

PUBLIC

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL**
held on 13 April 2016 at County Hall, Matlock

PRESENT

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, S Bull, K Buttery, Mrs D W E Charles, Mrs L M Chilton, D Collins, Mrs C M Cox, J A Coyle, R Davison, J E Dixon, P Dunn, S J Ellis, M Ford, S Freeborn, J A Frudd, Mrs P A Gilby, 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, D McGregor, 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, P J Smith, 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, D A Williams, J G Williams and B Wright.

21/16 **APPOINTMENT OF CHAIR** On the motion of Councillor P Jones, duly seconded

RESOLVED that Councillor S Freeborn be appointed Chair of the County Council for 2016/17.

(Councillor S Freeborn - in the Chair)

22/16 **APPOINTMENT OF VICE-CHAIR** On the motion of Councillor P Innes, duly seconded

RESOLVED that Councillor Mrs Janet A Hill be appointed Vice-Chair of the County Council for 2016/17.

23/16 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors S J Bradford, K Gillott, D T Greenhalgh and Ms J Wild.

24/16 **DECLARATIONS OF INTEREST** Declarations of interest were made as follows:-

Councillor B Lewis declared a personal interest in item 11(a) – Annual Report of the Independent Remuneration Panel as one of the recommendations related to the Leader of the Main Opposition Group. Councillor Lewis indicated that he would leave the meeting during consideration of the item.

Councillors Mrs K D Lauro and Mrs J E Patten declared a personal interest in item 11(a) – Annual Report of the Independent Remuneration Panel as one of the recommendations concerned members of Adoption Panels on which they served.

25/16 CHAIR'S ANNOUNCEMENTS The following announcements were made:-

- (1) The Chair congratulated Councillor D Lomax on taking over as Leader of the Liberal Democrat Group on the Council.

- (c) Council welcomed Jane Parfremment, Strategic Director Children's Services, to her first full Council meeting.

- (d) Dean Wallace had been appointed as the Council's new Director of Public Health and was likely to join the Authority at the end of July.

- (e) The death of Geoff Button, former County Clerk, was reported. The Council's condolences had been sent to his family.

- (f) The Chair welcomed to the meeting Ian Orford, Pat Boyle and Simon Westwood, members of the Independent Remuneration Panel who were to present the Panel's Annual Report to Council.

- (g) Order of business – The Chair proposed a variation in the order of business on the agenda.

- (h) The Chair invited the Chief Executive to make a statement to Council on the Ayeeshia Smith Serious Case Review. Mr Stephenson stated that there had been significant coverage of the trial regarding the sad death of Ayeeshia Smith who died in 2014 and the conviction of her mother and her mother's partner in relation to that death. The death of any child was a tragedy and the Council wished to express its deepest sympathy to everyone who knew Ayeeshia.

There was an on-going Serious Case Review being conducted by independent experts on behalf of the Derbyshire Safeguarding Children's Board. The Serious Case Review would be a rigorous process which would determine if lessons can be learnt. All the agencies who were involved with the family would be involved in the review and the County Council's Children's Services Department would continue to participate in a fully co-operative fashion. Until the review was concluded, it would be inappropriate to comment any further on the circumstances of the case but Council was assured that the Authority was entirely committed to ensuring that we implement any and all of the

learning from the review in ensuring that we maintain the highest possible standards to safeguard children and young people across Derbyshire. Members were reminded that there was continuing media interest in the case and they were asked to refer any media request to the Communications Team.

26/16 CABINET APPOINTMENTS, PORTFOLIO
RESPONSIBILITIES, COMMITTEE MEMBERSHIP AND
APPOINTMENTS TO OUTSIDE BODIES On the motion of Councillor
Ms A Western duly seconded,

RESOLVED (1) to note the Leader's appointments to Cabinet and the portfolio responsibilities; and

(2) to approve the appointments to Committees and Sub-Committees and the appointments to serve on outside bodies.

27/16 PUBLIC QUESTIONS

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

On 7 March 2016 Friends of the Peak District wrote to Cllr Collins concerning Derbyshire County Council's promise to progress three schemes - to consult on a traffic regulation order on Jacob's Ladder in Stoney Middleton Parish, to consult on repairs to Hurstclough Lane in Bamford with Thornhill Parish, to manage safety issues on School Lane in Hucklow Parish. When will these three promised actions be initiated?

