disposal of mineral waste) at Dowlow Quarry are to be subject becoming 28 April 2016.

74/14 FIRST PERIODIC REVIEW OF MINERAL PLANNING PERMISSION UNDER SCHEDULE 14 OF THE ENVIRONMENT ACT 1995 FOR APPROVAL OF NEW CONDITIONS AT DOVEHOLES QUARRY, DOVE HOLES, BUXTON APPLICANT: CEMEX UK MATERIALS LTD (CODE NO: R1/0313/26) In accordance with the Review of Mineral Permissions (RoMP), a new scheme of conditions had been submitted by Cemex UK Materials Ltd under the requirements of the Environment Act 1995 to update planning controls on future operations at Doveholes Quarry, Dove Holes, Buxton under four planning permissions 1986/6/16, CHA/1259/18, CHA/1271/23 and CM1/1293/108. The scheme, together with an Environmental Statement, provided details of the proposed working of the site, environmental protection, the form of restoration and the suggested planning conditions under which the site should be worked. Details of the proposals, together with comments received from consultees, were contained in the report of the Strategic Director - Economy, Transport and Environment.

The Strategic Director had assessed the RoMP application against the relevant development plan policies; the National Planning Policy Framework and National Planning Practice Guidance had also been taken in to account. Members were reminded that the application under consideration was a RoMP which comprised a review of the conditions under which existing mineral permissions should operate and that the determination of a RoMP application did not call into question the existence of the planning permission(s).

He concluded that the current application significantly improved the environmental controls currently in place at the site, particularly with regard to landscape and visual impacts, ecology, noise and hydrology and hydrogeology, and that the scheme now largely addressed the requirements and environmental parameters of policies, and he was satisfied that the proposals did not conflict with the development plan. He commented that the schedule of conditions in the Officer's Recommendation has been agreed between the parties and would bring appropriate updates and much improved control over, amongst other matters, the environmental effects, method of working, landscaping, restoration and aftercare of the Doveholes Quarry site in line with modern planning permissions and the requirements of consultees. Where conditions had been altered, the Strategic Director had borne in mind, in each case, the potential effect on working rights and the asset value of the site. In his opinion, the working rights of the land or mineral owner were not significantly affected.

RESOLVED that the conditions set out in the report of the Strategic Director - Economy, Transport and Environment be approved for the purposes of Paragraphs 6 and 10 of Schedule 14 of the Environment Act 1995, as the new conditions for the Strategic Director – Economy, Transport and Environment to issue in respect of planning permissions 1986/6/16, CHA/1259/18, CHA/1271/23 and CM1/1293/108, to replace the schedule of conditions previously approved under the Initial Review (R1/0697/2) dated 19 March 1998.

75/14 PROPOSED DIVERSION OF BEELOW LANE TO ALLOW THE CONTINUED IMPLEMENTATION OF PLANNING PERMISSION R1/0697/2 AT DOVEHOLES QUARRY, DOVE HOLES, BUXTON
APPLICANT: CEMEX UK MATERIALS LTD (CODE NO: CM1/0212/164)

The application was to construct a road to replace the section of the road known as Beelow Lane, which crossed Doveholes Quarry. The continuation of permitted mineral extraction operations at the quarry would require the removal of the existing section of road. Details of the proposal, including the history of the site, together with comments received from consultees and following publicity, were contained in the report of the Strategic Director – Economy, Transport and Environment.

The application had been considered in accordance with Section 38(6) of the Town and Compulsory Purchase Act 2004; other material consideration, including the National Planning Policy Framework, had also been taken in to account.

The Strategic Director concluded that whilst the development would have the potential to result in adverse impacts associated with the construction of the new road, in considering the short term nature of those

works, and the design and scale of the proposals, he was satisfied that the development would not impact adversely on the setting of the Peak District National Park, the biodiversity of the area or the amenity of nearby local residents or the users of the rights of way network. He considered that the development was required as a consequence of the on-going quarrying operations at Doveholes Quarry and would enable mineral working to move northwards into Bee Low Quarry. There were no objections to the proposal from a highway safety point of view and the Strategic Director was satisfied that it would accord with the requirements of the development plan.

RESOLVED that planning permission be granted in respect of the application under Code No CM1/0212/164, subject to the conditions contained within the report of the Strategic Director – Economy, Transport and Environment.

76/14 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

77/14 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 1 September 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

78/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

79/14 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for August 2014.

80/14 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 14 August 2014

- 1 Proposal to Install a Storage Container at Copthorne Community Infant School, Rodgers Lane Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0714/47

- 2 Application for Non-Material Amendments at Whitworth Hospital, 330 Bakewell Road, Matlock
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0714/28

- 3 Delegated Decision on Schemes Required by Planning Conditions:

- SD2545

(b) 21 August 2014

- 1 Proposed Erection of a Single-Storey Classroom, Replacement Canopy and Playground Extension at Norbriggs Primary School, Norbriggs Road, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0214/169

- 2 Delegated Decision on Schemes Required by Planning Conditions:

- SM2316

(c) 28 August 2014

- 1 Proposed Installation of a Canopy at Brimington Manor Infant and Nursery School, Manor Road, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0714/49

- 2 Proposed Installation of a Metal Storage Container at Dunston Lane, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/0714/51

- 3 Application for Non-Material Amendments to Planning Permission CM9/0805/73 at Elvaston Pit Northern Extension
Applicant: Lafarge Tarmac
Planning Application Code No: NMA/0714/29

- 4 Not for Publication – Contains Information Relating to the Proposed Service of Notices Imposing Requirements on a Person and Proposed Legal Proceedings by the Authority (Schedule 12A, Part 1, Paragraphs 5 and 6, Local Government Act 1972)

Proposed Enforcement Action in Relation to a Breach of Planning Control

MINUTES of a meeting of the **PENSION AND INVESTMENT COMMITTEE**
held at County Hall, Matlock on 11 June 2014

PRESENT

Councillor W Burrows (in the Chair)

Derbyshire County Council

Councillors D Collins, R Davison, S J Ellis, M V Longden, S Marshall-Clarke,
C R Moesby (substitute member), and D J Wilcox

Trade Union Representatives

N Read – Derbyshire County Unison

Investment Advisers

Mr J Somers – Aviva
Mr A Stevenson

Apologies for absence were submitted on behalf of Councillors S Freeborn, B Shanker, M Tittley and Mr P Berrisford

33/14 **MINUTES RESOLVED** that the minutes of the meetings held on 19 March and 19 May 2014 be confirmed as a correct record and signed by the Chair.

34/14 **ECONOMIC BACKGROUND AND RECENT INVESTMENT MARKET RETURNS** The consensus Global GDP growth forecast for 2014 was 2.9% and 3.2% for 2015. The 2014 growth outlook for Western economies remained mixed, the US was forecast to grow at 2.5%, the UK by 2.9% and the Eurozone by 1.1%. Elsewhere, 2014 GDP growth forecasts ranged from 4.5% for Asia Pacific, 2.2% for Latin America and 1.3% for Japan.

Within the UK, in the first quarter of 2014, GDP had grown by 0.8%, contributing to the strong 3.1% year on year figure, with some forecasters expecting an even stronger outturn for the second quarter. Q1 growth had been broad based with the manufacturing sector expanding at its fastest rate for some time, and the services sector had also delivered robust growth in the quarter. This had raised the question of when and by how much the Bank of England's Monetary Policy Committee would raise interest rates, and further pressure to raise interest rates was coming from fears of a developing housing bubble. The Monetary Policy Committee had voted to hold the interest rate at 0.5% at its meeting in May. The consensus forecast for UK GDP growth was

2.9% for 2014 and 2.5% for 2015, and the consensus forecast for CPI inflation was 1.9% in 2014 and 2.0% in 2015.

With regard to the USA, Q1 GDP had grown by 0.1% with cold weather affecting supply chains and economic activity, although the impact had been much worse than expected. Personal spending had remained strong and the jobs recovery had continued. Q2 was expected to pick up and the consensus forecast of 2.5% GDP growth for the year looked reasonable. Interest rates looked set to remain low. The Federal Reserve Open Market Committee had continued to gradually taper its quantitative easing programme, which now equated to \$45bn per month. Consensus estimates for GDP growth for 2014 and 2015 were 2.5% and 3.1% respectively, and CPI inflation was forecast at 1.8% for 2014 and 1.9% for 2015.

In Europe, high unemployment and high taxes continued to hold back consumer spending and economic growth, so the outlook remained fragile. Eurozone Q1 GDP had grown by 0.2% which was lower than the 0.4% expected. Germany had posted strong growth of 0.8%, in sharp contrast to the French economy which had showed no increase. Spain had showed a 0.4% rise, Italy had fallen by 0.1% and in the Netherlands, the economy had declined 1.4%. The continued strength of the Euro had constrained Eurozone exporters and, although exports were growing faster than imports in the region, they were yet to show a strong recovery. The European Central Bank had continued to hold the base rate at 0.25%, although this could be cut further to make the Euro more competitive. The forecast for 2014 GDP growth for the Eurozone as a whole was 1.1% and 1.4% for 2015. CPI inflation was forecast at 0.8% and 1.3% respectively.

In Germany, Q1 GDP had grown 0.8%, with indications of a steady recovery. Forecasters expected 2014 growth to continue via increased domestic consumption and demand for German exports as the global recovery progressed, although currency strength would play a part. Real wage growth and low unemployment should support consumer spending over the coming year. GDP forecasts for 2014 and 2015 were 1.9% and 2.0%, with CPI inflation forecast at 1.3% and 1.9% respectively.

Q1 2014 GDP in France had been flat, with only inventories and public spending making any positive contribution to growth. France had committed to cutting public spending by €50bn by 2017 and the new Prime Minister had sought to soften this policy by announcing new tax cuts of €11bn for firms and households. Consensus estimates were for GDP growth of 0.8% in 2014 and 1.3% in 2015. CPI inflation was expected to be 1.0% for 2014 and 1.3% for 2015.

In Italy, Q1 2014 GDP had fallen 0.1%. Domestic demand remained low, with unemployment very high and youth unemployment at 42.7%. Export

demand from EU countries showed a brighter picture as did real wage growth, but the overall recovery remained fragile. GDP growth for 2014 was forecast at 0.6% and at 1.1% for 2015. CPI inflation of 0.8% and 1.1% were forecast for 2014 and 2015 respectively.

In Japan, consumers had increased their purchases in Q1 to avoid suffering the higher sales tax which had come into effect on 1 April. This had pushed Q1 GDP higher than it would otherwise have been, with lower consumer spending expected in the coming months. Unemployment remained very low, which could lead to wage rises, encouraging spending and inflation over the longer term. An essential part of the Government's economic plan was that wage rates should increase so that consumer spending did not become stunted as inflation rises. The recovery in business investment remained on track and the rising level of capacity utilisation pointed to a continuing rise in investment despite a temporary post-tax hike drop in demand short term. GDP growth was forecast at 1.3% for 2014 and 2015. Inflation was forecast at 2.6% for 2014 and 1.8% for 2015.

Over the past three months, the FT Asia-Pacific ex Japan Index had staged a recovery, bouncing by nearly 6%. There had been a wide divergence of performance across the region, with India being ahead by nearly 24% and erasing earlier declines as political sentiment improved and Shanghai down 7% on property bubble worries. Hong Kong had barely changed and Australia had moved ahead 6%. Although Asian growth expectations continued to comfortably outstrip those of other regions, there had been some reining back of expectations recently. Asian markets had continued to watch developments in Japan, as they would be first in line to benefit from a Japanese economic recovery. Q1 GDP growth figures had shown mixed results, with China and Indonesia slowing but Taiwan and South Korea picking up. In China, GDP growth had fallen from 7.7% to 7.4% in Q1 2014. For 2014, the consensus forecast GDP growth for China was 7.3%, Philippines 6.4% and Indonesia 5.3%. Consensus forecasts for 2014 CPI inflation were for China 2.5%, Philippines 4.1% and Indonesia 6.3%.

Recent data had suggested that growth across emerging markets had slowed again. Having experienced a weak start to 2014, the US economy was expected to rebound over the coming months and this would boost several emerging markets, such as Mexico and parts of Asia. In Brazil, although the longer term prospects remained encouraging, the near term was more problematical. Trade data had weakened on the back of slowing demand in China and the EU, and although inflation had moderated recently, it was believed that this could be temporary. In Latin America, although Brazil had a better long term outlook, Mexico had better shorter term prospects on the back of a US recovery and structural reforms in the economy. Further, the economy had not built up the imbalances evident elsewhere in Latin America, and the current account deficit remained relatively small, leaving it less

vulnerable than others to the withdrawal of stimulus by the Fed. Despite short term improving prospects, there remained concern over the exposure of countries such as Poland, Hungary and the Czech Republic in emerging Europe to the weak Eurozone. The region was also closely tied to the Eurozone financial system. Markets were expected to remain volatile, although valuations were not excessive and there had been recent positive trends in Poland. The upheaval in the Ukraine added further uncertainty. 'Frontier' markets remained interesting, with low correlation with other markets and low price:earnings ratings exacerbated by Middle East tensions.

The returns for the major asset classes for the period 1 February 2014 – 30 April 2014 were reported. Returns in the three months had ranged from a positive 6.6% from European equities compared to minus 6.7% from Japanese equities. Volatility remained a feature as investor risk appetite continued to wax and wane with the changing outlook on the Eurozone crisis, sovereign debt levels, US monetary policy and global economic growth. Political instability, Middle East and Ukrainian tensions and widespread elections had exacerbated policy indecisiveness, heightening uncertainty.

RESOLVED that the report be noted.

35/14 ASSET ALLOCATION AND INVESTMENT STRATEGY The Director of Finance reported on the current asset allocation, and the proportion of the Fund held in each sector at 30 April 2014 was highlighted and compared with the asset allocation ranges previously approved by the Committee. Relative to its benchmark, the Fund was overweight in equities and cash, but underweight in bonds, property and alternative investments.

The Committee felt that the cash position was a serious issue, and that it needed to be closer to the benchmark as a matter of urgency. It was explained that a cash transfer had taken place in relation to the Probation Service, and this would help the situation but there would still be an overweight cash position. This would be considered further once the transfer had taken place.

Investment activity since the last meeting was reported. The Fund's investment assets were currently valued at £3,315.4m. A list of transactions since the last meeting and a copy of the latest portfolio were presented.

RESOLVED that the report be noted.

36/14 INVESTMENT STRATEGY The strategy reports of the Investment Advisers were presented, and Mr J Somers from Aviva and Mr A Stevenson attended the meeting. The Fund's latest asset allocation and the recommendations in relation to the Pension Fund's benchmark were highlighted.

Mr Williams had increased his allocation to Pacific ex Japan Equities by 1% with a corresponding 1.0% reduction in the allocation to Overseas Bonds. Aviva remained overweight in Equities, but had reduced its allocation to by 0.5% and had increased its allocation to Bonds by the same amount. Both advisors' recommendations for Property and Alternative Assets remained unchanged, Aviva being neutral across the board, whilst Mr Williams's recommendations were 4% overweight for Property, neutral for infrastructure and zero in Private Equity.

The recommendations had taken the views of the Investment Advisers into account, and these were detailed. The Committee discussed the recommendations that had been put forward, particularly where there were differing opinions from the external advisors. In terms of UK equities, it was suggested to increase the allocation to the permitted range whilst the benchmark was being reviewed. It was agreed to increase the allocation to 70% for three months, and then the situation would be reviewed

RESOLVED that the strategy outlined in the report be approved.

