

## **PUBLIC**

**MINUTES** of the meeting of the **DERBYSHIRE COUNTY COUNCIL**  
held on 10 February 2016 at County Hall, Matlock

### **PRESENT**

Councillor S Freeborn (In the Chair)

Councillors D Allen, Mrs E Atkins, S A Bambrick, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, Mrs M W Booth, A Botham, S J Bradford, S Brittain, K Buttery, Mrs D W E Charles, Mrs L M Chilton, D Collins, Mrs C M Cox, J A Coyle, R Davison, P Dunn, S J Ellis, Mrs P A Gilby, K Gillott, D T Greenhalgh, Mrs C A Hart, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, Mrs J M Innes, P Jones, T A Kemp, Mrs K D Lauro, B Lewis, D W Lomax, S Marshall-Clarke, W Major, R R Mihaly, C R Moesby, K P Morgan, C E Neill, J R Owen, R A Parkinson, Mrs J E Patten, Mrs I Ratcliffe, B Ridgway, T Southerd, S A Spencer, Mrs M Stockdale, Mrs J S Street, D H Taylor, Mrs J A Twigg, D Walton, Ms A Western, D J Wilcox, E S Wilcox, Ms J Wild and D A Williams.

**01/16      APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors S Bull, J Dixon, M Ford, J Frudd, D McGregor, K P Morgan, P J Smith, J G Williams and B Wright.

**02/16      DECLARATIONS OF INTEREST**      There were no  
Declarations of Interest.

**03/16      CHAIR'S ANNOUNCEMENTS**      The      following  
announcements were made:-

(1) The Chair reported the death of former County Councillor Joe Heathcote, Member for the old Alfreton No. 2 Division from 1964 until 1993, being Deputy Leader from 1981 to 1990 and Chair of the Council from 1991 to 1993.

A minute's silence was observed and tributes were made.

(2) A presentation was made to Faye Clarke, a care leaver who was a runner up in the Children and Young People Now Awards 2015 in the category of Children's Achievement Award.

(3) A presentation was made to members of the Children's Participation Team which had won the prestigious Public Sector Team of the Year in the Children and Young People Now Awards 2015.

(4) A number of presentations were made following success at the Social Worker of the Year awards.

(5) The Chair reported that this was the last Council meeting before the retirement of Strategic Directors David Lowe and Ian Johnson.

(6) The presentation to be made at agenda item 9 was to be brought forward on the agenda.

**04/16      MINUTES OF THE PREVIOUS MEETING** On the motion of Councillor S Freeborn, duly seconded,

**RESOLVED** that the minutes of the meeting of Council held on 2 December 2015 be confirmed as a correct record.

**05/16      PRESENTATIONS** Leslie and Fiona Trotter attended the meeting to make a presentation to Council on the Derbyshire Tartan.

**06/16      REPORT OF THE LEADER OF THE COUNCIL** Councillor A Western, Leader of the Council, reported that, since the last meeting, her work had been focussed on the preparation of the Council's budget.

**07/16      PUBLIC QUESTIONS**

**(i) Question from Mrs L Potter to Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure**

In August 2015, licences were granted by the Oil and Gas Authority to allow energy companies to now apply for planning permission to extract shale gas from land within Derbyshire. Companies will be wanting to do exploratory test drilling and water and rock monitoring activities in order to prepare for full-blown hydraulic fracking of the land. How will this Council be responding to the prospect of fracking in Derbyshire as a whole and also under the Peak District National Park?

Councillor Collins responded as follows:-

We here at the County Council are widely promoting renewables and we are hopeful of more solar and biomass throughout the county. We will have to take every fracking application as it comes in and I can stress none at the moment have even been notified that they would be coming anyway. We will have to take them as they come because we have a statutory obligation to do so. We cannot take a stance in case they appeal and the decision is we have pre-determined the outcome of that appeal, so our stance is more renewables, wherever possible.

A supplementary question was asked as follows:-

Thanks for the reassurance about the Council's general mindset about being more into renewables but it is going to need something a bit more principled. I understand about planning applications but the Government want to roll out a huge fracking industry in the UK over the next decade and to do so they want to change the law so that local communities and Councils won't have the power to block fracking applications. This is a huge attack on local democracy so please will you do all in your power to stand out against these plans? Please will you speak out against Government plans to remove local councils' rights to stop fracking in our community?