Councillor Collins responded as follows:-

Following our meeting in October 2015, we agreed to carry out a consultation on the introduction of a Traffic Regulation Order on Jacob's Ladder, Stoney Middleton, following the end of the consultation for a proposed TRO on New Road, Eyam. New Road formal consultation has not yet commenced. We did a pre-consultation exhibition and we are awaiting the outcome of engineering studies. We are still waiting for those to come through. I am still committed to consulting on the TRO on Jacob's Ladder once consultation on New Road has been completed. We hope to be in a position to do this later this year.

On the proposed work on Hurstclough Lane, the preliminary designs for the scheme are completed. The slow progress with the public consultation is primarily due to reduced resources, further compounded by vacancies within the Rights of Way Team. That said, we aim to get the consultation out before the end of April 2016.

On School Lane, officers are currently discussing the possibility of a voluntary restraint with the Peak District National Park Authority on School Lane. This does not rule out either Authority considering a TRO in the future. Although the VR is not legally binding on any party, it is recognised by users and generally observed. The aim of the VR will be to request that no motorised vehicles use the route during school opening times. At this point in time, there is a temporary closure in place to prevent cars using the route as a short cut due to the closure of Camphill Lane owing to a landslip. The temporary restrictions to the flow of traffic on School Lane are likely to continue whilst Camphill Lane remains closed. Repairs to the damaged School Lane will take place this summer.

A supplementary question was asked as follows:-

The law defines the main users of any byway open to all traffic, which Jacob's Ladder is, as "pedestrians and horse riders" not the drivers of motorised vehicles, yet pedestrians and horse riders are now unable, and have been unable for some time, to exercise their right to enjoy and use Jacob's Ladder because of motorised vehicles. Would you agree that Derbyshire County Council is failing in its duty to assert and protect the right of the public to use and enjoy the lane and you need to get on and consult on the TRO urgently?

Councillor Collins responded as follows:-

I agree we definitely need to go out and do the consultation on it. We don't want to get it wrapped up with the Eyam New Lane consultation which is why we suggested that, once that was done and completed and we have the outcomes from that, we will go out and do the consultation on Jacob's Ladder. We had Legal involved in the meeting with us which suggested the best solution to it was to go out to a public inquiry. I am still committed to doing that and I am hopeful that will be done by summer 2016.

(ii) Question from Mr J Geddes to Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure

When the Council claims - in its formal response to a valid request under the Freedom Of Information Act 2000 - that they can offer no background analysis or calculation behind the proposals for revised subsidised-bus services, is this a candid confession that the plans have been plucked out of thin air, or can the Council provide an alternative explanation for their failure to supply details of whatever analysis *has* been done by their members or officers?

Councillor Collins responded as follows:-

The County Council is being forced to consider cuts in public transport and Community Transport and we expect this to have a major impact on people who rely on these services. To help mitigate the impact of these cuts we propose a flexible county-wide, demand-responsive transport service.

The report considered by Cabinet on the 26 January 2016 made it very clear that proposals were intended to illustrate the minimum level of service that could be provided on a county-wide basis with the level of funding we expect to be available. This funding will be in the order of £1.3m as opposed to the current £5.4m that we are spending at the moment. These proposals were carefully considered and informed by discussions with other local authorities who are providing a similar type of service. The proposals should not be seen as a detailed plan, simply indicative of the type of level of service that we should be able to provide. We will only develop detailed proposals having carefully considered what people have said in the consultation and we would welcome Mr Geddes' comments as part of this exercise.

A supplementary question was asked as follows:-

When I was at school if you wanted to hand in homework you were told not just to give the answer but to show your workings. This feels a little bit more like "the dog ate my homework" from Derbyshire County Council. The public are being asked to comment on proposals where they can give no details. For example, the level of service that any community gets under these new buses is absolutely crucial. If you ask people, most people are going to vastly over-estimate how much of a service they get. The obvious way to help them understand would have been a sample schedule, an illustrative schedule. That hasn't been done and my Freedom of Information request didn't even get the courtesy of an answer saying "We didn't do it".