37/14 **INVESTMENT PERFORMANCE** The Fund's results for the final quarter of the fiscal year were compared with the benchmark index returns and WM Local Authority Average Fund. In Equities, the Fund had outperformed the benchmark in North America but had underperformed in UK, Europe, Japan, Pacific ex Japan and Emerging Markets. In Bonds, the Fund had outperformed the benchmark in UK Gilts and UK Index Linked, but had underperformed in Corporate Bonds. The Fund had outperformed its Property benchmark. Overall, the Fund had underperformed its benchmark return by 0.2% over the quarter.

The WM Average figures had not yet been finalised so were indicative. Apart from European and Pacific Equities, the under or out performance areas were the same as those against the benchmark. The Fund had underperformed the WM Local Authority Average overall by 0.2%.

Details were given of the performance of the Fund over 3, 5 and 10 years to 31 March 2014. The Fund had outperformed against its benchmark for the three and ten year periods, but had underperformed for the five year period. The Fund had matched the Local Authority Average Fund for the three year period and had outperformed it over the five and ten year periods.

RESOLVED that the performance be noted.

38/14 **LAPFF** The minutes of the LAPFF Business meeting held on 22 January 2014 were presented for information.

It was also confirmed that Councillor S Marshall-Clarke would be the County Council representative on the LAPFF.

RESOLVED that the minutes be noted.

39/14 VOTING ACTIVITY Details of the Fund's voting activity for the period 1 February 2014 – 30 April 2014 were given, along with a summary of votes against management proposals.

The Committee expressed a view in relation to the recent Turkish Mining disaster, and felt that the Fund should use its influence as shareholders to try and persuade investors not to invest in these companies, but if they were so minded, to encourage proper health and safety so that further disasters did not occur. This would be raised at the next LAPFF meeting.

RESOLVED that the report be noted.

40/14 INVESTMENT RISK MANAGEMENT SCHEDULE As prescribed in the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 and the Myners' Principles, the Committee was obliged to regularly review the risks associated with managing the Fund. The current risk management schedule was presented. In relation to performance, there had been performance relative to the benchmark index of more than +/- 2% in an asset category and absolute performance of any asset category of more than +/-3% during the previous quarter. There had been outperformance by bonds over equities during the previous quarter, and there had been changes in the investment approach within any part of the assets of the DCC Pension Fund. In terms of personnel, two new Fund Managers had taken up posts in April 2014.

RESOLVED that the report be noted.

41/14 CONSULTATION ON THE LOCAL GOVERNMENT PENSION SCHEME: OPPORTUNITIES FOR COLLABORATION, COST SAVINGS AND EFFICIENCIES Approval was sought for a response to the Department for Communities and Local Government's consultation on the opportunities for collaboration, cost savings and efficiencies in the Local Government Pension Scheme.

In 2010, Government had commissioned a review of public sector pensions and had appointed Lord Hutton to chair the Independent Public Service Pensions Commission. The purpose of this had been to make recommendations on how public service pensions could be made sustainable and affordable in the long term, while being fair to both tax payers and public sector workers.

In May 2013, a Local Government Minister had announced a call for evidence as an initial step in considering how to improve the efficiency and cost effectiveness of the LGPS. The responses to the call for evidence had been analysed and collated with supplementary cost benefits analysis of proposals for reform commissioned by DCLG from Hymans Robertson. This had led to the development of a further consultation by DCLG that had opened on 1 May 2014, and this had sought the views on the opportunities for collaboration, cost savings and efficiencies in the LGPS. The questions in the consultation were detailed, and the Derbyshire Fund needed to reply by the closing date of 11 July 2014. A proposed response was presented, and referred to two independent publications – the Hymans Robertson report and the State Street Global Services report ‘Lessons from Internally Managed Funds’. The response also commented on the potential use and limitations of Common Investment Vehicles, which could be more viable for managing Alternative Investments than for managing listed investments.

RESOLVED to note the Consultation document and to approve the response.

42/14 2013 ACTUARIAL VALUATION REPORT At its meeting in March 2014, the Committee had considered a report on the initial results of the 2013 Valuation carried out by Hymans Robertson, the Fund’s Actuary. At that time, there had been a number of outstanding queries relating to some of the employer’s proposed rates, and all of these had been resolved.

The Actuary had issued his final report on 31 March 2014, including the Rates and Adjustments Certificate which had set the minimum level of contribution payable by each employer. The Actuary’s report was presented. A summary of the content of the Actuary’s report had been included in the Committee report in March 2014, and that remained valid.

As individual employer contribution rates to take effect from 1 April 2014 had not yet been finalised, the earlier report had not included a full list of applicable rates. These were highlighted.

RESOLVED to receive the 2013 Actuarial Valuation Report.

43/14 LOCAL GOVERNMENT PENSION SCHEME GUARANTEED MINIMUM PENSIONS The Pensions Committee had previously approved a change in the processing of guaranteed minimum pensions (GMPs), and this had been to only apply the GMP from the next available month on the pensioner payroll and not claim back any overpayment from the pensioner. This would apply until the change of State Pension Ages was fully introduced in 2020. Since this, Government had now announced a number of further changes to the way GMPs should be dealt with and the National Insurance

Contributions Office (NICO) had also changed the process of obtaining timely GMP information that had impacted on this area of pensions. Additionally, the Committee had been made aware that a number of the overpayments of pensioners had been as a result of inaccuracies of information and the processing of GMPs.

Government had now announced plans to bring forward increases in SPA age to 67 and to introduce a regular five year review for considering future changes to the SPA. The first five yearly review would take place in the next Parliament in 2015, and this could mean that every five years the pension administration system calculations would need to change to take account of scheme member's amended SPAs. This made the calculation of future estimates virtually impossible as the reductions applied in the calculation could change every five years.

As part of the Chancellor's statement in December 2013, it was announced that the Government believed that future changes to SPAs should be based on the principle that people should expect to spend up to one third of their adult life in receipt of state pension. This implied that the increase of the SPA to 68 would be brought forward to the mid 2030s and the increase to 69 would occur in the late 2040s.

Due to the on-going changes to SPAs and the significant impact that this was having on the NICO, the NICO had amended its process for providing Funds with GMP information. Previously, a Pension Fund could request a GMP at any time for a scheme member, and this gave the Fund time to calculate the scheme member's pensions benefits correctly and to allow for the correct payment of future pensions increase. Now, the NICO only allowed Funds to request GMP data in the month the person received SPA. It could take up to six months to then receive the GMP, check it, write to the scheme member with possibly amended retirement figures, amend pensioner payroll and then try to reconcile the pension and payroll systems. The Pensions Manager had written to the NICO to complain about the delay, but to date, no reply had been received. Whilst the NICO was aware of the issues that this was causing Pension Funds, it had not changed the process.

Members felt that a letter should be submitted to the NICO, on behalf of the Committee, to further express the concerns raised. It was also suggested to lobby the Local Government Association as this was a national issue, and it was agreed that the Pension Manager would raise this at a national meeting on behalf of the East Midlands. It was also felt that private employers needed to be informed of the position, and it was agreed that the Chair of the Committee and relevant officers would meet with the Chief Executive and Leader of the Council to explain the situation and to get a comment to submit on behalf of the County Council.

The Pensions Section was continuing to work through the reconciliation of the pension administration system and SAP. A significant number of the discrepancies were due to GMPs, many of which were correct on payroll but the pension administration system needed to be amended to reflect the GMP change on payroll. The Pension Section would continue to amend incorrect pensions already in payment, and would deal with the overpayment using the current process. However, where the GMP was being input after the pensioner's SPA, the Pension Section would continue to only adjust the pension in payment from the next available month. There were currently 325 cases where pensioners had passed their SPA and GMPs had not been applied.

Government had announced that from 2016, Pension Funds would pay the full pensions increase on GMPs. Whilst this was administratively simpler, it would increase the cost of pensions increase to the Pension Fund. At 31 March 2014, the Derbyshire Fund had approximately £8,840,000 of pre-88 GMP that the Fund would have to pay full pensions increase on from 2016. The Derbyshire Fund also had approximately £8,250,000 of post-88 GMP that the Fund currently paid pensions increase on up to 3% per annum, but would have to pay full pensions increase on from 2016. It was felt that the issue relating to pre/post 88 Pensions Increase needed to be raised with the Chief Executive and Leader of the Council, as this would put further pressure on the Pension Fund.

Pensions were met from the Pension Fund. From 2016, full pensions increase would also be paid out of the Pension Fund. Using the April 2014 pension increase rate of 2.7%, this would approximately increase the cost to the Fund in this financial year by £238,000. The financial cost per case was dependent on the value of the scheme member's GMP. The report in February 2012 had showed overpayments at approximately £100 per case, and a further review had been undertaken which had confirmed this.

RESOLVED that the Committee, in its role as administering authority, notes the on-going changes to GMPs and the impact this is having on the Pension Section, pensions in payment to pensioners and future increased costs to the Fund.

44/14 THE LOCAL GOVERNMENT PENSION SCHEME REVIEW OF THE VOLUNTARY SEVERANCE SCHEMES AND COMPULSORY REDUNDANCY AND THE DELEGATION OF DECISIONS ON COMPENSATION AND PENSIONS The Pensions Committee had last reviewed the Council's policy on its Voluntary Severance Schemes (VER, VR, and FR) and Compulsory Redundancy (CR) in 2010. Since then, the availability of the Schemes had been considered by Cabinet on a number of occasions, most recently at its meeting in June 2014.

The Council would continue to mitigate the need for compulsory redundancies by the use of a number of measures, including the use of Voluntary Severance Schemes. Whilst it was a matter for Cabinet to determine their affordability and availability, the detailed terms of the Schemes and individual cases were a matter for the Pensions and Investment Committee. Cabinet had decided to currently restrict the availability of the Voluntary Severance Schemes in relation to FR (not available for workforce reduction) and VR (not available to those aged 55-59). However, the terms of the Schemes from January 2011 were still considered to be appropriate so no changes were proposed.

The current delegated powers, agreed by the Committee at its meeting in March 2014, provided for the Chief Officer of the service to be given authority to deal with cases not exceeding £10,000, subject to consultation with the Chair of the Committee. In order that cases of VR, VER, FR and CR could be dealt with promptly and delays in serving notice could be avoided, it was proposed that the following delegation be continued:-

That decisions relating to compensation and the early release of pensions under Regulations made under Sections 7, 12 or 24 of the Superannuation Act 1972 be delegated to the Strategic Director of the service in consultation with the Chair of the Committee subject to legal, financial and HR advice being taken.

The costs associated with either Pension Fund shortfall or redundancy payments would be met from the resources identified as part of either General Reserves or in specific Provisions. The amount currently available to meet the costs from 2014/15 onwards stood at £7.5m.

RESOLVED to note (1) the Council's policy on the Voluntary Severance Scheme (VR, VER and FR) and CR as detailed; and

(2) that decisions relating to compensation and the early release of pensions under Regulations made under Sections 7, 12 or 24 of the Superannuation Act 1972 be delegated to the Strategic Director of the service in consultation with the Chair of the Pensions and Investment Committee, subject to legal, financial and HR advice being taken.

45/14 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public be excluded from the meeting during the Committee's consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meetings held on 19 March 2014 and 19 May 2014
2. To consider, as an Administering Authority, the exempt reports of the Director of Finance on:-
 - a) The Local Government Pension Scheme Governance Report – Prudential Additional Voluntary Contributions
 - b) Cases Currently being Abated in the Derbyshire Local Government Pension Scheme
 - c) Pensions Payment Process Review and Reconciliation
 - d) Pensions Payment Process Review and Reconciliation – Over and Under Payments
 - e) Update on the European Equity Portfolio
(contains information relating to any individual and information relating to the financial or business affairs of any particular person (including the Authority holding that information))
3. To consider, as an Administering Authority, a joint report of the Director of Finance and Director of Legal Services on a Stage 2 Appeal under the LGPS Internal Dispute Resolution Procedure (contains information relating to any individual)
4. To confirm the exempt minutes, as an Employing Authority, of the meetings held on 19 March 2014 and 19 May 2014
5. To consider, as an Employing Authority, the exempt report of the Director of Human Resources on the Early Release of Pension Benefits on Compassionate Grounds (contains information relating to an individual)

MINUTES of a meeting of the **PENSION AND INVESTMENT COMMITTEE**
held at County Hall, Matlock on 21 August 2014

PRESENT

Councillor W Burrows (in the Chair)

Derbyshire County Council

Councillors D Collins, R Davison, P Dunn (substitute member), S Freeborn, S Marshall-Clarke, R A Parkinson (substitute member) and J A Twigg (substitute member).

Apologies for absence were submitted on behalf of Councillors S J Ellis, M V Longden, B Shanker, M Tittley, and D J Wilcox.

55/14 EXCLUSION OF THE PUBLIC RESOLVED that the public be excluded from the meeting during the Committee's consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider as an Administering Authority the exempt report of the Director of Finance on Request by Vinci Construction UK Ltd for Admission Body Status (contains information relating to the financial or business affairs of any particular person)
2. To consider, as an Administering Authority, the joint reports of the Director of Finance and Director of Legal Services on:-
 - a) Stage 2 Appeal under the LGPS Internal Dispute Resolution Procedures – GHS (contains information relating to an individual)
 - b) Stage 2 Appeal under the LGPS Internal Dispute Resolution Procedures – GJG (contains information relating to an individual)

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 13 May 2014 at County Hall, Matlock

PRESENT

Councillor R Mihaly (in the Chair)

Councillors S J Bradford, S Brittain, C R Moesby and D Williams

Apologies for absence were received on behalf of Councillor L M Chilton.

27/14 **MINUTES RESOLVED** that the minutes of the meeting held on 25 March 2014 be confirmed as a correct record and signed by the Chair.

28/14 **ANNUAL GOVERNANCE STATEMENT AND SYSTEM OF INTERNAL CONTROL** Members were informed of the progress on the review of the County Council's compliance with Best Practice requirements in respect of the annual review of the system of internal control and the production of the Draft Annual Governance Statement. In accordance with previously stated aims the Annual Governance Statement now included details of the Council's compliance with International Auditing Standards which was reported separately in previous years.

The Annual Governance Statement would be included in the Council's Statement of Accounts for 2012-13.

RESOLVED that the information provided in the report be accepted as evidence of the Authority's effective compliance with the statutory requirement to produce an Annual Governance Statement and recommend it for inclusion in the Council's Statement of Accounts for 2013-14.

29/14 **FINANCE TIMETABLE** The Council was required to undertake key financial tasks annually, many of which were statutory such as setting a balanced budget and producing the final accounts. In order to ensure that the Council met the requirements and ensured that robust financial management procedures were in place, there were a number of key tasks which were planned and delivered throughout the year.

Appendix 1 provided a general overview of the budget setting, financial management and closedown processes which were fundamental in ensuring that the Council met its statutory and legislative financial requirements.

RESOLVED to note the details of the Finance Timetable.

30/14 LOCAL AUDIT AND ACCOUNTABILITY ACT 2014 The Local Audit and Accountability Act 2014 received Royal Assent on 31 January 2014. The key issues which were pertinent to local government were highlighted. In addition to the areas highlighted below, the Act also set out the Government's commitment to reduce the amount of publicity material produced by local authorities, and introduced powers to allow members of the public the right to attend all their public meetings and to have access to records relating to decisions taken by their officers.