Councillor Collins responded as follows:-

Yes, we will speak out. On the one hand they are giving devolution for local powers, on the other hand they are removing them on fracking. We will be speaking out on them and we will be trying to get them kept at local decision making on fracking.

**(ii) Question from Mr D Gorton to Councillor J A Coyle, Cabinet Member for Children's Services**

What research has been done to assess the impact of closures on possible future costs to the council budget? Children's centre workers and others working alongside them in the centres have proved invaluable in spotting earlier than otherwise would have been done, not only learning disabilities but other health issues and potential antisocial behaviour patterns – this experience will now disappear from 'the system', leading to inevitable costs further down the line. The briefing states "Although it is proposed to close some children's centres, the review would look at how services can continue to be offered by working closely with partners in childcare, health services, schools and voluntary organisations." Surely the council already works "closely with partners in childcare, health services, schools and voluntary organisations"? Is this not just window dressing to make closures and sackings sound 'reasonable'? With the savings amounting to just £4.3 million of the total cuts package, why can't the reserves be used to cover this?

Mr Gorton was not present at the meeting to ask the question and the Chair stated that a written reply would be supplied to him.

**(iii) Question from Mr T Weller to Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure**

With rising road and rail congestion in our county, Staffordshire and the West Midlands, will Derbyshire County Council now take a major initiative, with Staffordshire County Council, the West Midlands Combined Authority and Network Rail, to raise the importance of our European Major Transport Route of 74km of double track rail lines from Derby to Stourbridge in the West Midlands, via Lichfield, Walsall, Sandwell and Dudley Castle Hill?

Councillor Collins responded as follows:-

This proposal will be suitable for consideration by the West Midlands Integrated Transport Authority and Midlands Connect, of which we are part. This is the cross-led partnership to develop strategic transport investment in the Midlands. We will put this forward amongst other suggestions in the Midlands Connect.

A supplementary question was asked as follows:-

I was with two transport officers this morning who said that they have had no request by any member of the public to reopen just your section of double track line for passenger use between Derby, Burton and on to Lichfield. Now do you think you could actually instruct your officers rather than wait for someone to ask for this train line to be opened, don't you think that they should be taking the initiative and getting it up and running because at the moment the good people of Derby have to go on two sides of a triangle via Tamworth to get to Lichfield when there is a perfectly good railway line that could take them direct on one side of the triangle let alone go on further to Walsall, which again is a Beeching closure. They haven't got a clue about thinking of reversing to get it open again to passenger traffic, then that could go on through the heart of the Black Country to Stourbridge, Worcester and back to London again, so please could you start taking the initiative now to get these railway lines up and running so we can get around more easily on the trains and in our cars?

Councillor Collins responded as follows:-

We will raise it in Midlands Connect. I think it is an issue for Network Rail and the Government and their strategy on local transport needs. They clearly haven't got a good vision of it. You have to look at the debacle with the Midland Mainline electrification, pause, un-pause, that has added extra cost on it so yes, we will take it to Midlands Connect, we will raise it there and hopefully the Government will pick up from it.

**(iv) Question from Mrs L Blakemore to all Cabinet Members**

The people of Derbyshire voted yourselves in to your seats because they believed you would be the ones to look after our needs. So far you have let us all down and have left us feeling disheartened.

You open a public consultation for us to give you our views on your proposals to cut the services that matter to us. The people that have computers and read papers are informed and have the opportunity to respond, however there are thousands who remain in the dark. Regardless of this you still received over 10,000 signatures of protest against your cuts to the School Crossing Patrol service. It triggered a full council debate, the first one in a fair few years, yet you still pushed the cut through. Will you please tell the people of Derbyshire exactly what it will take from us for you to realise that we don't agree with you and actually decide against a proposal? Or will you admit that the public consultation and the opinions raised mean nothing and will not affect your final decision?

Mrs Blakemore was not present at the meeting to ask the question and the Chair stated that a written reply would be supplied to her.

**(v) Question from Mrs E Edwards to Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure**

Whilst Community Transport are pleased that Derbyshire County Council have identified that Dial a Bus services are important to local people, all communities will see cuts from 1 July. These cuts will have significant difficulties to many residents, especially those in rural areas. As Bakewell and Eyam already have waiting lists for some services, how will local residents be able to access a minimum of one weekly service?