I don't think you can honestly expect anybody to take your consultation seriously if you provided no information. There is no information about how the service would be rationed because there won't be anything like enough provision. You are saying perhaps 1 person in 20 would continue to see a service. You are not explaining how it is rationed, you are not explaining how it works but you want to know what everyone thinks of it. It is not going to work and I think you owe it to the public to give them enough detail, they realise the severity of this before you ask their views.

Councillor Collins responded as follows:-

We currently spend £5.4m on county-wide transport. It is going to be reduced by cuts by the Conservatives in Central Government down to £1.3m. The level of service that will be left will be nowhere near what is currently there. We at this moment in time have had no indication from any commercial operator that they will pick up any supported network. Other authorities who have cut supported networks right up until they made that decision were faced with the same conditions as we, no commercial operator coming forward to say "We will run that network commercially." However, all throughout the country where it has happened they have picked up commercially some of these routes. Until we finally make the cut, we don't know how many of these routes the bus sector (the private bus sector who are getting paid big chunks of money for running these services) we don't know which ones they are going to pick up. We will devise a worst case scenario of, if nothing is picked up, with the funding we have left there are possibly ten hot spots that we are identifying where we can run a DRT. I am hopeful a lot of these supported networks, probably 25% of them, should be picked up by the commercial sector. If that is the case, that then frees up a little bit more money to run the DRT in a different way to that which is being proposed but, until they come and tell us which ones they are, we are planning for a worst case scenario.

We will not plan it up until we have all the consultation comments back. It is quite clear in the consultation, the worst case scenario we will be left with £1.3m to pick up every other supported network because nobody is coming forward to say "We are going to take them off your hands." So, we are planning for the worst case scenario. Hopefully it won't be that bad but, if it is, that is the worst case. Yes, it is not ideal because it is not worked on.

These cuts are not just affecting back office, they are affecting front-line services. Back office is being cut beforehand. To work these plans up before we make the cuts is asking for a big resource. It is a resource we have not got. We are hopeful the comments you have sent forward, along with many others I have received via email, are helping shape the way forward so, unfortunately, I can't give a guarantee that it has not been plucked out of thin air. We have gone to other authorities who have used this model and we have based it on that model. It is not ideal that we can't say it will be ten. It may be six, it may be 16 DRT areas. Until we get to that final point where we say "*This* is what we are getting for £1.3m", we cannot honestly say it will be ten. It may be six. I am hopeful. I am hopeful they pick up 25% of this supported network, which they should be doing because they are getting big money on the commercial network now and they are quite happy to come to local authorities saying "That is marginal, will you pick it up?"

Had we got a devolution deal on the table for the whole of the County Council area, we would have had franchising powers which would have given us more scope on the bus network but because some of our friends over here in other groups, they have taken a decision to join a devolution deal. They have not taken a decision to shaft the County Council area. Had some of those members over *there* decided to go for a devolution deal on the full County Council footprint, including Nottinghamshire, we would have had franchised powers which would have given us more scope moving forward.

(iii) Public Question from Mrs L Potter to Councillor A Western, Leader of the Council and Cabinet Member for Strategic Policy, Economic Development and Budget

What are the councillors of this council doing currently to demand that the Government gives Derbyshire it's fair allocation of funding and to return the £157m that has been withdrawn that was rightfully ours?

Councillor Western responded as follows:-

There is a lot I could say on this subject and a lot I have previously said in this Chamber and will continue to say about this. There is no doubt that this Government's strategy is impacting very severely on public services now provided by this Council and other public sector organisations. We have just heard a little bit about bus services there.

What are we doing about it? Well the administration is taking every opportunity we can to take the message to Government about the impact of these cuts. That is sadly falling on deaf ears. We are working with national organisations like the Local Government Association and the County Council's network where there is cross-Party opposition to these cuts and an increasingly loud message going to Government that these cuts are harming communities, families and individuals up and down the country, but again that seems to be falling on deaf ears.