Council Tax Referendums

Where a local authority was seeking to set an excessive tax increase, it could only be implemented if local electors voted in favour of it. The Act amended the council tax referendum provisions in the Local Government Finance Act 1992 so levies were included in the 'relevant basic amount of council tax', and therefore in a billing authority's calculation of whether its council tax increase was excessive for the purpose of determining whether a referendum was required.

Local Audit Framework

The Act delivered the Government's commitment to close the Audit Commission and replace it with a new local audit framework. The remaining functions of the Audit Commission would be distributed among the following organisations:

- **The National Audit Office (NAO)** would take on responsibility for the Code of Audit Practice and guidance which set out the way in which auditors carried out their functions. They would also take on the Audit Commission's responsibilities for conducting national value-for-money studies.
- **The FRC** would become the overall regulator of audit standards, mirroring the arrangements under the *Companies Act 2006*.
- The professional accountancy bodies were identified as "recognised supervisory bodies" charged with putting in place eligibility rules for those firms wanting to be appointed as local public auditors and the qualifications and experience required to be able to sign off a local audit report.
- Statutory responsibility for the National Fraud Initiative (NFI) would transfer to the Cabinet Office. NFI was an exercise that matched electronic data within and between public and private sector bodies to prevent and detect fraud.

Outside the new legislative framework the Audit Commission's work in helping to tackle fraud and corruption would transfer to a new Counter Fraud Centre being established by the Chartered Institute of Public and Accountancy (CIPFA).

The new audit framework would apply to a range of local public bodies including county and district councils, parish and town councils, fire and rescue authorities and clinical commissioning groups, special hospital trusts, police and crime commissioners and police chief constables.

The provisions relating to the new local audit framework took-up the vast majority of the Act's seven Parts and 13 Schedules. The main legislative provisions were highlighted.

RESOLVED to note the details of the Local Audit and Accountability Act 2014.

31/14 ANNUAL AUDIT FEE 2014-15 John Cornett from KPMG attended the meeting to confirm the audit work and fee that was proposed for the 2014-15 financial year. The proposals were based on the risk-based approach to audit planning as set out in the Code of Audit Practice and work mandated by the Audit Commission.

As the audit for 2013-14 had not yet been completed, the audit planning process for 2014-15 including the risk assessment, would continue as the year progressed and fees would be reviewed and updated as necessary. The proposed indicative audit and certification fees for 2014-15 were as follows:-

Audit area	Planned fee 2014-15
Code of Audit Practice audit fee – Derbyshire County Council	£167,141
Audit of Pension Fund	£28,672
Certification of grant claims and returns	£0

The audit fee was unchanged from the planned fee for 2013-14 and was in line with the scale fee recommended by the Audit Commission. Mr Cornett also informed the Committee that they would issue a number of reports relating to their work over the course of the audit and these were highlighted at Appendix 2 to the report.

RESOLVED to note the report.

32/14 PROGRESS REPORT AND TECHNICAL UPDATE Trudy Enticott from KPMG informed Members of the progress that had been made since the last meeting of the Audit Committee and also provided a technical update.

The final accounts visit, covering the audit of financial statements and the Annual Governance Statement would start in June. The detailed work would commence on 16 June 2014, with the on site visit commencing on 23

June 2014. This work would be completed before 30 September 2014, in line with statutory deadlines.

RESOLVED that the report be noted.

33/14 **EXCLUSION OF THE PUBLIC RESOLVED** to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 25 March 2014.

34/14 **MINUTES RESOLVED** that the exempt minutes of the meeting held on 25 March 2014 be confirmed as a correct record and signed by the Chair.

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 28 July 2014 at County Hall, Matlock

PRESENT

Councillor R Mihaly (in the Chair)

Councillors S J Bradford, S Brittain, L M Chilton, C R Moesby and D Williams

The Chair welcomed Carl Hardman in his new role as Assistant Director of Finance (Audit)

35/14 **MINUTES RESOLVED** that the minutes of the meeting held on 13 May 2014 be confirmed as a correct record and signed by the Chair.

36/14 **STRATEGIC RISK REVIEW** The Council undertook regular reviews of risks and the latest detailed assessment of the highest ranking risks formed the Council's Strategic Risk Register which had previously been circulated to Members. Whilst the Risk Register was designed to capture strategic risk which by its nature had a long time span, there were a number of changes to the register which was summarised in the appendix to the report.

As agreed at a previous meeting, the report to Committee had been changed so that only those risks where the score had altered were detailed in the appendix. These were highlighted by the Director of Finance.

RESOLVED that the report be noted.

37/14 **STATEMENT OF ACCOUNTS 2013-14** The Accounts and Audit Regulations 2011 required the Director of Finance to certify the Council's accounts for audit by 30 June each year, and the Audit Committee to approve the post audit version of the accounts before 30 September. The Council had previously agreed with the external auditor to complete the accounts two weeks ahead of the statutory deadline and subsequently the pre-audit Statement of Accounts were certified by the Director of Finance on 13 June 2014. The target date for issue of the ISA 260 Report by KPMG was the end of August.

The accounts were by nature a detailed, technical document and it was proposed to hold a training and information session for Members prior to the next Audit Committee in September to aid understanding and interpretation of the document. This was welcomed by Members and had proved extremely useful in the past.

On behalf of the Committee, the Chair wished to thank all officers involved in the production of the accounts. The Director of Finance echoed

these comments and thanked KPMG for all the hard work and assistance they had provided.

RESOLVED that the Pre-Audited Statement of Accounts for 2013-14 be noted.

38/14 PROGRESS REPORT AND TECHNICAL UPDATE The Director of Finance informed the Committee that this would be Trudy Enticott's last meeting of the Committee as she would be leaving KPMG in August. The Director of Finance reported that a good partnership had been established between officers and KPMG and thanked Mrs Enticott for her contribution and advice. On behalf of the Committee, the Chair wished to place on record his thanks for the work Mrs Enticott had carried out and wished her all the best for the future.

The report provided the Committee with an overview on progress in delivering the responsibilities as the external auditors. The report also highlighted the main technical issues which were currently having an impact in local government.

RESOLVED that the report be noted.

39/14 LOCAL AUDIT CONSULTATION In January 2014, the Local Audit and Accountability Act received Royal Assent. Secondary legislation was needed to give effect to the new local audit arrangements. This Local Audit Consultation sought views about the content of a large part of that proposed secondary legislation, which the Government would consider in refining the regulations. The Consultation, which began on 20 June 2014, ran for a period of four weeks, with responses invited by 18 July 2014. The sections of the Consultation that were relevant to the County Council were highlighted by the Director of Finance.

The Consultation asked for responses to eighteen questions and the full list of questions was attached as Appendix One to the report. The Council's response to the relevant eight questions was included at Appendix Two.

RESOLVED to note the Council's response to the Consultation on Local Audit.

40/14 REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL AUDIT An external review of the operation of Internal Audit was reported to the Audit Committee on 25 March 2014. The review was completed by PricewaterhouseCoopers (PwC) and they had provided an assessment of Internal Audit effectiveness that gave a positive assurance on the work of the Audit Services Unit during the past year.

Additionally, the External Auditor continued to rely on the work of Internal Audit for assurance purposes. Consequently, the Director of Finance was satisfied that the Internal Audit Service achieved adherence to the standards set out in the Code, and that this provided a sound basis from which the Council could gain assurance in respect of the effectiveness of internal audit.

RESOLVED that the Committee notes the report.

41/14 ANNUAL AUDIT REPORT 2013-14 Members were informed of the work undertaken by the Audit Services Unit for the financial year 2013-14 and updated on the overall performance against the Audit Plan. The Annual Report contained:-

- An analysis of planned and actual audit activity for 2013-14
- An analysis of reports issued, assurance levels and recommendations made and agreed.
- Productivity statistics
- Areas of good practice identified and areas for improvement in the current year
- Client satisfaction indicators for the Unit
- Results of the PwC review of Audit Services and arrangements for on-going monitoring of performance
- The Assistant Director of Finance (Audit) formal controls assurance statement and opinion which contributed to the Authority's Annual Governance Statement

The appendices to the report were considered in the exempt part of the meeting.

RESOLVED that (1) the Annual Audit Report for 2013-14 be received; and

(2) the Committee recognise the overall quality of the performance of the Audit Services Unit during the period.

42/14 EXCLUSION OF THE PUBLIC RESOLVED to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To consider the exempt report of the Assistant Director of Finance (Audit) on the Review of the Operations of the Audit Services Unit by PwC (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

2. To consider the exempt report of the Director of Finance, Director of Legal Services and Assistant Director of Finance (Audit) on the National Fraud Initiative (contains information relating to the prevention and detection of crime)

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 2 September 2014 at County Hall, Matlock

PRESENT

Councillor R Mihaly (in the Chair)

Councillors S J Bradford, S Brittain, L M Chilton, C R Moesby and D Williams

45/14 **MINUTES RESOLVED** that the minutes of the meeting held on 28 July 2014 be confirmed as a correct record and signed by the Chair.

46/14 **STATEMENT OF ACCOUNTS 2013-14** The Accounts and Audit (England) Regulations 2011 required the Director of Finance to certify the Council's pre-audit Statement of Accounts by 30 June and required the Audit Committee to approve the post-audit version of the accounts before 30 September. It was noted that the Council had previously agreed with the external auditor to complete the accounts two weeks ahead of the statutory deadline and subsequently the pre-audit Statement of Accounts were certified by the Director of Finance on 13 June 2014. The Finance Section was congratulated on achieving this.

The Statement of Accounts were made available for public inspection for four weeks from 16 June 2014 and no queries were raised.

There were no significant changes from the presentation of the Statement of Accounts 2012-13. The Statement of Accounts had again been prepared on almost a full International Financial Reporting Standards basis; formal implementation of the remaining transition, in relation to Transport Infrastructure Assets, was now expected in 2016-17.

A copy of the post-audit Statement of Accounts was presented for approval at Appendix 1. A schedule which summarised audit changes from the pre-audit version was provided at Appendix 2. A Briefing Note on the Statement of Accounts, ahead of the training which was scheduled for later in September, was included in Appendix 3. A copy of the letter of representation, outlining the responsibilities of the Chief Financial Officer for the Council's and Pension Fund's Statement of Accounts was included at Appendix 4.

Mr Handford, the Director of Finance, wished to thank the finance officers for the work they had carried out in producing the accounts. He also wished to thank internal audit and KPMG for the help and guidance they had provided throughout the year. On behalf of the Committee, the Chair echoed these sentiments.

RESOLVED that the Statement of Accounts for 2013-14 be approved.

47/14 REPORT TO THOSE CHARGED WITH GOVERNANCE (ISA 260) 2013-14 Mr Cornett, KPMG, presented a report which summarised the key issues identified during the audit of the financial statements for the year ended 31 March 2014 for both the Authority and its Pension Fund. The report also summarised the assessment of the Authority's arrangements to secure value for money (VFM).

Mr Cornett anticipated issuing an unqualified audit opinion on the Authority's financial statements by 30 September 2014. It was also reported that the wording of the Annual Governance Statement accorded with their understanding. The audit had not identified any adjustments to the financial statements presented. It was once again highlighted that the finance team had put considerable effort into preparing the accounts earlier than in previous years, and into improving the quality of the supporting working papers.

It was concluded that the Authority had made proper arrangements to secure economy, efficiency and effectiveness in use of its resources and it was therefore anticipated that an unqualified VFM conclusion would be issued by 30 September 2014.

Mr Cornett wished to thank officers for the support and assistance they had provided in enabling them to complete their work early. The Chair thanked Mr Cornett for his presentation.

RESOLVED to note the content and recommendations detailed in the report from KPMG and agree that the Chair and Director of Finance sign off the letter of representation.

48/14 EXCLUSION OF THE PUBLIC RESOLVED to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 28 July 2014 (contains exempt information)

49/14 MINUTES RESOLVED that the exempt minutes of the meeting held on 28 July 2014 be confirmed as a correct record and signed by the Chair.

PUBLIC

MINUTES of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE** held at County Hall, Matlock on 9 July 2014.

PRESENT

Councillor S Freeborn (in the Chair)

Councillors Mrs G Birkin, J Frudd, D Walton and B Wright.

Apologies for absence were submitted on behalf of Councillor Mrs D Charles, B Lewis and R Mihaly, and Mrs C Tattersfield.

20/14 MINUTES RESOLVED that the minutes of the meeting of the Committee held on 14 May 2014 be confirmed as a correct record and signed by the Chair.

21/14 DISCUSSION WITH CABINET MEMBER FOR ADULT CARE

Councillor C Neill, Cabinet Member for Adult Care gave an update on recent consideration by Cabinet of reports on the outcome of consultations and changes to services in order to contribute to the required budget cuts. She also referred to the matters that would be considered by Cabinet over the coming months.

In discussing the change in threshold changes, the Cabinet Member agreed to circulate details of the Care Act guidance which set out the tasks that should be assessed in determining the eligibility threshold.

The Cabinet Member also agreed to provide information to the Committee on the current level of staff absences within Adult Care and the steps being undertaken to address this.

22/14 HEALTHWATCH DERBYSHIRE Ms H Hart presented a progress report on the work of Healthwatch Derbyshire.

The report provided information on current work and the engagement activity being undertaken, the Enter and View programme and reports that were pending and which would be reported at a future date.

RESOLVED that the update be noted.

23/14 ELIGIBILITY THRESHOLD CHANGES The Committee was to undertake a review of the Adult Care Threshold Changes from High-Moderate to Substantial.

Cabinet had agreed to the recommendation to increase eligibility thresholds on 17 June 2014. The Council's proposals that were subject to consultation would take place with immediate effect. The scope of the review would focus on the scrutiny of implementation and the monitoring of the impact on individuals. The review would have the following lines of inquiry:

- **Eligibility for Social Care: impact**

The Committee to receive reports every quarter on the numbers of people in the Higher Moderate category who have been assessed. The report to include the outcomes of the assessment (how many stayed the same, moved up or down) and if they remained in the Higher Moderate category or fell, what alternative support was offered?

What are the impacts on other local authority / public agency services (eg NHS, voluntary and community sector, Police, Fire) for those people who remained in the Higher Moderate category? This would involve the working group requesting information about people who are no longer eligible and their contact with other services.

- **Financial impacts**

The Committee to receive reports every quarter on the financial reports to ensure the Council meets its income/savings expectations.

- **Human Resource impacts**

How is the change in eligibility threshold impacting on the capacity of social workers? How are social workers managing the assessment process? What are the numbers of people being assessed by social workers?

- **Fairer Charging (Co-funding)**

The Committee to receive reports every quarter on the numbers of people who have been re-assessed and the impact on the cuts programme.

The authority would start to assess relevant people on their eligibility straight away and a programme board has been established to oversee the implementation. It was anticipated the review would start in September 2014. The review included regular updates on the implementation and impacts of the changes to eligibility of social care and it was proposed that this becomes a standing item on the Improvement and Scrutiny Committee – People agenda from September 2014.

RESOLVED (1) that the scoping report for the Adult Care Threshold Changes from High-Moderate to Substantial scrutiny review be approved;

(2) that Members receive quarterly reports on the outcomes and the financial impact of the threshold changes to eligibility; and

(3) that a Member working group be established to undertake the review of the impact on other local authority / public agencies and social workers of the threshold changes to eligibility; the group to comprise the Chair and Vice Chair together with Councillors B Wright and 1 Conservative member; and Councillor R Mihaly to be also invited to join the working group.