Councillor Collins responded as follows:-

In the current financial climate we are doing as much as we possibly can to support Dial a Bus services. We are using Council reserves, again once these are spent they are gone. The County Council will work with yourselves and we are satisfied that the proposed level of grant will be sufficient to enable a once-a-week service to be provided to meet users' needs. Officers are meeting organisations on an individual basis to help them plan these revised services and to assist with any concerns you may have.

A supplementary question was asked as follows:-

Does Councillor Collins know what percentage of current rural Dial a Bus residents will be affected by these cuts?

Councillor Collins responded as follows:-

I would say no to that. I personally don't know how many will be affected by this. I am sure you will let our officers know from your side of things and I will get our take on it as well and then I will have a clearer picture, but we will do everything we can to work with you to provide a service to these users.

**08/16            RECEIPT OF PETITIONS**            There were no petitions to report.

**09/16            BUDGET CONSULTATION RESULTS**            A report was presented on the outcome of the Council's budget consultation exercises in formulating its budgetary proposals to Council regarding the Revenue Budget for 2016-17.

On the motion of Councillor A Western, duly seconded,

**RESOLVED** that the views of the consultation respondents be taken into account by Council in formulating its proposals regarding the Revenue Budget for 2016/17.

**10/16            REVENUE BUDGET 2016/17**            The Chief Executive and the Director of Finance reported to Cabinet on proposals regarding the Revenue Budget for 2016-17.

The report presented detail in respect of the 2015-16 budget, the Comprehensive Spending Review, the Provisional Local Government Finance Settlement. Council Tax, Business Rates, Price Increases, Corporate Budgets, Budget Cuts Targets, Service Pressures, Statutory Requirements of the Local Government Act 2003, the Five Year Financial Plan and consultation.

When setting the budget, the Council must be mindful of the potential impact on service users and therefore the consultation exercises undertaken in the preparation of the 2016-17 budget were relevant in this respect. Section 149 of The Equality Act 2010 imposed an obligation on Members to have due regard to protecting and promoting the welfare and interests of persons who shared a relevant protected characteristic.

A draft Community Impact Assessment had been undertaken by the Council that made an initial assessment of the potential impact of budget cuts to 2015-16. The Assessment drew on the Equality Impact Assessments, consultations and the wider contextual information available, including business cases for each budget proposal. It also provided an overview of people and places where the budget cuts proposals might have a negative impact, including those where the cumulative effect might be greatest. The Assessment provided the foundations for the necessary programme detailed Equality Impact Assessments to ensure that decisions were informed by the fullest understanding of their effect on people and communities, as well as highlighting those groups which might need to be consulted on proposals as they emerged. Work would be carried out over the coming months to update this work to include the budget cuts proposals for 2016-17 and would be further expanded to include geographical mapping of both proposed and implemented budget cuts.

It was moved by Councillor Ms A Western, duly seconded, that the recommendations set out at (i) to (xi) in the report be approved.

The report was debated.

It was moved by Councillor S Bradford, duly seconded,

That this Council approves the whole increase of Council Tax of 3.99% (circa £10m), and that is ring-fenced to support the on-going provision of both Adult Care and Children's Services.

The Director of Legal Services advised that the Council's Standing Orders required that no motion or amendment to propose a precept shall be considered unless it contains sufficient detail within it to justify the precept moved. In determining whether or not a particular motion or amendment was in order, the Chair shall have regard to advice of relevant officers, information available within the motion or amendment and any other relevant matter.

The Chair adjourned the meeting in order that he may take the advice of relevant officers.

Having reconvened, the Chair advised Council that he ruled Councillor Bradford's amendment out of order.

The Chair reminded Council that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 made it mandatory for councils to have recorded votes on the issue of precepts.

**RESOLVED** that Council:

- (1) Notes the details of the Comprehensive Spending Review and Provisional Local Government Finance Settlement as outlined in sections (b) and (c).
- (2) Notes the Government's expectations about Council Tax levels for 2016-17 in section (d).
- (3) Notes the details of the Council's consultation activity as outlined in section (l).
- (4) Notes the Director of Finance's comments about the robustness of the estimates and adequacy of the reserves as outlined in section (j).
- (5) Approves the precepts as outlined in section (d) and Appendix 2.
- (6) Approves that billing authorities are informed of Council Tax levels arising from the budget proposals as outlined in section (d) and Appendix 2.
- (7) Approves the contingency to cover non-standard inflation as outlined in section (g). The contingency to be allocated by the Director of Finance and the Chief Executive once non-standard inflation has been agreed.
- (8) Approves the level and allocation of budget cuts as outlined in section (h) and Appendix 4.
- (9) Approves the service pressure items identified in section (i) and Appendix 3.
- (10) Approves the Council Tax requirement of £279.930m which is calculated as follows:

	£
<b>Budget Before Pressures and Budget Reductions</b>	<b>508,106,086</b>
Plus Service Pressures - on-going	13,650,000
Plus Adult Social Care Precept	5,321,788
Plus Service Pressures - one-off	9,757,000
Less Budget Reductions	-40,500,000
Contribution to Contingency Budget	957,373
Reduction to Debt Charges	-5,000,000
Reduction to Risk Management Budget	-7,636,247
<b>Net Budget Requirement</b>	<b>484,656,000</b>



Less Top-Up	-86,457,249
Less Business Rates	-17,294,656
Less Revenue Support Grant	-67,722,178
Less New Homes Bonus	-2,863,627
Less Local Services Support Grant	0
Less General Grant	-10,127,368
Less PFI Grant	-10,503,833
Less Use of General Reserve	-9,757,000
<b>Balance to be met from Council Tax</b>	<b><u>279,930,089</u></b>

(11) Authorises the Director of Finance to allocate cash limits amongst Cabinet portfolios; Strategic Directors will then report to Cabinet on the revised service plans for 2016-17.

The vote on the motion was recorded as follows:-

For the Motion (37) – Councillors D Allen, S A Bambrick, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, Mrs M W Booth, A Botham, S Brittain, Mrs D W E Charles, D Collins, Mrs C M Cox, J A Coyle, R Davison, P Dunn, S Freeborn, Mrs P A Gilby, K Gillott, D T Greenhalgh, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, Mrs J M Innes, P Jones, Mrs K D Lauro, S Marshall-Clarke, R R Mihaly, C R Moesby, C E Neill, J R Owen, Mrs I Ratcliffe, B Ridgway, T Southerd, Mrs M Stockdale, Ms A Western, D J Wilcox, E S Wilcox and D A Williams.

Against the Motion (16) – Councillors Mrs E Atkins, S J Bradford, K Buttery, Mrs L M Chilton, S J Ellis, Mrs C A Hart, T A Kemp, B Lewis, D Lomax, W Major, Mrs J E Patten, S A Spencer, Mrs J S Street, D H Taylor, Mrs J A Twigg and J Wild.

Abstained (0)

**11/16 FIVE YEAR FINANCIAL PLAN** The Director of Finance presented the Council's Five Year Financial Plan which had been revised and updated for the period 2016-17 to 2020-21.

The Plan shaped the Council's financial strategy and annual Budget by establishing the resources that were likely to be available for allocation to meet service priorities contained within the Council Plan. The last full version of the Plan was approved in February 2015 and successive Financial Plans had identified the need to make significant budget reductions estimated to be £278m by 2021 when compared to 2010.

The proposed Plan identified a further set of budget reductions. The level of budget reductions required over the next five year period

remained significant and the achievement of a balanced budget was dependent on the Council meeting its budget reduction target annually. Whilst General Reserves over the period of the Plan remained at prudent risk assessment levels, any overspend arising from demand management issues or slippage on the achievement of budget reductions would require a call on the General Reserves. A copy of the updated Plan was shown at Appendix 1 to the report together with the assumptions used in developing the Plan.

The report provided more detail in respect of funding and uncertainty and risk which related to the Business Rates Retention Scheme, Adult Care Demographics, Better Care Fund, Academisation, The Living Wage, Public Health funding and price inflation. The Plan showed that savings of £109m were required up to the year 2020-21. However, this was reliant on the additional Better Care Fund allocations being available to support Adult Care spend. If the Government were to place conditions on the additional funding such that the Council could not use the Better Care Fund to support social care pressures, then a further £25m over the period 2017-18 to 2019-20 would need to be cut in order to set a balanced Budget. The Council would monitor the Government's proposals with regard to changes to the Business Rates Retention Scheme, but until the Government provided details of the proposals to local authorities, it was difficult to estimate both the level of business rates income and the financial impact of any additional burdens, particularly Public Health over the medium-term. Members noted that whilst the Plan showed estimated budget reductions of £109m, this figure may rise to £134m.

The report highlighted savings proposals for the period 2020-21. However, the savings identified did not meet the total savings required over that period, therefore further reports would need to be brought to Cabinet over the coming months identifying further areas as they used to be made.