It would be nice to say that there was cross-Party agreement on this within this Council Chamber but, sadly, that is not the case, so we are working as hard as we can to get the message through to the Government that this should not be. It is counter-productive. We all know it is counter-productive to take money, particularly out of preventative services, because, by doing that, you increase the bill somewhere else in the public sector somewhere down the line. It is economic and financial madness to do what is being done and to say it is being done in the interests of the country's finances is ludicrous. I think we can all see that now.

This Chancellor has the worst record of any Chancellor in history in terms of delivering on his commitments. You will recall that, in 2010, the Chancellor and the Prime Minister said there would be five years of austerity and then they would have the country's finances back on track. Well, we are well beyond five years now and we are facing the seventh year of cuts with the sad prospect of cuts going into the next decade. Your figure of £157m is, sadly, out of date. That is what it would have been in the five year period from 2013-18. We are looking at something that we know of at the moment, something like £280m cuts for Derbyshire by the time we get to 2020 and that is, if nothing else changes, to make the situation worse. This is being done for ideological reasons, not for financial or economic reasons, I am afraid. So we are doing as much as we can but that message is falling on deaf ears in Government circles.

As has been referred to earlier, one of the things we wanted to do rather than just standing on a political soap box and saying "It is the Government's fault" we have a job to do here. We were elected to run this Council and to serve the people of Derbyshire and we have wanted to do that rather than just make it a political Punch and Judy, so we did put huge amounts of time last year into the effort to negotiate a devolution deal with the Government which would not in itself have solved all the problems about cuts to public services but would have given us some freedoms and flexibilities and some additional money to make ourselves more self-reliant. One of the things that would have directly benefited would have been bus services because it would have given us the powers to franchise bus services and to bundle up some of the profitable routes with some of the less profitable routes and offer them as a bundle to the bus companies so that they would have to cross-subsidise some of the services. It would also have given us access to bus service operator grant money which currently sits in Central Government. We could have spent that much more effectively locally to make sure we could support bus services, so in the realm of bus services and public transport there would have been a very clear and direct benefit to people that was visible in terms of protecting services. Sadly the Government have chosen not to do that deal with us. We were ready to do the deal in November, they chose not to, whipped up, I think, by Tory MPs and others and we are still waiting to hear from Government what they intend to do, but until they decide whether or not we get a deal again we have tried to work with them on that policy and they have denied that route to the people of Derbyshire. That is yet another failure I think on the part of this Government and the people who support them.

Since November the national agenda has shifted away from devolution to local government reorganisation by the back door.

Again this is something that has been discussed and promoted by the Group over there, the Conservatives. It just feels like if they can't beat us at the ballot box then they get rid of us. That seems to be the agenda at the moment for this Council and other County Councils that the Government want to see us gone. You just have to ask what that is about because although services are having to be cut because the money isn't there anymore we are still working very hard to do the best we can with the money that we still have and, although it is no comfort to people whose services have been reduced, I would say that we stand fair comparison with any other Council in the country in terms of the quality and the level of service that we still do provide and we will do everything in our power for as long as we remain in charge of this Council to make sure we provide as much as we can of the highest level and quality to the people who we represent

A supplementary question was asked as follows:-

It is very disturbing to think that local authorities are being cut by the back door, certain services we know should be provided publicly. Anyway, the top and bottom of this is that our rightful money has been stolen and we got behind you when you set up a Fairer Funding petition. We need to see some serious resistance.

Talking about making difficult decisions and blaming the Government is not enough now so when will councillors do the harder thing and start opposing austerity by not making cuts instead of just saying "Our hands are tied"? There is huge dismay in Derbyshire about cuts in all different areas and huge campaigns against these cuts but where are *you* in these campaigns and petitions, where are *you*?

Councillor Western responded as follows:-

I just offer you some thoughts on what is the easy way and what is the hard way. The hard way is standing in this Council Chamber and having to try and run a Council on less and less and less money. The easy way is to say "This is horrendous, we are not doing it any more" and we walk away. Be under no illusion I am sure all of us here, certainly in the Labour Group, have considered walking away because none of us want to do this but the outcome of that would be that the Government would send in commissioners to run this Council. No offence to accountants but they would send in accountants to run the Council and they would only be concerned about making sure the books balance. They would not give a monkeys about the impact on people. To my mind, the easy way is to get up in a morning and say "I am not doing that any more I am walking away". The hard way is to say "What do we do about the mess that this county is in because of Government decisions?" The responsible way is to say, "I am going to stand here

and try and do my best even in these difficult times” and that is what we, as a Group, are doing.