24/14 UPDATE FROM SUB GROUPS Members gave an update on the work undertaken by the Equality and Diversity/Recruitment and Selection Sub Group. Draft reports were anticipated for the next meeting of the Committee.

Councillor Frudd reported on on-going visits to children's homes and a forthcoming visit to the Gateway Centre at Kirk Hallam.

RESOLVED that the update be noted.

25/14 ADULT CARE BUDGET UPDATE RESOLVED to receive copies of the Budget Monitoring reports that had been presented to the Cabinet Member for Adult Care.

26/14 WORK PROGRAMME RESOLVED to note progress on the Committee's work programme.

PUBLIC

MINUTES of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE** held at County Hall, Matlock on 3 September 2014.

PRESENT

Councillor Mrs D Charles (in the Chair)

Councillors Mrs G Birkin, S Freeborn, J Frudd, B Lewis, D Walton and B Wright.

Apologies for absence were submitted on behalf of Councillor R Mihaly.

27/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 9 July 2014 be confirmed as a correct record and signed by the Chair.

28/14 **DISCUSSION WITH CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE** Councillor K Gillott, Cabinet Member for Children and Young People gave an update on recent issues within his portfolio, specifically the analysis of the recent examination results; the review of Children's Centres which was to be reported to Cabinet on 30 September; and progress on achieving the budget reduction target.

Mr I Johnson, Children and Young Adults Department, referred to the restructuring of young people's safeguarding front door services where pilots had been undertaken and proposals were to be submitted to Cabinet on 30 September.

Councillor Gillott also referred to the Rotherham report and to the fact that he believed that such a culture did not exist in Derbyshire County Council. Discussions were to take place about development of training for all Members on child sexual exploitation.

29/14 **SAFEGUARDING UPDATE AND PERFORMANCE REPORT**

Mr I Johnson presented a safeguarding update report. The report provided information on the outcome of the Ofsted Good practice thematic survey: Leadership in Children's Social care Services which had taken place in August.

Also, Ofsted had launched a consultation on their proposals for a new and additional targeted inspection programme currently known as the 'integrated inspection'. Under the proposals from April 2015, Ofsted, the Care Quality Commission, HMI Constabulary, HMI Probation and where appropriate HMI Prisons would work together to carry out a targeted programme of 'integrated' inspections to look at the effectiveness of local authorities, health, police,

probation and other services in helping to protect and care for children and young people.

Statistical information was presented on safeguarding performance.

30/14 **FINAL SCRUTINY REVIEW REPORTS** Final reports were presented following the Improvement and Scrutiny reviews of –

- Equality, Diversity and Inclusion in the recruitment and selection process, and
- Equality, Diversity and Inclusion in the decision-making process.

RESOLVED that the reports be accepted for submission to Cabinet, subject to the minor changes as proposed at the meeting.

31/14 **INTERIM REPORT ON SAFEGUARDING** The Safeguarding Review Working Group had been undertaking its work and had met with, and received information from senior managers and officers in the areas of child sexual exploitation, safe internet use, domestic violence, safeguarding training and the business plans and governance of the Derbyshire Safeguarding Adults Board (DSAB) and Derbyshire Safeguarding Children Board (DSCB).

In summary, the interim review had found good working practices with regard to safeguarding. This has been highlighted by Ofsted's inspection and the overall rating of 'Good'. There was a good provision of training, and visits to front line services showed that there were many dedicated and hardworking members of staff. The review had also found areas of potential development, including training for all Councillors in the area of safeguarding and child sexual exploitation. Additionally, there was a need to regularly scrutinise how the authority was working with partners to deploy the action plans of the Derbyshire Safeguarding Adults Board and Derbyshire Safeguarding Children's Board.

RESOLVED that the report be accepted.

32/14 **ELIGIBILITY FOR ADULT SOCIAL CARE WORKING GROUP**
RESOLVED to note that Councillor D Walton was to be included in the membership of the Eligibility for Adult Social Care Working Group.

33/14 **WORKING GROUP TO CONSIDER PROPOSALS BY NORTH DERBYSHIRE CCG AND ADULT CARE** Item withdrawn.

34/14 BUDGET UPDATE RESOLVED to receive copies of the Budget Monitoring reports that had been presented to the Cabinet Member for Adult Care and the Cabinet Member Children and Young People.

35/14 REVIEW PROPOSALS FOR THE WORK PROGRAMME
The list of potential review work for the Committee was presented and Members were asked to consider whether work should commence now on any of the suggested review.

RESOLVED that, at the present time, the Committee focus on the Eligibility for Adult Care review and its Safeguarding work.

36/14 WORK PROGRAMME RESOLVED to note progress on the Committee's work programme.

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES** held at County Hall, Matlock on 21 May 2014.

PRESENT

Councillor T Southerd (in the Chair)

Councillors Mrs E Atkins, Mrs Janet Hill, Mrs C A Hart, S A Spencer and D Williams.

Apologies for absence were submitted on behalf of Councillor R L Hosker and Mrs K D Lauro.

11/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 19 March 2014 be confirmed as a correct record and signed by the Chair.

12/14 **FLOOD RISK MANAGEMENT STRATEGY** Mr J Biddlestone, Economy, Transport and Environment Department made a presentation on the overarching role of the Authority under the Flood and Water Management Act and the requirement to prepare a Flood Risk Management Strategy. It was proposed that members of the Improvement and Scrutiny Committee be involved in the development of the Strategy as it is shaped.

RESOLVED that Councillors Mrs E Atkins, Mrs K D Lauro, T Southerd, S A Spencer and D Williams form a working group to contribute to the development of the Strategy document.

13/14 **HEALTH AND COMMUNITIES – DEPARTMENTAL BUDGET REDUCTIONS** Mr D Lowe, Strategic Director for Health and Communities, attended the meeting to explain the departmental budget reductions for the forthcoming year(s). Budget reductions to be made by the department in 2014/15 totalled £1,288,000 and the means of achieving this were outlined.

The Chair thanked Mr Lowe for his informative presentation.

14/14 **WORK PROGRAMME** Progress on the Committee's work programme for 2014/15 was reported.

The Committee would be involved in the work to develop the Flood Risk management Strategy to ensure that the Strategy was developed in accordance with local needs.

In addition, a number of review proposals had been considered by the Improvement and Scrutiny Management Committee and allocated to the Committee to schedule into its work programme.

	Title/Subject
1	Criteria change for pothole filling and rationalisation of vehicle used for highways inspection. Responding to Highways complaints – how is it done now? Possible improvements?
2	How do other County Councils use their ring-fenced Public Health money? Can we learn from other Authorities in funding services with this money?
3	Potential for sponsorship (eg traffic island maintenance and support for small capital projects)
4	Derby and Derbyshire Road Safety Partnership – added value of Police and Fire involvement.
5	Maximise the use of voluntary and community groups in supporting the Countryside Service
6	Re-visit the review of Community Transport

The review on the best use of ring-fenced Public Health money would be undertaken jointly with the Improvement and Scrutiny Committee - People and would not commence until September 2014 due to the current workload of that Committee.

RESOLVED (1) to note progress on the Committee's work programme; (2) that a scoping report for the proposed review at proposal 1 in the table above, be presented to the next meeting of the Committee.

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES** held at County Hall, Matlock on 16 July 2014.

PRESENT

Councillor Mrs K D Lauro (in the Chair)

Councillors Mrs Janet A Hill, R L Hosker, T Southerd, S A Spencer and D Williams.

Apologies for absence were submitted on behalf of Councillors Mrs E Atkins and Mrs C A Hart.

15/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 21 May 2014 be confirmed as a correct record and signed by the Chair.

16/14 **DOMESTIC VIOLENCE STAFF CONSULTATION** Ms Lisa Morris, Safer Derbyshire Team, attended the meeting and gave an update on the Council's Domestic Abuse Policy and the preparation of a staff guidance document setting out how to access support, which would be made readily available in order to raise awareness both within the Authority and with other organisations in the County. Training for managers on signposting to service providers would be undertaken and the matter would be the subject of briefings to Departmental Management Teams in the Autumn.

RESOLVED to note the update.

17/14 **MOBILE LIBRARY SERVICE CONSULTATION** Mr D Gibbs attended to give an update on the outcome of the stage 1 consultation exercise on the future of the Mobile Library Service. There had been a high level of response and, following this, specific proposals would now be consulted on. The proposal was for 2 standard mobiles to provide a 4 weekly service. Consultation would run through to 9 August with the matter being considered by Cabinet again on 30 September.

RESOLVED to note the update.

18/14 **HIGHWAYS INSPECTION SYSTEM** A scoping report for the review of Highway inspection systems was presented. The Committee had agreed a number of reviews for its work programme. The first would be to consider the process currently used to inspect the highways and determine any necessary repairs. The review would look at the rationalisation of the vehicles used for highways inspections and the impact this has had, if any. The review would consider the current system of highways inspections and repair, take the opportunity to view highways inspections being undertaken on-site and compare the process with that used by other Highways Authorities.

A review of how the Council respond to Highways complaints was also to be undertaken and it was considered that these two issues should be linked in the review.

RESOLVED (1) that the scoping report be agreed with the reviews being linked; (2) that a working group be established to work on the review comprising Councillors Mrs E Atkins, Mrs Janet A Hill, Mrs K D Lauro, T Southerd and S A Spencer.

19/14 BUDGET MONITORING RESOLVED to receive copies of the Budget Monitoring reports that had been presented to the relevant Cabinet Members and to seek more information and clarification of the reasons for the overspends on winter maintenance.

20/14 WORK PROGRAMME RESOLVED to note progress on the Committee's work programme for 2014/15.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – HEALTH** held at County Hall, Matlock on 19 May 2014.

PRESENT

Councillor S A Bambrick (in the Chair)

Councillors Mrs E Atkins, Ms S L Blank, W Major, D McGregor, Mrs J E Patten, Mrs I Ratcliffe and Mrs M Stockdale.

11/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Health held on 24 March 2014 be confirmed as a correct record and signed by the Chair.

12/14 **PULMONARY REHABILITATION PROGRAMME** Health representatives S Baughen, J Richards, L Coppinger, D Muir and A Ramineni attended the meeting to make a presentation on investment and changes to the pulmonary rehabilitation services in North Derbyshire and Hardwick CCGs.

North Derbyshire CCG had invested an additional recurrent £114,000 and Hardwick CCG £100,000 in pulmonary rehabilitation to increase access to pulmonary rehabilitation programmes. This, along with the existing investment of £76,988 gave the two CCGs a total resource of £320,000.

The proposed changes to the service were outlined and it was anticipated that these would be in place from October 2014.

RESOLVED that the proposals be noted and a report back on the project be made to the Committee in Spring 2015.

13/14 **SEXUAL HEALTH SERVICES REVIEW** M Hague of the Health and Communities Department made a presentation on the progress and findings of the Review of Derbyshire Sexual Health Services and the re-procurement of the new Derbyshire Integrated Sexual Health Service (ISHS)

As part of the decision to review and re-procure services across Public Health, a comprehensive review of current sexual health services had been undertaken. The Review had addressed current services alongside wide-ranging consultation with service users, the general public, providers and commissioners of sexual health services. The Review took into account national guidance and policy relating to sexual health service provision. The Review's aim was to provide information to support the development of a new

integrated model of sexual health service for Derbyshire, working towards a service in April 2015, based on a 15% reduction on the current budget.

A report would be presented to Cabinet on 17 June 2014 proposing the re-procurement of the Service.

RESOLVED to note the proposals.

14/14 HEALTHWATCH DERBYSHIRE Ms H Hart presented a progress report on the work of Healthwatch Derbyshire.

The report provided information on information sharing, an analysis of topics and themes, Care Home Enter and View visits, and domiciliary care engagement.

The Committee noted that the Care Homes Enter and View visits had raised concerns about the discharge process from several Acute Trusts. An update on this issue would be presented by Healthwatch to the next meeting of the Committee and this was a matter of concern that the Committee may wish to address at a future meeting.

RESOLVED that the update be noted.

15/14 HEALTH SCRUTINY STAKEHOLDER EVENT In order for the Committee to maintain an overview of health service provision and to give effective consideration of any service reconfigurations, Members had identified a need for an exchange of information between all those organisations who were stakeholders in Derbyshire Health Scrutiny.

To facilitate this, an event would be held on 9 June which would bring together all commissioners and providers of health services within the county.

In order to achieve the best outcome from the event, the Improvement and Scrutiny officer was working with the service commissioners and providers to structure the format of the day and to ensure that the time available was used efficiently.

RESOLVED to note the arrangements for the event.

16/14 WORK PROGRAMME The Committee continued to respond to service reconfiguration proposals introduced by the county's health service commissioners and providers.

In order for the Committee to undertake its responsibilities effectively, Members had identified a need for an exchange of information between the

Committee and the numerous service commissioning and providing organisations operating throughout Derbyshire.

The Chair and Vice Chair, along with the Improvement and Scrutiny Officer, held regular meetings with some of the local CCGs and Derbyshire Community Health Services (the major provider of hospital and clinical care). Other work over the forthcoming weeks would include progress reports on Heanor Hospital and monitoring the temporary transfer of services from the Spencer Ward at Buxton Hospital to Bakewell.

Although the majority of Health Scrutiny work was focussed on external service provision, one subject for suggested review was aligned with this Committee. This was a review of the county's Health and Wellbeing Board (HWB) to measure its effectiveness and how it compared with other HWBs around the country. The Committee was requested to accept this as a review to be undertaken over the coming months, with a scoping report setting out the remit and anticipated outcomes being submitted to the July meeting of this Committee to commence the review.

RESOLVED (1) to note the work programme for 2014/15; (2) to agree that a scoping report be submitted to the next meeting for a review of the county's Health and Wellbeing Board; and (3) that relevant Cabinet members be invited to future meetings to discuss issues within their portfolio relating to this Committee's work.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – HEALTH** held at County Hall, Matlock on 21 July 2014.

PRESENT

Councillor S A Bambrick (in the Chair)

Councillors Mrs E Atkins, Ms S L Blank, W Major, D McGregor, Mrs J E Patten, Mrs I Ratcliffe and Mrs M Stockdale.

17/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Health held on 19 May 2014 be confirmed as a correct record and signed by the Chair.

18/14 **STAKEHOLDER EVENT** The 9 June stakeholder event had been a successful occasion and it would be appropriate to follow-up on the items that had been highlighted during the discussions that took place. The current position with regard to the Ambulance Service was an issue that should be discussed at a forthcoming meeting.

19/14 **HEALTHWATCH DERBYSHIRE** Ms H Hart presented a progress report on the work of Healthwatch Derbyshire.

The report provided information on current work and the engagement activity being undertaken, the Enter and View programme and reports that were pending and which would be reported at a future date.

RESOLVED that the update be noted.

20/14 **REVIEW OF IMMUNISATION AND VACCINATIONS TAKE-UP SCOPING REPORT** Ms R Harris of the Centre for Public Scrutiny and Mr Colin Valler of Sanofi Pasteur MSD attended the meeting to discuss the proposed review of Immunisation and vaccinations take-up.