The purpose of the Financial Strategy was to set out the financial framework for the Council which supported its strategic and policy objectives as outlined in the Council Plan. The Council's Financial Regulations stated that the Strategy should be reviewed annually to remain consistent with the Council Plan and to ensure that the Financial Strategy drove the Five Year Financial Plan, Capital Programme and Revenue Budget. The Strategy had been reviewed and there were no significant changes from the previously published Strategy.

On the motion of Councillor Ms A Western, duly seconded,

**RESOLVED** to (1) approve the revised Five Year Financial Plan;

- (2) note the uncertainty and risks set out in sections (c) and (d);
- (3) note the possible budget reduction proposals set out in Appendix 3; and
- (4) approve the Financial Strategy.

**12/16      PRUDENTIAL CODE FOR CAPITAL FINANCE, CAPITAL PROGRAMME APPROVALS AND TREASURY MANAGEMENT**

A report was presented by the Chief Executive and the Director of Finance which sought approval for proposals to submission to Council relating to the Prudential Code for capital finance including:

- The Capital Starts Programme for 2016-17
- The Minimum Revenue Provision (MRP) Policy for 2016-17
- A Treasury Management Strategy for 2016-17
- Compliance with, and set limits under, CIPFA's Prudential Code and the Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes.

Further details of all proposals were contained in the Report and the Appendices to the report.

On the motion of Councillor Ms A Western, duly seconded,

**RESOLVED** to approve:-

- (1) The adoption of the Prudential Code including the Prudential Indicators as described in paragraphs 2.5, 2.6, 2.8 and 2.12-2.16.
- (2) The 2016-17 Capital Starts Programme as detailed in Appendix 1, and that further reports on the detailed schemes be brought to Council.
- (3) The MRP policy for 2016-17 as detailed in paragraph 2.10.
- (4) The Treasury Management Strategy for 2016-17 as described in Appendix 3, and taking into account the guidance issued by the CLG and noting the changes in 2.18.
- (5) The adoption of CIPFA's Code of Practice on Treasury Management and Cross Sectoral Guidance Notes (revised 2011), as shown in Appendix 3, and the Treasury Management Policy Statement as specified in the Treasury Management Code of Practice and set out in Appendix 3.

**13/16      SHEFFIELD NHS JOINT HEALTH SCRUTINY**

Council was informed of a request from the Sheffield NHS Working Together Programme Directors to local authorities in South Yorkshire, North Derbyshire and Nottinghamshire to form a Joint Health Scrutiny Committee and asked to appoint a representative to the Joint Committee.

The representation of Derbyshire County Council on the Sheffield NHS Joint Health Scrutiny Committee would provide the opportunity to protect and promote the interests of communities in North Derbyshire which are served by Health providers from the Sheffield and North Derbyshire area.

On the motion of Councillor D Allen, duly seconded,

**RESOLVED** to agree to (1) the participation in the establishment of a Joint Health Scrutiny Committee for the South Yorkshire NHS area and the appointment of Councillor S Bambrick or his nominee as the Council's representative on the Joint Health Scrutiny Committee; and

(2) delegate the agreement of the Terms of Reference of the Joint Health Scrutiny Committee to the Improvement and Scrutiny Committee - Health.

**14/16      THE DERBYSHIRE HEALTH AND WELLBEING STRATEGY 2015/17**

A report was presented seeking the approval of the Derbyshire Health and Wellbeing Strategy for 2015-17.

Derbyshire's first Health and Wellbeing Strategy was in place from 2012 until 2015 and followed a life course approach. The Health and Wellbeing Board had been engaged for the development of a new Strategy which would be delivered over the next two years until the end of 2017.

On the motion of Councillor D Allen, duly seconded,

**RESOLVED** to approve the Derbyshire Health and Wellbeing Strategy 2015-17.

**15/16      PAY POLICY STATEMENT**

Section 38 of the Localism Act 2011 required local authorities to produce a pay policy statement for each financial year. The Pay Policy Statement also complied with the Code of Recommended Practice for Local Authorities on Data Transparency 2011 which required the publication of certain pay data and defined senior employees' pay as those who had an annual salary of £58,200 (FTE) and above.

On the motion of Councillor A Western, duly seconded.

**RESOLVED** that the Pay Policy Statement be approved.

**16/16      MEMBERSHIP OF THE DERBYSHIRE FIRE AUTHORITY**

Councillor B Wright has written to the Council indicating that he was standing down as a representative of the County Council on the Fire and Rescue Service Authority with effect from 18 February 2016, the day of the next Authority meeting.