Now I have to say this is not just about this Council and this Council’s services, this is about the whole of the public sector. This is about the NHS. Don’t let anybody tell you that the NHS budgets have not been cut because they have. This is about schools. Don’t let anybody tell you that schools budgets are not going to be reducing because they are. This is everything: police, fire, everything we rely on and we take for granted as part of a civilised society is under threat.

Now I pose the question back to you, Liz, and to others and I know you do as much as you can. We are having a really hard time getting the message through to the people of Derbyshire that this is Government strategy deliberately imposed. They think - and it is human nature - “Shoot the messenger, shoot the messenger. It must be our fault. We are the ones delivering the hard news, it must be our fault.” We need to stand together. It is no use us trying to knock spots off each other because we are not the ones who are causing this problem. The problem lies in Westminster and, until people realise that and realise what has been taken away from them, we are going to have an uphill struggle.

(iv) Public Question from Mrs W Prati to Councillor J A Coyle, Cabinet Member for Children’s Services

What plans do you have in place to oppose the forcing of Council-run schools into becoming academies?

Councillor Coyle responded as follows:-

The main thing is that we are still here and we are still providing services to schools and still offering support, providing that much needed alternative to academisation. Councillor Bisknell, who looks after schools on a day-to-day basis has recently written to all schools confirming that support and reassuring schools and governors that there is no need to panic. Over 370 Derbyshire schools are still maintained schools. They still look to us to help them and to supply them with services and support and we will stay here and continue to do that.

We still have a top class School Improvement Service where many authorities have scrapped theirs. We still have an award winning School Catering Service to ensure that our children are properly fed. Many counties have scrapped theirs. We still offer HR Services just to ensure that teachers and Heads can get on with what they are trained to do and that is to educate children and not to run a business.

We still have Property Services to ensure that the buildings are in as good a condition as we can keep them under our financial constraints. We are supporting and encouraging schools to work together to share best practice and our journey to excellence is aiming to bring all schools to an Ofsted rating of 'good' or 'better' by 2017. We have a strong track record of supporting all schools and governing bodies who are fighting enforced academisation and we will continue to do that. Further, I would recommend you stay for the next agenda item where you may be slightly more encouraged.

A supplementary question was asked as follows:-

It is reassuring what you have said. I have to say we are a Special School. We are outstanding. The Tories need to say what they are really doing to us because this academy is putting us at risk, the staff and the children at risk. A private profit making company coming into a school like ours, no way Jose, it is not going to work. Not only is it not going to work you really are not going to safeguard those staff and you are not going to safeguard those children.

A little boy at our school was watching the news with his parents when it came on about privatising schools. He came to school crying. He said, "Am I going to lose my school?" We hope not because we are not going to let that happen.

Our children are precious and especially the children at our school. We have nursery right through to 16 year olds with every disability under the sun. A private company is not going to be interested in that. They are going to want to get rid of staff. We have ten children who have very high level needs in our class, the class I work in. We have a teacher, a fully qualified teacher and we have four fully trained teaching assistants plus other people come in who are doing different activities when we need and require extra support. A private company is not going to even go anywhere near that. Our children are really performing so well. They are achieving their potential and above it. That is why we are outstanding. No private company is going to look at that. They are not going to be interested in that. The Tories are not telling people about that are they? Oh no. I really am fearful for those children, really fearful. I want you to fight like hell because we are.

Councillor Coyle responded as follows:-

I have to say certainly speaking for the Labour Members of this Authority we absolutely share your views, your fears, and we will be fighting your fight as well

(v) Public Question from Ms F Brennan to Councillor J A Coyle, Cabinet Member for Children's Services

What proof is there that academy schools (including those already forced) in Derbyshire provide better education results than Local Authority schools?

Councillor Coyle responded as follows:-

It could be a very short answer. There is no proof whatsoever. In fact there is no credible evidence. I will just give you a few examples of what Ofsted think.