The Centre for Public Scrutiny (CfPS) had invited expressions of interest nationally from Council Scrutiny Committees to run a review on local immunisation provision and take-up as a Scrutiny Development Area (SDA). CfPS sought to recruit two Council Overview and Scrutiny Committees to work with in delivering this programme and Derbyshire submitted a bid. Derbyshire was awarded the opportunity to participate as the County Authority.

The Committee would receive 5 days support from an Expert Adviser appointed by the CfPS to carry out a scrutiny review into local immunisation

across the life-course, with a focus on HPV and influenza vaccination. The review would be undertaken between June and December 2014 and would use the Return on Investment (ROI) approach to scrutiny.

Given the timescale of the review, Councillors Bambrick, Stockdale, McGregor, Patten and Atkins had formed a working group to undertake the review.

RESOLVED to confirm the appointments made to the working group and the scope of the review.

21/14 RETURN ON INVESTMENT SCRUTINY Ms R Harris, Centre for Public Scrutiny, gave a presentation on the Return on Investment Scrutiny Model which was utilised by the CfPS.

The ROI model had already helped to identify potential savings across the public sector and has also been successful in bringing together the whole system when looking at an issue. CfPS were working in collaboration with Sanofi Pasteur MSD (a pharmaceutical company specialising in the development, registration and distribution of vaccines for human use) to:

- (i) use CfPS' ROI approach to demonstrate the role of scrutiny within a local authority in assessing local approaches to immunisation and resource allocation and in so doing to understand the wider public health; and
- (ii) demonstrate how scrutiny is able to identify barriers to immunisation take-up and to use an appreciative approach to look at how take-up could be improved on a local basis.

RESOLVED to note the presentation.

22/14 REVIEW OF HEALTH AND WELLBEING BOARD

The review would investigate how the Derbyshire Health and Wellbeing Board (HWB) is structured, what are its legal responsibilities and its aims and objectives – and how effective it is in achieving these.

If the review was able to identify elements of best practice which could improve the operation of the Derbyshire HWB, the Committee would be able to recommend the introduction of these.

As the Committee was currently working on a review of Immunisation in partnership with CfPS, which is due to be completed by December 2014, it was recommended that this review commence in December 2014, with an anticipated completion date of March 2015.

RESOLVED (1) that the scope of the review be agreed; and (2) that a working group be established to oversee the review comprising Councillors Mrs E Atkins, S A Bambrick, W Major, Mrs I Ratcliffe and Mrs M Stockdale.

PUBLIC

MINUTES of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES** held at County Hall, Matlock on 29 May 2014.

PRESENT

Councillor C R Moesby (in the Chair)

Councillors Mrs C Bisknell, P Dunn, S Freeborn, M V Longden and D Lomax.

Apologies for absence were submitted on behalf of Councillor T A Kemp and S Marshall-Clarke.

11/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Resources held on 13 March 2014 be confirmed as a correct record and signed by the Chair.

12/14 **UPDATE ON IMPLEMENTING THE RECOMMENDATIONS OF THE REVIEW OF NON-OPERATIONAL PROPERTY** The final report on the review of the Council's non-operational property holdings had been approved at Cabinet at its meeting on 3 December 2013. Mr S West, Corporate Property, gave an oral update on the work being undertaken and progress made by the Corporate Property Services Division. The presentation covered the work being undertaken on customer segmentation, the corporate landlord concept and agreed property disposals.

RESOLVED to note the work currently being undertaken in Corporate Property Services Division in response to the review.

13/14 **REVIEW OF SUSTAINABLE ENERGY – FINAL REPORT**
Councillor Dunn presented the final report of the Working Group set up to investigate the potential of the use of sustainable energy for DCC property.

The conclusions of the review were:-

- The review had identified that there were a number of potential opportunities for the County Council to promote sustainable energy projects. These opportunities could have an impact on a number of the Council's Departments and cross-cut the portfolio responsibilities of most, if not all, of the Council's Cabinet Members.
- The Council had an Environmental Sustainability Group which comprised of officers who had a strategic responsibility to oversee

reducing the Council's energy usage and associated costs and achieving carbon reduction targets.

- To ensure that an efficient and effective corporate approach was applied to assessing the viability of energy generation projects, the Scrutiny Review Working Group recommended the establishment of a corporate team of officers to undertake sustainable energy project appraisals. The work of this group should contribute to and complement the work of the Environmental Sustainability Group by undertaking rigorous assessments of the viability of proposed projects at an early stage. It would be appropriate for the lead officers on this group to be the Council's Carbon and Energy Manager and the Principal Policy Officer leading on sustainability. The group should ensure that financial, legal and asset management implications were considered at an early stage in any project assessment.
- An important aspect of measuring the viability of potential projects should be the risk of changes in funding streams for long term projects (such as reduction or withdrawal of government subsidies) and these should be factored in to project assessments.

RESOLVED (1) that the endeavours of County Council officers and Members in promoting and developing sustainable energy use by the Authority be commended and supported;

(2) that the potential for large scale sustainable energy production on Council owned sites and premises be investigated thoroughly, with viable projects being put forward for development following a rigorous assessment process;

(3) that the assessment of potential projects be undertaken by a cross-departmental officer team, to include finance, legal and asset-management professionals, to ensure a comprehensive approach from an early stage;

(4) that any future developments or innovations that may occur within the sustainable/renewable energy sector also be considered through the cross-departmental officer team; and

(5) that Cabinet be informed of the review outcomes and be requested to agree the review recommendations.

14/14 WORK PROGRAMME The Improvement and Scrutiny Management Committee had allocated to this Committee a number of review proposals for incorporation in its work programme.

- | |
|---|
| 1. An outward looking review at how current budget cuts of ALL public services are impacting on the people of Derbyshire. This could link in with Anti-Poverty review – sample the effects on “virtual” Derbyshire people/families and information gathering to help inform the Council’s strategy. |
| 2. Review of Credit Unions (how much DCC contributes/how effective are they?) |
| 3. Trusted Trader Scheme review – what is current extent of services and can this be extended? For example, Taxi Firms. |

RESOLVED that the report be noted and that at the next meeting, scoping reports be considered in respect of the proposed reviews of Credit Unions and the Trusted Trader Scheme, with the review of the effect of the budget cuts being undertaken later in the year.

PUBLIC

MINUTES of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES** held at County Hall, Matlock on 24 July 2014.

PRESENT

Councillor C R Moesby (in the Chair)

Councillors Mrs C Bisknell, P Dunn, S Freeborn, T A Kemp, M V Longden and S Marshall-Clarke.

Apologies for absence were submitted on behalf of Councillor D Lomax.

15/14 MINUTES RESOLVED that the minutes of the meeting of the Improvement and Scrutiny Committee – Resources held on 29 May 2014 be confirmed as a correct record and signed by the Chair.

16/14 DISCUSSION WITH CABINET MEMBER Councillor B Ridgway, Cabinet member for Council Services and Councillor J Owen, attended the meeting to give an update on current issues within their portfolio.

Councillor Ridgway gave an overview of the portfolio responsibilities and referred to the budget of £36.2m which was 7% of the Council's budget. A further cut of 26% needed to be made to this budget over the next 4 years. The approach being taken to make these cuts was outlined. Reference was made to service redesign and benchmarking work that was being undertaken. Other initiatives were extending the use of SAP, smarter procurement, the corporate landlord plan and the review of property assets.

Committee members asked a number of questions which were responded to by the Cabinet member.

17/14 REVIEW OF CREDIT UNIONS The Committee had agreed to undertake a review of Credit Unions in Derbyshire. The review would look at the number of Credit Unions operating in the county, their effectiveness, challenges and successes and the support they receive from Derbyshire County Council and other sources. Anticipated outcomes included:-

- A clear understanding of the value of Credit Unions to local communities
- Ascertaining the potential for strengthening the role of Credit Unions in the county.

- Identifying the benefits of co-ordination between Credit Unions across the county.

The review would be completed by January 2015 and a working group would be appointed to undertake the review. It was also suggested that the Committee establish the working group for the review of the Trusted Trader scheme as there may be issues that arise that need to be considered as part of that review.

RESOLVED (1) to approve the scope of the review; and (2) to establish a working party to oversee the review comprising Councillors S Freeborn, T Kemp, D Lomax, S Marshall-Clarke and C R Moesby; and (3) that the working group for the Trusted Trader review comprise Councillors Ms C Bisknell, P Dunn, M V Longden, D Lomax and S Marshall-Clarke.

18/14 BUDGET MONITORING RESOLVED to receive copies of the Budget Monitoring reports for Month 9 2013/14 that had been presented to the Cabinet Member for Strategic Policy and Budget.

19/14 WORK PROGRAMME RESOLVED to note progress on the Committee's work programme.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY MANAGEMENT COMMITTEE** held at County Hall, Matlock on 7 July 2014.

P R E S E N T

Councillor C R Moesby (In the Chair)

Councillors S A Bambrick, K P Morgan, S A Spencer and Mrs M Stockdale.

Apologies for absence were submitted on behalf of Councillors Mrs D Charles, Mrs K D Lauro and B Lewis.

07/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 23 April 2014 be confirmed as a correct record and signed by the Chair.

Arising on the Minutes, the Chair referred to the suggestion that the process for submitting review proposals should be simplified and it was his view that the current arrangements afforded a clear audit trail and that, at the moment, there should be no change to the process. This would, however, be kept under review. Also, at the recent Health stakeholder event, it had been stressed that we were working towards improving communications and this theme could be incorporated into the review of the effectiveness of the Health and Wellbeing Board arrangement.

08/14 **ANNUAL REPORT** The draft Improvement and Scrutiny Annual Report 2013/14 was presented for comment. This report would be presented to Council on 1 October 2014.

Members made some suggestions to wording and these would be considered for incorporation into the final draft.

RESOLVED that the report be submitted to Council.

09/14 **SCRUTINY REVIEWS PROGRESS SUMMARY**

A schedule showing progress on current reviews was presented. This would be updated for each meeting and, in future, would incorporate membership details for the working groups and review start dates.

RESOLVED that the summary be noted.

10/14 **FURTHER POTENTIAL SCRUTINY REVIEWS**

The Committee considered a list of proposed scrutiny review subjects at its last meeting. The proposals were referred to the appropriate Committees for

agreement and prioritisation and were now included in the work programme of each Committee. There were a number of review proposals submitted which were not included on the original list and these were now reported.

There were various reasons for delaying consideration of these, for example, the need for more clarification from the proposer of their possible outcomes/benefits or to ensure there was no duplication of work where services were currently being re-shaped.

RESOLVED that the information be received.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY MANAGEMENT COMMITTEE** held at County Hall, Matlock on 1 September 2014.

P R E S E N T

Councillor C R Moesby (In the Chair)

Councillors S A Bambrick, S Freeborn (substitute), Mrs K D Lauro, B Lewis, S A Spencer and Mrs M Stockdale.

Apologies for absence were submitted on behalf of Councillors Mrs D Charles and K P Morgan.

11/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 7 July 2014 be confirmed as a correct record and signed by the Chair.

12/14 **MINUTES OF IMPROVEMENT AND SCRUTINY COMMITTEE MEETINGS** **RESOLVED** (1) to receive the Minutes of the last round of meetings of the Improvement and Scrutiny Committees; and (2) that a suggestion by Councillor Lewis to review the effectiveness of Healthwatch Derbyshire be considered by the Management Committee at its next meeting following the receipt of a review suggestion form.

13/14 **VISIT TO PARLIAMENTARY SELECT COMMITTEE**

A report was presented on the visit undertaken by Members to the Parliamentary Select Committee on 30 June 2014.

Following the visit, Members and Officers contributed to ensure that outcomes from the day could be used to improve our own scrutiny methods. These were:-

- An understanding of the issues that Scrutiny will be facing in the future, and the way in which Scrutiny needs to be directed in the next few years of change, was apparent. The tone of the day's visit was about integration, localisation and how local authorities should look outside of their own services and co-operate in some cases with cross cutting joint reviews with other public services and organisations and members of the public. Questions were aimed around "should bodies just scrutinise their own services or be more involved and outward looking".
- The more formal room setting arrangement which Select Committees adopt could have its uses, particularly when interviewing witnesses in a review. It would stamp authority on proceedings and facilitate a more interrogatory role for the Committee members.

- It was apparent that the Committee should be well briefed and have knowledge of the subject under scrutiny in order to ask the questions that will provide the answers being sought.
- Select Committee involvement into planning systems was most interesting, as was the practice of taking evidence under oath, a power that select committees use very sparingly.
- The style of questioning by the Select Committees was more brisk than our Scrutiny Committees and our approach to questioning should be more direct and forthright than at present.
- Select Committee focus is on “real life impact” of legislation. There was a clear benefit of a strong Chair – keeping questions short and on task and giving advanced notice of the order in which Members would have the opportunity to ask questions. Observation was made of Select Committee Members asking robust and persistent questions when the witness did not answer the question and it was also noted that there is a fine line between being robust and “giving a witness a grilling” when the questioner does not agree, ideologically, with the response given.
- The visit helped to “join up the dots” about the interactions and communications between different political entities and the route that emerging policies take prior to new legislation impacting on communities and the services that the Council delivered.
- The organisation of the whole Parliament machine was impressive. Everyone had to attend on time, timetabling was rigorous and people knew where they needed to be.
- It was clear from the Select Committees that a lot of work goes into preparing questions and building up knowledge of the issues being raised. A strong Chair helped, keeping questions short and to the point.
- There did seem to be scope for DCC Scrutiny to input into the work of Select Committees, if there were defined links. Select Committees tended to scrutinise agencies, NGOs, QUANGOs. Although they did also question ‘voices of the consumer’, this tended to be from interest groups who represent ‘the consumer’.
- The room layout for questioning “witnesses” worked well as it allows them to see and speak to all the Committee Members from their vantage point. Although the political parties did group together at the Select Committee, they sat collectively facing the “witness”. Identification of participants in a meeting, through the use of name plates was useful and could easily be adopted at DCC Scrutiny meetings, even when we just have “in-house” officers coming to make presentations.
- The Select Committees were fortunate in that they were not as close to their

“witnesses” as our Scrutiny Members are when looking at internal services. There is a skill to challenging officers in being reasonable and courteous – but at the same time demanding information and questioning the way they provide services. This is an area where further training for Scrutiny members may be useful.

- Evidence was often taken by Select Committees in written form, as well as by “witnesses” sitting before the Committee. Site visits and gaining first-hand experience of services were also frequently used.

RESOLVED to note the outcome of the visit and agree to the introduction of new processes in Derbyshire where appropriate to reflect lessons learned during the visit.

14/14 **PROGRESS ON REVIEWS** **RESOLVED** to note progress on the various reviews being undertaken by the Improvement and Scrutiny Committees.

15/14 **UPDATED IMPROVEMENT AND SCRUTINY LEAFLET**
RESOLVED that the updated Improvement and Scrutiny leaflet be agreed for wide circulation.

16/14 **EAST MIDLANDS SCRUTINY NETWORK** **RESOLVED** to receive the report of the Chair on the discussions that had taken place at a recent meeting of the East Midlands Scrutiny Network and to review the continued attendance at meetings following the meeting of the Network to be held in September 2014.

17/14 **CfPS ANNUAL REVIEW** **RESOLVED** to receive the Centre for Public Scrutiny’s 2013/14 Annual Review report.

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 17 July 2014 at County Hall, Matlock.