On the motion of Councillor Ms A Western, duly seconded,

**RESOLVED** that Councillor B Ridgway be appointed to serve on the Derbyshire Fire Authority in place of Councillor B Wright.

**17/16      REPORT OF CABINET AND MEMBERS' QUESTIONS ON THE REPORT**

Councillor A Western, Leader of the Council, presented a report on the decisions that had been taken at meetings on Cabinet held on 15 December 2015 and 26 January 2016.

There were no questions on the report.

On the motion of Councillor A Western, duly seconded,

**RESOLVED** that the report be noted.

**18/16      COUNCILLOR QUESTIONS**

**(i) Question to Councillor D Collins, Cabinet Member, Highways, Transport and Infrastructure from Councillor J E Patten**

Could Councillor Collins provide Council with an update on the progress of the Digital Derbyshire roll out, especially relating to those areas not considered commercially viable by BT?

Councillor Collins responded as follows:-

The Digital Derbyshire Programme has delivered just over 80,000 premises with fibre services. Of the 82,000 premises enabled, an estimated 70,000 can receive fibre services with speeds in excess of 24 megabytes/second. Phase 1 of the Digital Derbyshire Programme still remains on target to deliver 88,000 by the end of August 2016 which will support Derbyshire's residents and businesses by closing the digital

divide whilst looking to encourage businesses, competition and growth within the local economy.

As for the areas that were suggested as commercially viable by BT, they will be picked up in Programme 2 which has been brought forward. That will start in September 2016 as opposed to 2017. The reason these were not in the first programme was the value for money assessment that was the criteria of the original funding process on this. So the areas where BT have now highlighted they will not be picking them up commercially in the areas where we can, with the money we have, we will be picking up on fibre broadband. There are certain areas of the county that will need other solutions and we are working with BT and other partners to look at what we can deliver for those.

A supplementary question was asked as follows:-

In an internet age, it is imperative that specific plans are put into place to address those areas where there is currently no internet provision or speeds so low that you cannot perform the most basic of functions. Some areas, particularly in my area in South Derbyshire, are only getting speeds of between 0.25 megabytes and 1.5 megabytes. Are these low speeds included in the current broadband figures that have been sent out giving the impression that there are good speeds throughout the whole of Derbyshire?

With the current demand for housing and no requirement for broadband within planning policy, new housing estates are springing up only to find that cabinets that were updated are now actually already at capacity. The current roll-out implementation by postcode is splitting streets never mind villages in half. One side gets fast broadband whilst the other remains at a snail pace with no hope of it being fixed. In Church Broughton, in one of my patches, the village is actually cut in half with no provision for the local primary school, which is absolutely ridiculous.

Can the Cabinet Member tell me what is the Council's plan to ensure that there is 100% internet access and what he considers to be good speeds when some are highly inadequate? In South Derbyshire they had the highest take-up of fibre broadband throughout the whole of Derbyshire so, can he also give details of which hard-to-reach areas have already benefited from the money that has actually come from the provision from South Derbyshire and return to the scheme as a result of high take up?

Councillor Collins responded as follows:-

Phase 1 was set by Government and the terms of Phase 1 were 2 megabytes or faster. They subsequently changed that to 10 megabytes but they are not tackling the first problem of saying 2 megabytes on the first programme.

Now BT have a big role to play in this; Virgin Media have a big role to play in this. We will be reinvesting into the hard-to-reach areas. We will be looking at wi-fi; wireless; satellite, whatever is available at the time when we get to those hard-to-reach areas. The target at the moment is 93% of the whole of Derbyshire who will be on fast broadband. By fast broadband it should be 10 mb but, again, it is still 2 mb because they are not re-addressing the situation that they set up in Phase 1.

There are detailed talks going on between ourselves and BT to address that situation. The more take-up we get the more money we have to re-invest back in the service. As of yet, we haven't redeployed any money back into the service because we haven't finished Phase 1 and we don't know whether we are under-performing, over-performing on the financial aspect until clear off. We will know that September time I do believe. They have a rough idea how much it is but until they give us the exact figures we are not taking their word on it because they tell us certain cabinets are deployed and certain areas can get it. We all know we go out and do the advertising for that then there are certain areas in that area who don't receive it, so we are being a bit more cautious with the information BT are providing. BT are very sensitive at giving us information that will commercially go against them but unfortunately they were the only provider who bid for the contract that the Government set up so we are where we are with that.