We have some outstanding academies in Derbyshire. Ecclesbourne is an outstanding academy and so is St Mary's in Chesterfield. It is an outstanding academy but it was an outstanding school before it was ever academised. It has not improved because it has been academised. It has nothing to do with it. Brookfield Academy was inspected in January 2015 and judged to be good, excellent, but before it converted it was outstanding, so it didn't improve that one. John Port Academy was inspected in May 2015 and judged to be good but before conversion that too was outstanding, so it didn't improve that one either. In 2012 Kirk Hallam was judged to be a good school. It also academised in 2012. In March 2014 it was judged to require improvement. Heanor Gate converted as an outstanding school in February 2012. 20 months after conversion it was inspected again and found to have serious weaknesses and placed into special measures.

Academisation is a non-evidence-based ideological crusade to privatise education and there is no proof or even evidence that education improves in any way whatsoever.

A supplementary question was asked as follows:-

Would the whole Council support our opposition to forced academisation on any and all schools in Derbyshire?

Councillor Coyle responded as follows:-

Well I am very happy to ask Council, with the Chair's permission, if councillors would like to indicate whether or not they would oppose enforced academisation in Derbyshire Schools? (*Members indicated*) Well there are quite a few of us. It seems there are quite a few of us. We can see who will fight enforced academisation and who won't. You have seen it for yourself.

28/16 ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL (Councillor B Lewis withdrew from the Chamber whilst this item was being considered.)

It was a requirement of the Local Authorities (Members' Allowances) (England) Regulations 2003 that the Council appoint an Independent Panel on Members' Allowances to consider issues and put forward recommendations for the Council to consider in relation to the Members' Allowances Scheme. The Regulations also included a requirement for the Panel to make an Annual report to Council on its recent activities.

Mr I Orford, Panel Chair, presented the Annual Report for 2015/16. The Panel had made a number of recommendations for consideration by Council.

- (i) Indexation of the Basic Allowance - The indexation of 2.2%, in line with the most recent pay award, from 1st January 2015 to increase the Basic Allowance to £10,269.
- (ii) Indexation of Special Responsibility Allowances(SRA) - Special Responsibility Allowances to be indexed in the same way as Basic Allowances.
- (iii) SRA for the Leader of the Minority Group - The Leader of the Minority Group should be in receipt of a SRA of 35% irrespective of whether they are a full member of Cabinet or not.
- (iv) Dependant Carers Allowance - increase the allowance to the same level as the National Living Wage.
- (v) Attendance at Adoption and Fostering Panels - to recompense Elected Members who sit on the Adoption and the Fostering Panels by the addition of a SRA. On the basis of payment recommended by the IRP this would result in a SRA of £900 each.

On the motion of Councillor Ms A Western duly seconded,

RESOLVED (1) that recommendations (i), (ii), (iv) and (v) be accepted; and (2) that recommendation (iii) be not accepted and the current policy be maintained.

29/16 COUNCIL PLAN UPDATE The Council Plan had been reviewed and an update for 2016/17 had been produced to ensure that the plan continued to reflect the priorities of the Council and remain fit for purpose.

The updated Plan had been accepted by Cabinet at its meeting on 15 March 2016 and, subsequent to this, the Government had made a new announcement in respect of the enforced academisation of schools.

On the motion of Councillor Ms A Western duly seconded,

RESOLVED that the Council Plan update 2016/17 be approved subject to the addition to the priorities for thriving children, young people and families (page 13) of the following:-

- To oppose enforced academisation and offer support to schools that do not want to become academies, working with Governing Bodies, parents and community groups and others nationally and locally.

30/16 DEPARTMENTAL SERVICE PLANS Approval was sought for the Departmental Service Plans for 2016/17 and their associated budgets. The Service Plans detailed how each department would contribute to the Council Plan priorities and they described how departments would deliver these priorities and how success or impact would be measured.

On the motion of Councillor Ms A Western duly seconded,

RESOLVED to approve departmental Service Plans 2016/17 and to update the Plan for Children's Services to take account of the Council's earlier decision in respect enforced academisation of schools.

31/16 WAIVER OF THE CALL-IN PROVISIONS On the motion of Councillor Ms A Western, duly seconded,

RESOLVED to note the report on the agreements to waive the call-in provisions.