PRESENT

Councillors P Bayliss (Derby City Council), S Blank (Chesterfield Borough Council), B Murray-Carr (Bolsover District Council), M Gordon (North East Derbyshire District Council) (substitute member), I Harry (Amber Valley Borough Council), G Hickton (Erewash Borough Council) (substitute member), T Norton (High Peak Borough Council), P Pegg (Derby City Council), A Plenderleith (South Derbyshire District Council), P Smith (Derbyshire County Council), T Southerd (Derbyshire County Council), and N Hodges (Independent Member).

Also in attendance: Mr J McElvaney (Director of Legal Services), Mr D Rose (Improvement and Scrutiny Officer) and I Walters (Democratic Services Officer).

A Charles, Police and Crime Commissioner, H Dhindsa, Deputy Police and Crime Commissioner, and David Peat, Chief Executive of the Police and Crime Commissioner's Office were also present.

19/14 CO-OPTION OF COUNCILLOR MEMBERS The Director of Legal Services of Derbyshire County Council invited the Panel to review its composition following the commencement of the new municipal year and to co-opt five additional councillor members to ensure that the Panel met the statutory balance requirements. When the Panel was formed in 2013, balance was achieved by co-opting three additional councillor members and this was increased to four after the May 2013 elections.

Each of the ten constituent authorities in Derbyshire had nominated a Panel Member for the new municipal year. Each authority had nominated a member of its majority group and this had resulted in a Panel of seven Labour Members and three Conservative Members. It was considered that balance may now best be achieved by co-opting an additional five Councillor Members; two Labour one Liberal Democrat and two Conservative. Such co-option would be subject to the approval of the Secretary of State.

The constituent councils and political groups had liaised together and the following five Councillors were proposed for co-option:-

Councillors Paul Smith (Derbyshire County Council) (Labour), Councillor Paul Pegg (Derby City Council) (Labour), Councillor Denise Hawksworth (Chesterfield Borough Council) (Liberal Democrat), Councillor Philip Hickson

(Derby City Council) (Conservative) and Councillor Chris Short (Amber Valley Borough Council) (Conservative).

In putting these Councillors forward for co-option the constituent authorities had regard to the wider objectives of balance (geography population etc.) as well as political balance.

RESOLVED to approve the co-option of Councillors Paul Smith, Paul Pegg, Denise Hawksworth, Philip Hickson and Chris Short on to the Derbyshire Police and Crime Panel.

20/14 **APPOINTMENT OF CHAIR** **RESOLVED** that Councillor P Smith be appointed as Chair of the Derbyshire Police and Crime Panel for the ensuing municipal year.

Councillor P Smith (in the Chair)

21/14 **APPOINTMENT OF VICE-CHAIR** **RESOLVED** that V Newbury be appointed as Vice-Chair of the Derbyshire Police and Crime Panel for the ensuing municipal year.

22/14 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors C Hart (Erewash Borough Council), D Hawksworth (Chesterfield Borough Council), P Hickson (Derby City Council) L Jackson (Derbyshire Dales District Council), Mrs L Robinson (North East Derbyshire District Council) and V Newbury (Independent Member).

23/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Derbyshire Police and Crime Panel held on 27 March 2014 be confirmed as a correct record and signed by the Chair.

24/14 **QUESTIONS RELATING TO THE ROLE OF THE POLICE AND CRIME COMMISSIONER** Members of the Panel were given the opportunity to ask questions of the Police and Crime Commissioner as follows:-

Please can you update the Panel on the better policing collaborative work being done in partnership with other forces?

In response the Police and Crime Commissioner explained that at the recent APCC AGM the Regional Inspector had highlighted the excellent collaborative work being undertaken in the East Midlands. The Commissioner believed that Derbyshire was at the forefront of the Regional collaboration and he reiterated that Derbyshire would only involve itself in collaborative schemes if there was a value to them. For example, they had recently not taken part in the IT collaboration after assessing the business case. Collaboration did not just rest with Derbyshire's direct neighbours and work had already taken place

with the West Midlands and North West Constabularies. Anywhere where there was seen to be an advantage the force would consider it. The Major Crime Unit continued to play a significant role and while the Unit came with a cost to Derbyshire it meant that when major cases developed officers did not have to be brought in from all over the county. Success had been achieved with the collaboration of legal services, finance and HR, and discussions were on-going in relation to procurement as this has been seen to not be viable at this moment. The force was also open to looking at collaboration with other services, an example being the proposed building of a new headquarters with the Fire and Rescue Service.

Have you considered as part of the Police and Crime Panel how “blue light” services could be joined up more, following the example of the innovation fund money going to the PCC in Durham specifically for creating co-located police and fire stations?

The PCC explained that the force had recently been carrying out a priority based budget exercise over the last 9 months and no announcements could be made yet. There were a number of big issues including building space and all the force’s estate was currently being looked at and it may be that there were some closures of building around Derbyshire and these might include stations. However no decisions had been made yet. It was emphasised that the service was not delivered from stations. For example, Safer Neighbourhood Teams clearly needed to be in the communities they served and suitable premises would be sought in these areas. No discussions had taken place yet but the force would be talking to partners regarding shared facilities. In relation to blue light services the Commissioner was aware of a number of authorities who were looking at mergers but at the current moment in time there was no appetite in Derbyshire for a full merger.

Are you able to respond to the report by the May 2014 Home Affairs Select Committee on police and crime commissioners, and will you be considering any of the recommendations?

The Commissioner informed the Panel that there were several key areas in the report and one of the main themes related to transparency. The Commissioner explained that from the moment he had taken up the position he had always had complete transparency and had arranged his Strategic Governance Board meetings in public on a regular basis and during his first year had moved these around the County. Due to poor public attendance and the cost implications of providing the service all meetings were now held in Ripley and all papers were available on a website with open question and answer sessions from the public. Despite few members of the public being in attendance many questions were asked via social media. In the first year of office the PCC had attended over 150 public meetings across the County and community engagement had been a priority. He also agreed that PCCs

should receive training. In relation to the report, he felt that PCCs should be given a full term in office before formal assessments were made.

Can the PCC bring forward any information on successful outcomes from the community grants issued since November 2012?

The Commissioner confirmed that his office was currently working on a full analysis and a report would be provided for the September meeting of the Panel giving details of the first round of grants from last year and also details of the first tranche for this year.

Can you comment on what engagement has taken place with new and emerging community groups such as the Eastern European communities in Shirebrook?

The Commissioner explained that much of the issue of new and emerging community groups centred around cultural issues and the force was actively looking at these matters. Recent examples of good work existed with the Eastern European Communities in Shirebrook and there had been a very positive event with the Roma community in Derby City which had been led by the multi-faith group from Derby University. Another project involved the creation of a public sculpture in Derby involving a number of emerging community groups to try and forge closer links and ease any tensions.

25/14 POLICE AND CRIME PLAN OBJECTIVE 6 The Police and Crime Commissioner (PCC) provided the Panel with a detailed overview of how he planned to deliver the strategic objective to “encourage further investigation into the issues surrounding alcohol related crime, harm and the impact of drugs on the communities; and explore ways to intervene early to prevent it, with support from our partners”.

As a result of public engagement activity the Police and Crime Plan for Derbyshire had been amended to reflect the priorities identified by the public. One significant change was a re-wording of Objective 3 to include “work around drugs”. Members had been provided with the report looking at the progress made against the previous objective that dealt solely with alcohol and were updated on the progress made after the Alcohol Summit.

Following the Alcohol Summit the PCC had hosted a number of ‘Next Steps’ meetings where strategic leads for the key Summit themes had reported back on progress in their areas of work. This group consisted of representatives from key partner agencies including the Police, the OPCC, Probation, Community Safety, Youth Offending and Health.

Following discussions within the group it had been agreed that rather than hosting a follow up event there would be a newsletter created for all of those who attended the event to update on progress.

Full updates were given on alcohol treatment pathways; the Cardiff model of data collection through accident and emergency departments and the night time economy. Specific reference was made to 'Reducing the Strength Campaign' which had been looked at for Derby City and was based on the Ipswich model, which was a voluntary based scheme.

Members were disappointed that the big six supermarkets still failed to sign up to the scheme although the Co-op had actively supported the scheme. It was accepted that it would always be difficult to deal with the major companies but work would continue to try and improve the situation.

Details were given of several other areas of positive work and specific reference was made to current discussions around providing a County Co-ordinator to forward the Intoxicated Campaign which had been successful in the Derby and Chesterfield areas over the Christmas period, although resources remained a difficulty.

The PCC and his Deputy had met with all the Licensing Committee Chairs, their managers and local licensing officers. The meeting had proved to be very useful and further meetings had been asked to be scheduled. Looking forward there were a number of areas to progress and one of the key issues identified when considering the future was the issue of so-called legal highs. The Commissioner confirmed that he believed this was a significant issue and that the OPCC was in the very early stages of understanding what a joint campaign with partners around this issue might look like. He had asked that the issue of Legal Highs was added to the Force's Risk and Threat Register to ensure that it was given consideration within the Force's planning cycle.

RESOLVED (1) to note the report; and

(2) that Police and Crime Panel Members receive the newsletter on activity following the 2013 Alcohol Summit, once it had been published.

26/14 COMMUNITY REMEDY AND COMMUNITY TRIGGER The Commissioner informed Members of the requirements of the Anti-social Behaviour Crime and Policing Act 2014 upon the Police and Crime Commissioner, namely the development of a community remedy document and engagement with consultation on community trigger.

The Act placed responsibilities upon the Commissioner to develop a community remedy document for their local area to consult with stakeholders

on the contents of the said document and to agree a final version of the document with the Chief Constable. It was intended that the community remedy document would serve as a form of menu of options of restorative out of court disposals for anti-social behaviour and low level crime. Community trigger was designed to be a mechanism by which local people could call upon their local authority to review the actions taken in cases of anti-social behaviour or low level crime.

In relation to community remedy the Commissioner had developed an online survey which had been circulated to members that asked the public if they might agree to this form of resolution should they be the victim of anti-social behaviour or low level crime, seeking views and a potential list of outcomes and inviting consultees to share their views on other potential outcomes. It was decided that the consultation took place online via the PCC's website as well as at any public events the PCC was holding or attending. The PCC would also use existing networks such as the Derbyshire Alert scheme to raise awareness of the consultation and seek views. Each of the local authorities in Derbyshire would also be consulted directly and Members of the Panel were asked to take back the consultation to their local areas and act as champions to elicit as many responses to the consultation as possible.

The community trigger was described at Section 104 of the Act and required a threshold to be identified at which an individual or group of individuals could call for the review of the response of statutory partners to a complaint of anti-social behaviour.

The Commissioner was a statutory consultee within the community trigger development process specifically being consulted on the threshold for the trigger. Whilst not contained within the legislation there had been a suggestion within the draft guidance that the PCC may also take on responsibilities around quality assurance and reviews and act as a route of appeal around the trigger threshold, although this had yet to be decided. The PCC was currently represented within countywide discussions around the development of the community trigger and its associated processes.

RESOLVED (1) that Panel Members who represented local authorities take back the consultation on the community remedy document to their authorities and act as champions to encourage responses to the consultation by 31 July 2014; and

(2) to note the requirements on the Police and Crime Commissioner outlined in the report.

27/14 PERFORMANCE REPORT Members were informed of the challenge and scrutiny of the forces performance from the most recent Police

and Crime Commissioner Strategic Governance Board meeting (SGB). The performance scorecards submitted to the SGB meeting on 30 June 2014 were appended to the report to assist the Panel in understanding the management/performance data that the Commissioner received.

Panel Members made a number of points and asked questions with particular reference being made to staff absence and road traffic accidents which were noted or answered by the Police and Crime Commissioner.

With particular reference to the absence of both officers and civilian staff the Commissioner had undertaken a full analysis of the problem with his Human Resources Officer, and a report giving a full breakdown of staff absences and the reasoning behind it would be submitted to the September meeting of the Panel.

RESOLVED to note the update performance report.

28/14 PERFORMANCE TASK AND FINISH GROUP:
PERFORMANCE FRAMEWORK This report was deferred to the meeting of the Panel in September 2014.

29/14 FORTHCOMING EVENTS The Panel noted that Nottinghamshire. County Council was hosting the National Conference on Police and Crime Panels led by Front Line Consulting on 17 October 2014. David Rose would circulate details to Panel Members and anyone wishing to attend should contact David who would book places.

30/14 WORK PROGRAMME The Director of Legal Services provided Members with a suggested work programme which would provide the Commissioner's Office and the Panel's secretariat with the opportunity to enter into a degree of structured forward planning and with the understanding that any agreed timetable was indicative and could be amended according to the Panel's wishes and to reflect emerging themes and priorities.

RESOLVED to approve the continuing work programme for the Derbyshire Police and Crime Panel 2014/15.

31/14 DATE OF NEXT MEETING - RESOLVED to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 18 September 2014 at 11.00 am at County Hall, Matlock.

MINUTES of the Meeting of the **DERBYSHIRE FIRE & RESCUE AUTHORITY** held at the Fire & Rescue Service Headquarters, Burton Road, Littleover, Derby commencing at 1100 hours on 10 April 2014

Present:

Councillors: R Hosker (Chair), P Bayliss (Vice Chair), K Lauro, T Southerd, P Smith, R Turner, D Lomax, L Allen, S Davis, S Spencer, B Lewis, K Buttery, M Stockdale, C Moesby, J Hill

Officers in Attendance:

L Taylor	Solicitor/Monitoring Officer
S Allsop	Director of Finance/Treasurer
A Waldie	Deputy Chief Fire Officer
J Smith	Deputy Chief Executive
J Carter	Committee Clerk

P Wilkinson	Independent Member
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Apologies:

Councillor S Brittain

14/14

PUBLIC QUESTION TIME

There were no questions from members of the public.

15/14

DECLARATIONS OF INTEREST

There were no declarations of interest.

16/14

MINUTES OF DERBYSHIRE FIRE & RESCUE AUTHORITY MEETING HELD ON 13 FEBRUARY 2014

16.1 Members confirmed the minutes as a correct record and these were signed by the Chair.

17/14

MINUTES OF THE GOVERNANCE & PERFORMANCE WORKING GROUP MEETING HELD ON 24 FEBRUARY 2014

17.1 Members confirmed the minutes as a correct record. It was noted that the next meeting to discuss the Annual Governance Statement will be 23 April 2014.

18/14

TREASURY MANAGEMENT PRESENTATION

- 18.1 R Smeathers, Project Accountant gave Members a brief overview of treasury management arrangements in relation to borrowing, investment, cash flow and revenue.

REPORTS FOR DECISION

19/14

MEDIUM TERM FINANCIAL FORECAST 2014/15 – 2017/18 AND REVENUE AND CAPITAL BUDGET MONITORING 2013/14 (APRIL 2013 – FEBRUARY 2014)

- 19.1 The Treasurer briefly outlined the key points of the report which reflected the changes made as a consequence of the 1.9% council tax increase as approved at the February meeting. The recommendations for approval by Members were also highlighted as detailed in paragraphs 2.5 and 2.6 of the report. Members' attention was drawn to paragraph 3.8 of the report which illustrated the potential budget deficit position.
- 19.2 Members were informed that an unexpected additional grant had been received as part of the Government's Capitalisation Fund; this was likely to be a one-off payment and was not expected year on year.
- 19.3 The Treasurer explained that the underspend on the training budget reflected a more cost effective approach in course delivery and providers but pointed out there had been no reduction in the training programme. The Deputy Chief Fire Officer added that the Learning and Development Centre was now accredited and therefore more training could be delivered in-house. Similarly, the Treasurer reported that the training budget for RDS was forecasted as part of the budget using a number of factors which were subject to variation, but the same level and standard of training was delivered.
- 19.4 The Treasurer confirmed that the Unimog vehicle will be funded from the 2013/14 underspends.
- 19.5 Members formally commended the Treasurer and the Corporate Financial Services team for the exemplary management of the Service's budget and the contribution of departments to challenge and scrutinise expenditure in order to generate savings.