**(ii) Question to Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure from Councillor M Ford**

Please can you tell me how you think imposing car parking charges at Willington Picnic Site Car Park will encourage greater use of public transport from Willington Station, how these charges will improve the viability of small businesses in the village, many employing local young people, also how congestion and road safety in the village will be improved by the imposition of charges, reminding you that the school crossing patrol has been removed by DCC, and also how the health and wellbeing of the local communities will be improved by restricting access to the canal side which has previously been free to all?

As Councillor Ford was not present at the meeting, a written response would be supplied to him.

**19/16      NOTICE OF MOTION**      (1)      On the Motion of Councillor P Jones, duly seconded,

**RESOLVED** that, following the action of Leaderflush Shand Laidlaw of issuing redundancy notices to 325 employees at their Langley Mill site on New Year's Eve, this Council expresses its concern with the ease in which viable companies can be closed down without proper thought for the implications for the workforce and the impact on the local community and the local economy.

If the Government's policy is to use economic growth as a mechanism to increase prosperity and fund local government in the future it needs to ensure that proper protection is given to viable companies rather than allow them to be asset stripped and the workforce thrown on the scrap heap.

This Council requests that the Secretary of State for Business and Innovation tightens up legislation to allow proper protection for businesses from predatory and aggressive takeover and prevents companies unreasonably transferring debt within the group thus making part of the group unviable. Also, that the Council uses its best endeavours to help those employees affected by this tragic turn of events.

At the request of at least 5 Members, a recorded vote was taken and recorded as follows:-

For the Motion (39) – Councillors D Allen, Mrs E Atkins, S A Bambrick, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, Mrs M W Booth, A Botham, S Brittain, Mrs D W E Charles, D Collins, Mrs C M Cox, J A Coyle, R Davison, P Dunn, S Freeborn, Mrs P A Gilby, K Gillott, D T Greenhalgh, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, Mrs J M Innes, P Jones, Mrs K D Lauro, D Lomax, S Marshall-Clarke, R R Mihaly, C R Moesby, C E Neill, J R Owen, Mrs I Ratcliffe, B Ridgway, T Southerd, Mrs M Stockdale, Ms A Western, D J Wilcox, E S Wilcox and D A Williams.

Against the Motion (13) – Councillors K Buttery, Mrs L M Chilton, S J Ellis, Mrs C A Hart, T A Kemp, B Lewis, W Major, Mrs J E Patten, S A Spencer, Mrs J S Street, D H Taylor, Mrs J A Twigg and Ms J Wild.

Abstained (0) -

(2)      Moved by Councillor W Major, duly seconded,

This Council resolves to return all receipts from the disposal of care homes back to the Adult Care Department to be used to protect Adult Care provision or to be reinvested into Derbyshire care homes facilities.



An amendment to the motion was moved by Councillor A Western, duly seconded, that the wording of the motion be amended to read:-

This Council supports Cabinet's intention to return all receipts from the disposal of care homes back to the Adult Care Department to be reinvested into Derbyshire care home facilities.

Councillor Major accepted the proposed amendment.

**RESOLVED** that this Council supports Cabinet's intention to return all receipts from the disposal of care homes back to the Adult Care Department to be reinvested into Derbyshire care home facilities.

**20/16      MINUTES OF MEETINGS OF COMMITTEES AND OTHER BODIES**      On the motion of Councillor S Freeborn, duly seconded,

**RESOLVED** that the minutes of the following meetings be received:-

- (a) Regulatory – Licensing and Appeals Committee held on 2 November 2015
- (b) Regulatory – Planning Committee held on 9 November and 7 December 2015
- (c) Standards Committee held on 14 January 2016
- (d) Pensions and Investment Committee held on 16 December 2015
- (e) Audit Committee held on 18 December 2015
- (f) Improvement and Scrutiny Committee – Resources held on 10 December 2015
- (g) Improvement and Scrutiny Committee – Places held on 9 December 2015
- (h) Improvement and Scrutiny Committee – People held on 25 November 2015
- (i) Improvement and Scrutiny Committee – Health held on 30 November and 16 December 2015
- (j) Health and Wellbeing Board held on 19 November 2015 and 7 January 2016
- (k) Derbyshire Police and Crime Panel held on 19 November 2015
- (l) Derbyshire Fire and Rescue Authority held on 24 September 2015