32/16 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 10 February 2016 be confirmed as a correct record.

33/16 PRESENTATIONS There were no presentations. .

34/16 REPORT OF THE LEADER OF THE COUNCIL
Councillor A Western, Leader of the Council, reported on the current position in respect of the Devolution Deal and Combined Authority,

progress at Markham Vale and the allocation of Local Growth Fund monies.

There were no questions on the report.

35/16 RECEIPT OF PETITIONS There were no petitions to report.

36/16 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 2 and 23 February, 15 March and 5 April 2016.

There were no questions on the report.

On the motion of Councillor A Western, duly seconded,

RESOLVED that the report be noted.

37/16 COUNCILLOR QUESTIONS

Question to Councillor A Western, Leader of the Council and Cabinet Member for Strategic Policy, Economic Development and Budget from Councillor S A Spencer.

Could the Leader of the County Council explain to Members why we were not give a free vote on Derbyshire County Council's membership of the North Midlands devolution deal?

Councillor Western responded as follows:-

It is a straightforward answer. The advice given on several occasions from civil servants was that formal approval was not required at this stage.

A supplementary question was asked as follows:-

Given the advice received from civil servants, which we don't often take, not in its totality, obviously Borough Councils across the county didn't get that message very clearly. The Borough Council is involved in having a vote on their membership in or out of this process. I recollect this Authority having a vote on a D2 partnership which I personally voted against but other members in this Council Chamber in a majority voted for. I am surprised given the point to which we have reached with regard to the devolution programme - and let me tell you I do support devolution but not in the package that was tabled at that

particular moment in time - that has been very clearly highlighted by the Borough Councils across this county, and Nottinghamshire as well, who have chosen to oppose any further progression of that particular proposal. During this process, Councillor Western highlights the importance of working together across Party to achieve a single objective for the better interests of our communities. Throughout this process it has clearly been shown that the Leader of this Council has an inability to achieve united approach to these issues because not only have Conservative Councils voted against this partnership but Labour councillors also have voted against it.

The question is this: we have reached a point of no return in my opinion. What has the Leader of this Council got planned for the future of devolution in Derbyshire because I could certainly give an enlightenment of my visions of how it should be carried through?

Councillor Western responded as follows:-

Well it was a long preamble to a question from a very short response, wasn't it? I think the issue needs to be put back to your Government actually, what does your Government see as a devolution prospect for this county because it may surprise you to know when the 13 Council Leaders who had indicated they wanted to carry on working together met in Mansfield it was recently it was a very positive meeting. It was a very strong commitment to working in partnership. We are hoping we can build on that and do some great things with that consensus but whether there is a devolution deal or not is entirely in the gift of the Government and while ever they can't make their minds up what they want we are stuck, aren't we, but there is plenty we can do in terms of working together locally and we will continue to do that.

Can I just say about this issue of inability to bring people together. Can I just remind the Opposition what we inherited in 2013. We had a county divided. We had a county where four of our eight Districts had chosen to go to Sheffield City Region, not entirely but largely because they were not made welcome at D2N2. That was a decision taken by your Group not to allow Districts to have any part in that process, so don't talk to me about inability to pull people together. There were Council Leaders at that time who were saying they would never set foot in this Council building again from Districts. We have turned that round, so we are a long long way from where we were in 2013

38/16 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 18 January and 29 February 2016
- (b) Regulatory – Planning Committee held on 11 January, 15 February and 7 March 2016
- (c) Pensions and Investment Committee held on 27 January 2016
- (d) Audit Committee held on 9 February 2016
- (e) Improvement and Scrutiny Committee – People held on 2 March 2016
- (f) Improvement and Scrutiny Committee – Places held on 8 March 2016
- (g) Improvement and Scrutiny Committee – Health held on 14 March 2016
- (h) Improvement and Scrutiny Committee – Resources held on 17 March 2016
- (h) Health and Wellbeing Board held on 10 March 2016
- (i) Derbyshire Police and Crime Panel held on 28 January 2016
- (j) Derbyshire Fire and Rescue Authority held on 10 December 2015 and 18 February 2016