Resolution: Members:

- 19.6 Noted the updated Medium Term Financial Forecast 2014/2015 – 2017/2018 as updated for a Council Tax increase of 1.9% effective 1st April 2014, and updated for final NNDR and Council Tax notifications from district/borough and city councils.

- 19.7 Noted the Revenue Budget Monitoring and Forecast Outturn position as at 28th February 2014, being an underspend of £4m, as outlined in Appendices 1 and 2, with further additional income of £0.5m relating to the former Chesterfield Fire Station site.
- 19.8 Noted the significant progress made on the Effectiveness Programme as outlined in Appendix 3 of the report.
- 19.9 Noted the Capital Budget Monitoring position as at 28th February 2014, as outlined in Appendix 4 of the report.
- 19.10 Approved slippage of £274k from the 2013/14 Capital Programme into 2014/15 (see para 4.40 of the report).
- 19.11 Approved the change of funding for the Unimog and Water Carrier from leasing to revenue purchase (see para 4.42 of the report).
- 19.12 Noted the Authority's favourable Reserves position as illustrated in Appendix 5 of the report.
- 19.13 Noted the accounting treatment in respect of income relating to the former Chesterfield Fire Station site (see para 4.3 of the report).

20/14

COMMAND AND CONTROL

- 20.1 The Deputy Chief Fire Officer (DCFO) reported that an approach had been made from Nottinghamshire Fire & Rescue Service (NF&RS) to seek interest in exploring the potential for a single command and control provision to serve the three fire and rescue services. At this stage the predicted turnover of DF&RS Command and Control personnel would not meet the timescales specified by NF&RS.
- 20.2 Members noted their previous decision not to make compulsory redundancies wherever possible in moving forward.
- 20.3 Members expressed an interest to pursue the potential for DF&RS to deliver a Command and Control service for NF&RS as part of the future opportunities for income generation and collaboration.

Resolution: Members

- 20.4 Noted the approach from NF&RS and asked officers to explore the potential for DF&RS to provide a service to NF&RS and that a detailed business case was submitted to the FRA to enable a formal decision.

21/14

MANAGEMENT OF REDUCTION IN ESTABLISHMENT AND ASSETS

- 21.1 The Chair presented a revised recommendation 2.2 to the Authority as recorded at 21.9.
- 21.2 Members asked for further clarification on the existing/predicted establishment shortfalls and how this was linked to the reduction as proposed within the consultation. The Deputy Chief Fire Officer confirmed that there were currently 308 operational personnel on appliances, however, due to the forecasted budget deficit this number could be reduced by natural wastage (76 posts) thus avoiding the need for compulsory redundancies. Alternative approaches to shift levels and patterns or the reduction of one employee from each wholtime shift could free up to 44 posts which could be removed from the establishment.
- 21.3 The Deputy Chief Fire Officer advised Members that the houses at Swadlincote were not occupied and boarded up. These properties had previously been used by operational personnel when the station was operated on a day staffing system.
- 21.4 The Leader of the Conservative Group stated that there was a need to agree on the accepted minimum crewing levels prior to any reduction in the establishment to ensure appliances were available for mobilisation. In relation to the property assets, he stated that the Service must ensure that housing stock was not sold on the cheap to the local authority.
- 21.5 The Leader of the Liberal Democrat Group questioned the delay in progressing the Key Principles following the February meeting. The Deputy Chief Fire Officer explained that members of the Strategic Leadership Team had commenced a programme of visits to all watches, units and departments to fully explain the outcome of the last FRA meeting and the proposed next steps of the Transforming Service Delivery (TSD) project. The intention was to meet with the Fire Brigades Union following approval of the recommendations within this report.
- 21.6 It was noted by Members and Officers that future reports which relate to the TSD Key Principles and Outcome Proposals etc. should be discussed at the Transformational Steering Group prior to submission to the full Fire Authority.

Resolution: Members

- 21.7 *A Recorded Vote to accept the following recommendations was taken:*

Recorded Votes For: 9 (Cllrs Hosker, Bayliss, Smith, Moesby, Stockdale, Turner, Southerd, Lauro, Hill)

Recorded Votes Against: 6 (Cllrs Spencer, Lewis, Buttery, Davis, Allen, Lomax)

- 21.8 Noted that discussions will commence with the representative bodies regarding changes to shift levels and patterns that will enable a reduction in establishment.
- 21.9 Approved the marketing of some or all of the properties (housing stock) at Swadlincote, linked to the outcome of discussions at 2.1 of the report to reduce maintenance costs, provide a capital return and prevent unused building stock being subject to compulsory purchase by the local authority with a further paper coming into the next appropriate meeting.

22/14

INCOME GENERATION OPPORTUNITIES

- 22.1 The Treasurer explained the purpose of the report and briefed Members on potential areas for further income generation. A number of opportunities for additional income could be generated from room hire, training courses, special service charges and attendance to automatic fire alarms (AFAs).
- 22.2 The Deputy Chief Fire Officer informed Members that the Service had introduced a very strict policy in relation to the response to AFAs which had resulted in a significant reduction.
- 22.3 In response to a question, the Treasurer reported that the purpose of the internal Procurement User Group and Procurement Board was to ensure the most competitive purchase prices for the highest quality products to meet service needs.

Resolution: Members

- 22.4 Noted the current income position for Derbyshire Fire and Rescue Service and approved, in principle, that the Service seek revenue generation opportunities and consider which to explore further.
- 22.5 Asked that further work takes place to establish what other fire and rescue services provide for additional income and where they apply charges. It was suggested that the research should focus on a cross section of services, and not necessarily those which generated the most income.

23/14

BREATHING APPARATUS UPGRADE

- 23.1 The purpose of the report was to seek Members' approval for the upgrading of the Service's breathing apparatus (BA) sets. This matter had been referred to the FRA to meet Financial Regulations and the level of funding required for the upgrade. The current Interspiro set was purchased in 1994 and has since had minor modification as the manufacturer has changed parts. The purchase was not subject to a tendering process as it was limited to the sole supplier of Interspiro as an upgrade to the existing BA sets.

Resolution: Members

- 23.2 Approved the upgrading of the Service's BA sets.
- 23.3 Noted the savings made against the associated BA revenue budgets and therefore the net costs of the upgrade.
- 23.4 Noted the improvements afforded by the upgrade and the timeframe to implement the change.

REPORTS FOR INFORMATION

25/14

FIRE PEER CHALLENGE OUTCOME

- 25.1 Members were presented with the LGA Fire Peer Challenge report based on the visit which took place in September 2013 and January 2014. The report identified many positives such as a reduction in incidents through Prevention activities, valued partner status and excellent practices including Learning & Development. The report also provided advice on areas to review such as Protection. The outcomes of the report will be incorporated into the appropriate planning proposals.

Resolution: Members

- 25.2 Noted the contents of the report.

26/14

TRI SERVICE CONTROL PROJECT UPDATE

- 26.1 The report was presented to update Members on progress with the project. All hardware/equipment had been installed and a 'go live' date of 24 June 2014 was expected. The appointment of a single post to oversee all three Command and Control suites had been approved.

Resolution: Members:

- 26.2 Noted the contents of the report.

27/14

CHIEF FIRE OFFICER/CHIEF EXECUTIVE VERBAL UPDATE

- 27.1 **National Response to Flooding**
Derbyshire had committed a high volume pumping appliance, a pumping appliance and a boat to assist with the severe flooding in Somerset, Royal Berkshire and Surrey.

27.2 Arcwood Recycling Plant, Stanton by Dale, Ilkeston

The Authority had commenced proceedings following a serious fire at the plant in September 2012. As a consequence the director was sentenced to 10 months imprisonment plus fines for contravening the Regulatory Reform (Fire Safety) Order 2005. The Environment Agency also pursued legal action and the director was sentenced to a further 10 months imprisonment served concurrently. DF&RS Protection officers were now contributing the work being carried out by the Chief Fire Officers' Association on waste management.

27.3 Post TSD Fire and Rescue Authority Outcomes – Communication

The Director of Finance, the Service Solicitor and Area Managers have commenced a series of Watch visits across the Service to communicate the outcomes of the Fire and Rescue Authority decision regarding the above. Additional suggestions are being made for alternative shift systems. Reception of the visits has been both progressive and positive. Principal Officer visits will commence in June.

27.4 Bakewell RDS – Accident

Bakewell retained crew, while responding to an incident, one mile north of Ashford in the Water, were involved in a road traffic collision. A firefighter sustained a serious injury but was discharged after one night and was now recovering at home; other crew members had superficial injuries and were not retained in hospital. An internal accident investigation was taking place and the Service's vehicle insurers were assessing the damage to the appliance. The Chair of the Authority had sent a letter to the individual still recovering from his injuries.

27.5 Incidents of Significant Note

Assembly Rooms Car Park, Derby (14.3.14). This was a severe fire on the top level of the building which required the mobilisation of fifteen appliances and support by Nottinghamshire and Staffordshire Fire & Rescue Services. The fire was brought under control very quickly. The investigation identified the start of the fire in an air conditioning motor and the rapid spread due to the polystyrene lagging. The Vice Chair of the Authority, and Leader of Derby City Council, recorded his formal thanks to the Service for their professional and effective response to the fire.

Explosion, Agard Street, Derby (18.3.14). This explosion started in a laundry room which served a number of surrounding premises. Due to the initial uncertainty of persons reported, search and rescue teams from other services were mobilised to the incident, however, no one was trapped under the collapsed structure. The cause of the explosion was a ruptured water boiler in the laundry room.

PUBLIC

MINUTES of a meeting of the **D2 JOINT COMMITTEE FOR ECONOMIC PROSPERITY** held on 13 May 2014 at Erewash Borough Council Offices, Long Eaton

PRESENT

<u>Amber Valley Borough Council</u>	<u>Derbyshire Dales District Council</u>
Councillor S J Bradford	Councillor G Stevens (substitute)
<u>Bolsover District Council</u>	<u>Erewash Borough Council</u>
Councillor E Watts	Councillor C Corbett
<u>Chesterfield Borough Council</u>	<u>High Peak Borough Council</u>
Councillor J Burrows	Councillor C Bisknell
<u>Derby City Council</u>	<u>North East Derbyshire District Council</u>
Councillor P Bayliss	Councillor N Foster (substitute)
<u>Derbyshire County Council</u>	<u>South Derbyshire District Council</u>
Councillor A Western (In the Chair)	Councillor R J Wheeler

Also in Attendance –

Amber Valley Borough Council – J Townsend
Bolsover District Council – W Lumley
Chesterfield Borough Council – H Bowen
Derbyshire County Council – B Ackrill, M Ashworth, J Battye, S Eaton, F Horsley, A Lathbury, P Peat, J Seymour, I Stephenson and A Thomas.
Derbyshire Dales District Council – D Bunton
Derby City Council – R Williams and A Wilkinson
Erewash Borough Council – J Jaroszek
High Peak Borough Council – S Baker
South Derbyshire District Council – F McArdle
D2N2 LEP - D Ralph and P Richardson

Apologies for absence were submitted on behalf of Councillors G Baxter and L M Rose

10/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 18 March 2014 be confirmed as a correct record and signed by the Chair.

11/14 **GOVERNANCE REVIEW** The Committee was informed of progress being made on the Governance Review, including outputs and recommendations from the recent option appraisal exercise undertaken by the D2 Officer Working Group. The Committee was asked to consider the next steps of the governance review process, particularly in relation to agreeing the preferred governance model; the range of potential 'asks'; the consultation to be undertaken with the general public, private and third sectors on the proposed model and that where appropriate, feedback be used to refine the final proposal. The committee was also asked to agree how the final draft governance proposal should be considered by constituent members for comment, prior to formal sign off.

W Lumley and J Battye provided an overview of the feedback received from DCLG on the proposals and progress made so far by D2. It was clear there was an 'unwritten hierarchy' of governance models, with combined authorities (CA) at the top. In the view of Government, a stronger governance model (ie a CA) meant greater confidence in delivery and a likelihood of attracting the most Government. DCLG had advised that D2 was leading the way for county areas across the country and our work so far provided a real opportunity shape the future of two tier working in respect of economic regeneration and transport. The Committee was advised that in order to achieve implementation of the Scheme by 1 April 2015, the latest date for submission to Government would be mid July 2014.

A summary of governance options was set out and an options appraisal had been conducted. As part of the option appraisal process, consideration was given to four main options, tested against a number of impact considerations. The options evaluated were:

- 1) Remain as a Joint Committee for Economic Prosperity
- 2) Extend the role and functions covered by the existing Joint Committee
- 3) Develop an Economic Prosperity Board
- 4) Develop a Combined Authority

The Working Group concluded that a combined authority presented the best option for D2 and that the statutory tests could be met: positively impacting on the economic conditions of the area; and providing the best opportunities for improved efficiency and effectiveness of delivery. In challenging and developing this option further, representatives of the Working Group had undertaken additional work to refine the detail regarding the range of transport functions proposed which could be included in the combined authority – alongside consideration of any related advantages/ dis-benefits. This additional work had

resulted in two different options for the combined authority being identified; the main difference being the impact on the D2N2 Local Transport Board (LTB).

To progress the review to its full conclusion, the Committee would need to agree to the proposal in principle and subject to any further refinement following consideration by the Committee, the proposal would need to be subject to public and wider consultation. Feedback would be provided back to constituent members and would be used to develop the final proposals prior to submission of the scheme. This activity would necessarily need to take place alongside continuing dialogue with Government, and DCLG in particular, to ensure the final shape of the D2 proposal met expectations and that the 'asks', freedoms and flexibilities were supported.

It was also noted that significant input from the LEP would be needed to ensure the proposals met local expectations and that the impact on D2N2 governance was fully understood/ managed. Both the Chair and Vice Chair of the LEP were invited to comment and strongly advocated the proposal to create a combined authority.

It was likely that an additional meeting of the Joint Committee would need to be held in June to facilitate collective sign off of the proposal and individual authorities if the submission timescales to DCLG were to be met. It was also noted that special Cabinet/ Council arrangements would potentially be needed within individual local authorities to gain formal approval.

The Chair invited individual members to comment on the proposal and indicate whether they supported, in principle, the proposed option to create a combined authority. Constituent members raised a number of issues regarding: pace of the work and whether the timescales for submission were realistic; the need to clearly articulate the nature of the CA, its functions and its costs – specifically answering the question, 'what is the benefit of creating a combined authority'.

All individual authorities indicated their support for the creation of a combined authority, subject to clarification of matters of detail.

RESOLVED (1) to agree to progress and finalise a Scheme for Government based on the preferred governance model, a combined authority, as set out at paragraphs 5.6 and 5.10 of the report;

(2) that constituent authorities put forward specific questions to be answered as part of the clarification/finalisation process;

(3) to agree themes for the 'asks, freedoms and flexibilities' set out at paragraph 5.13 and request the Working Group develop the detailed proposals;

(4) that following further consideration of the proposals at the next Joint Committee meeting consultation be undertaken with the general public, private and third sectors on the proposed model and results be used to refine the final proposal;

- (5) that officers of the Working Group continue dialogue with Government to ensure the proposals meet expectations and the statutory tests;
- (6) that an additional Joint Committee meeting be held on 27 June to support collective sign off;
- (7) that an invitation be extended to DCLG and BIS colleagues to attend the June – or any other appropriate meeting - to secure continued support to the proposals; and
- (8) that individual authorities identify appropriate arrangements to formally sign up to the proposals.

12/14 DEVELOPING A TRANSFORMATION CHALLENGE FUND BID

The Committee was informed of the recent announcement from the Department for Communities and Local Government regarding the Transformation Challenge Awards and Capital Receipt Flexibility 2014-2016 initiative which was available to support local authorities transform their operation, make changes to their business processes and work with the wider public sector to improve services for local people.

Details of the distribution of the award monies were set out and applications would be considered to support greater partnership working and the redesigning of services. Authorities were required to submit a pre-bid expression of interest by 5pm on 1 July 2014 and this was the element that any Derbyshire bid would be made into.

DCLG would respond to each expression of interest setting out how the proposal fits against the criteria and outline the package of support available for Authorities to further develop their bids. The deadline for submission of formal bids is 1 October 2014. An organisation called New Economy had been commissioned to deliver a number of workshops to help convert expressions of interest into bids and to develop a comprehensive cost benefit analysis. DCLG had suggested that the focus of expressions of interest should be around the 'big' priorities and demand management; they are looking to target funding into these areas. The winning bids in this second round would be announced in November 2014, at the same time as the local government finance settlement.

There would also be up to £200m of capital receipts flexibility over the two years 2015-2016 and 2016-2017. The aim was to allow councils to flexibly spend capital receipts from asset sales (through a capitalisation direction under section 16(2)(b) of the local Government Act 2003), which were normally only used for capital expenditure, on one-off revenue costs associated with service reforms (which could include strengthening asset management plans).

This initiative was seeking to encourage additional asset sales and, as a result, capital receipts obtained prior to the issue of the consultation would not be eligible. Capitalisation direction would be limited by the condition to the use of

capital receipts from the disposal of assets from or after 1 August 2013 and capital receipts should be spent in the two years from April 2015. The deadline for pre-bid expressions of interest was 5 pm on 1 July 2014. Before formally bidding to the fund, prospective bidders were asked to submit an expression of interest and this would offer Authorities the opportunity to develop their proposals with DCLG before formally bidding.

Political agreement from each of the participating authorities must be secured and demonstrated. Proposals which did not meet the criteria would not be invited to make a formal bid.

RESOLVED to agree to submit a pre-bid expression of interest into the 2015-16 element of the Transformation Challenge Award.

13/14 PRESENTATION ON CUSTOMER SEGMENTATION: UNDERSTANDING COMMUNITIES S Eaton and B Ackrill made a presentation on the methodology for the Derbyshire Customer Segmentation Model and how the information obtained from this process could be used by Authorities to better understand their customers and how services could be focussed on the areas of need and delivered more efficiently.

RESOLVED that the presentation be noted.

14/14 DRAFT DERBYSHIRE ECONOMIC STRATEGY STATEMENT

F Horsley gave an overview of the Derbyshire Economic Strategy Statement and outlined the next steps towards completion.

The Derbyshire Economic Strategy Statement (DESS) had been developed through the Derbyshire Economic Partnership (DEP) with the key objective of defining what Derbyshire needed to secure economic prosperity and setting out what the county, and its constituent districts, could do to promote and deliver growth. To this end, the DESS represented a clear statement of intent for all economic stakeholders in Derbyshire and served a number of functions:

- Provided a framework for all economic partners in the public, private and third sectors to work collectively
- Set out the economic baseline on which the need and opportunities for investment and growth were evidenced and built – including the case for further freedoms and flexibilities from Government
- Delivered growth and prosperity through attracting investment/funding by setting out clear objectives and priorities
- Presented a dynamic narrative of Derbyshire to support wider discussions and decision

The DESS had been developed with the objective of ensuring all economic partners and stakeholders had the opportunity to input and shape the final strategy. The final draft of the DESS would be presented to DEP Board on 23 May 2014.

At a recent meeting of the D2 officer working group, discussions were held to consider next steps once the DESS was published to ensure the D2 approach to economic growth was coherent in making the case for resources through the LEP growth deal process and directly with Government.

The proposal was to undertake a further piece of work which would align the newly published DESS with the existing Derby Economic Strategy 2011-16. The work would align both strategies and relevant local economic analysis (primarily through the Local Economic Assessments for both the county and city) and provide a clear set of D2 priorities and interventions with appropriately benchmarked shared indicators and targets of performance. In essence, a “growth deal” for D2, aligned to the emerging proposals from the EPB/ Combined Authority.

RESOLVED (1) to note the results of public consultation on the key themes and issues which would be used to finalise the content of the DESS; and (2) that further joint work across D2 be explored and proposals developed on how best to undertake and complete it, in liaison with the D2N2 LEP.

**15/14 LANDSCAPE CHARACTER OF DERBYSHIRE:
UNDERSTANDING THE ECONOMIC POTENTIAL**

A Thomas and A Lathbury made a presentation on the 10 year review of the ‘Landscape Character of Derbyshire’ publication and highlighted its role in environmental protection, social wellbeing and supporting/ promoting sustainable economic growth.

The Landscape Character of Derbyshire and associated technical support documents provided an important environmental evidence base to:

- Support Local Plan making and development management across the County;
- Provide a strategic spatial framework to support sustainable economic development and social well-being by utilising the Areas of Multiple Environmental Sensitivity work to help guide where development should take place and conversely where economic growth can help deliver multiple public benefits;
- Support the Local Nature Partnerships’ and LEP’s aspirations to create a green economy.

RESOLVED (1) to note the 10 year review of the *Landscape Character of Derbyshire* publication and agree to support its use as a tool to support local

plan making, development management and sustainable economic development within local authorities across the County;

(2) to note the economic potential of clearly defined landscape characters in supporting the continued development of Derbyshire's visitor economy and agrees for opportunities to use such characteristics as a marketing tool to be explored; and

(3) to agree to closer, collaborative working with the two Local Nature Partnerships and D2N2 in fulfilling the collective aspiration to become the 'greenest' LEP the in the country.

16/14 BROADBAND COVERAGE ACROSS D2 R Williams
provided an update on the progress of the DCMS funded 'SuperConnected Cities' scheme which is being rolled out across Derby. The City Council had been awarded £2.2m funding from the Government for the delivery of high speed broadband. The delivery was in two parts: an allocation of £1.1m towards a voucher scheme for businesses to receive broadband or to have existing broadband upgraded, for which take-up has been disappointing; and £1.1m towards the provision of public wi-fi in the city centre, which was proving to be very popular and successful.

RESOLVED to note the progress being made across Derby City in delivering broadband and improving connectivity.

17/14 NEXT MEETING A special meeting of the Committee would be held at 1pm on Friday 27 June 2014 at County Hall, Matlock and the next scheduled meeting would then be held on Tuesday 15 July 2014 at High Peak Borough Council.

18/14 EXCLUSION OF THE PUBLIC RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

Consideration of a report on the Strategic Economic Plan and Prioritised Deal sheet (Containing information relating to financial or business affairs of any particular person)

MINUTES of a meeting of the **D2 JOINT COMMITTEE FOR ECONOMIC PROSPERITY** held on 27 June 2014 at County Hall, Matlock

PRESENT

<u>Amber Valley Borough Council</u> Councillor P Jones	<u>Derbyshire Dales District Council</u> Councillor L M Rose
<u>Bolsover District Council</u> Councillor E Watts	<u>Erewash Borough Council</u> Councillor C Corbett
<u>Chesterfield Borough Council</u> Councillor J Burrows	<u>High Peak Borough Council</u> Councillor G Claff
<u>Derby City Council</u> Councillor M Rawson	<u>South Derbyshire District Council</u> Councillor R J Wheeler
<u>Derbyshire County Council</u> Councillor A Western (In the Chair)	

Also in Attendance –

Amber Valley Borough Council – J Townsend
Bolsover District Council/North East Derbyshire District Council – W Lumley
Chesterfield Borough Council – H Bowen
Derbyshire County Council – M Ashworth, J Battye, F Horsley, P Peat, J Seymour and I Stephenson.
Derbyshire Dales District Council – D Bunton
Derby City Council – A Smith
Erewash Borough Council – J Jaroszek
High Peak Borough Council – M Trillo
South Derbyshire District Council – M Royance

Apologies for absence were submitted on behalf of Councillors G Baxter and C Bisknell.

19/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 13 May 2014 be confirmed as a correct record and signed by the Chair.

and J Battye updated the Committee on progress with the development of the Combined Authority since the last meeting.

Further discussions had taken place with DCLG and feedback was largely positive although it had been stressed there was a need to demonstrate ambition beyond the priorities of the SEP. “Big ticket” items needed to be developed for inclusion in the D2 scheme and the related asks, freedoms and flexibilities set out. The relationship of the proposed D2 Combined Authority with N2 and the rest of the LEP also needed to be clarified in the Scheme

It was considered important that momentum in completing the Review and the subsequent move to a Combined Authority was maintained. Views were expressed over the continuing need for councils to be fully advised of the advantages and disadvantages of entering in to a Combined Authority in order to support discussions within individual authorities. It was noted that further information and support would be given to councils where necessary via the Officer Working Group and Partnership Co-ordination Group in order to provide greater assurance in demonstrating the need for a Combined Authority.

Particular concerns were raised regarding the detailed governance arrangements for the Authority and it was agreed that the South Yorkshire Combined Authority (Sheffield City Region model) would be used as the basis for the D2 governance proposals. Secretariat proposals would be considered in more detail at the next meeting, including links with the LEP Executive team and current DEP resources.

Members had been provided with a copy of a Frequently Asked Questions document which had been drafted in response to the questions raised subsequent to the last meeting and gave information on the establishment and operation of a Combined Authority.

It was noted that the LEP was very supportive of the Combined Authority proposal, and confirmed that the arrangement did provide the strongest form of governance, in line with the views of central Government.. There was agreed there was a need to resolve the relationship of proposed D2 Combined Authority ‘asks’ with those of the emerging D2N2 Growth Deal.

The Joint Committee was reminded of the statutory tests which would be applied to the Combined Authority and also, responding to the feedback from DCLG:

- Were the proposals ambitious enough and did they go beyond the current SEP priorities?
- Would the economic conditions of the D2 area be improved as a result of the new arrangements – including meeting the statutory tests?

- Could what was proposed be undertaken by a Joint Committee?

Details of possible “Big Ticket” items to be developed in to “asks” were presented and the Committee was asked to identify any additional items for consideration. The following were proposed:

- Broadband provision
- Control of Enterprise Zones
- The rural economy – including farming apprenticeships
- Tourism and the visitor economy
- Back to work support – Job Centre Plus
- Road and rail infrastructure
- Highway Agency functions
- Environment Agency functions such as flooding
- The knowledge economy and advanced manufacturing
- Emerging economic sectors – including research and development
- Skills/ employment

It was requested that the Officer Working Group develop the “asks” further and report back to the Committee.

RESOLVED (1) to note the report and agree that pace continue to be maintained in completing the review and progressing to submission.

(2) that the Officer Working Group progress the asks further for consideration at the next meeting

(3) that the draft Scheme be presented to the next meeting, using the Sheffield City Region model as the basis

(4) that local authorities confirm their Council meetings between July and December so that approval processes can be managed in a timely manner; and

(5) that briefing material be prepared by the Officer Working Group for use by Joint Committee members in supporting effective communication.

21/14 **NEXT MEETING** The next meeting was to be held on Tuesday 15 July 2014 at High Peak Borough Council.

22/14 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

Confirmation of the Exempt Minutes of the meeting held on 13 May 2014.

23/14 **MINUTES** **RESOLVED** that the Exempt Minutes of the meeting of the Committee held on 13 May 2014 be confirmed as a correct record and signed by the Chair.

MINUTES of a meeting of the **D2 JOINT COMMITTEE FOR ECONOMIC PROSPERITY** held on 15 July 2014 at the University of Derby campus, Buxton.

PRESENT

<u>Amber Valley Borough Council</u> Councillor P Jones	<u>Derbyshire Dales District Council</u> Councillor L M Rose
<u>Bolsover District Council</u> Not in attendance	<u>Erewash Borough Council</u> Councillor C Corbett
<u>Chesterfield Borough Council</u> Councillor J Burrows	<u>High Peak Borough Council</u> Councillor C Bisknell
<u>Derby City Council</u> Councillor M Rawson	<u>North East Derbyshire District Council</u> Councillor G Baxter
<u>Derbyshire County Council</u> Councillor A Western (In the Chair)	<u>South Derbyshire District Council</u> Councillor R J Wheeler

Also in Attendance –

Amber Valley Borough Council – J Townsend
Bolsover District Council/North East Derbyshire District Council – W Lumley
Chesterfield Borough Council – N Johnson
Derbyshire County Council – Councillor J Dixon, M Ashworth, J Battye, P Peat and I Stephenson.
Derbyshire Dales District Council – D Bunton
Derby City Council – A Wilkinson
Erewash Borough Council – J Jaroszek
High Peak Borough Council – S Baker
South Derbyshire District Council – F McArdle
D2N2 – P Richardson

Apologies for absence were submitted on behalf of Councillor E Watts.

24/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 27 June 2014 be confirmed as a correct record and signed by the Chair.

25/14 DEVELOPING THE D2 COMBINED AUTHORITY W Lumley and J Battye updated the Committee on progress with the development of the Combined Authority since the last meeting.

The Joint Committee was asked to comment upon and indicate its acceptance of the proposals for the Scheme for the establishment of a Derby and Derbyshire Combined Authority. The following points arose:-

- The name of the CA would be the Derby and Derbyshire Combined Authority.
- There should be no constraints on the arrangements for the appointment of the Chair and Vice Chair.
- The advice of DCLG should be sought on the recommended voting mechanism – should decisions be by a majority or a unanimous vote?
- The function of the CA should also reflect the County's rural qualities and its unique selling points.
- Thought needed to be given to the finalising the list of powers that the CA would seek to adopt.
- Chief Executives to pull together the resourcing and funding proposals to support the CA (e.g. DEP resources).
- Chief Executives would work with Finance Officers to develop options for creating innovative funding mechanisms to support the CA – and include as one of the 'promises' and 'asks'.
- More work to be undertaken in finalising the offer and details of the 'asks', setting out how much finance the CA would be looking for.
- Consultation to be undertaken starting in August. Information on the progress and proposals of the CA to be supplied to Derbyshire MPs as soon as possible.
- Confirmation required from DCLG on whether approval for the CA was a Cabinet or Full Council decision – special meetings of Full Council to be called by constituent authorities if needed, to ensure pace is maintained.
- The future role of DEP and DRB to be considered as part of finalising the Scheme.
- Chair of LEP to be invited as a non-constituent member.
- Consideration to be given to stakeholders on roles as non-constituent members or observers.

RESOLVED that progress to date be noted and endorsed subject to the comments made at the meeting

26/14 NEXT MEETING The next scheduled meeting is to be held on 7 October 2014 at North East Derbyshire District Council.

A special additional meeting is to be set up during September to ensure continued pace and finalisation of proposals.