

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL**
held on 18 April 2012 at County Hall, Matlock

PRESENT

Councillors D Allen, J A Allsop, Mrs S M Allsop, Mrs E Atkins, R B Baldry, Mrs G Birkin, , Ms S L Blank, Mrs M W Booth, D Bowley, S J Bradford, W Burrows, D Chapman, A F Charles, Mrs C M Cox, J A Coyle, Ms T Critchlow, J E Dixon, S J Ellis, Mrs G A Farrington, S Flitter, M Ford, K Gillott, J P Harrison, Mrs C A Hart, G K Hickton, M A Higginbottom, R L Hosker, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, B C Lucas, G J E MacDonald, W Major, P Makin, K P Morgan, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, Mrs C Pidgeon, G W Purdy, Mrs G P Reddy, B Ridgway, A H Rogers, R W Russell, P J Smith, S A Spencer, J N Stevens, K Stevenson, Mrs M Stockdale, D Stone, D B Taylor, Mrs J A Twigg, Ms A Western, G D Wharmby, Mrs J Wharmby, D J Wilcox, J G Williams and D Wilson.

18/12 **APPOINTMENT OF CHAIRMAN** On the motion of Councillor Mrs J A Twigg, duly seconded

RESOLVED that Councillor G D Wharmby be appointed Chairman of the County Council for 2012/13.

(Councillor G D Wharmby in the Chair)

19/12 **APPOINTMENT OF VICE-CHAIRMAN** On the motion of Councillor R A Parkinson, duly seconded

RESOLVED that Councillor J C Jackson be appointed Vice-Chairman of the County Council for 2012/13.

20/12 **CHAIRMAN'S SPEECH** The Chairman delivered his acceptance speech.

21/12 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors C R Moesby and P J Riggott.

22/12 **DECLARATIONS OF INTEREST** The following declaration of interest was made:-

Councillor Ms A Western declared a prejudicial interest in Agenda item 21(b) – Members Allowances Scheme Report of the Independent Remuneration Panel as a Member directly affected by the proposals.

23/12 CHAIRMAN'S ANNOUNCEMENTS

The following

announcements were made:-

(1) The Chairman reported that former County Councillor Joyce Craufurd-Stuart, who had served on the Council from 1977-1981 was, today, celebrating her 100th birthday. Members asked that their best wishes be conveyed to her.

(2) The Environmental Services Department's Rob Bounds and Richard Flint were presented with the national Modeshift Curriculum Initiative of the Year Award for the '*Play Your Part and Travel Smart*' campaign, created by the Sustainable Travel team to promote healthy, environmentally friendly and safer journeys to school.

(3) Ryan Trickett of the Property Services Division had been awarded the Stockport College's "Bullock Construction Award" for the best Bricklaying apprentice and had also represented the Authority and the College at the Guild of Bricklayer's competition. An award was presented.

**24/12 CABINET APPOINTMENTS, PORTFOLIO
RESPONSIBILITIES, COMMITTEE MEMBERSHIP AND
APPOINTMENTS TO OUTSIDE BODIES**

On the motion of Councillor A I Lewer, duly seconded,

RESOLVED to note the Leader's appointments to Cabinet and the portfolio responsibilities, and to approve the appointments to Committees and the appointments to serve on outside bodies.

25/12 PUBLIC QUESTIONS

(1) Question to Councillor B Lewis, Cabinet Member for Young People from Mr Paul Vaughan:

On what basis do you make the assertion that devolving all youth provision to the voluntary sector will ensure a better service to more young people?

Councillor Lewis responded as follows:

My answer to that is I did not make that assertion. That was a conclusion arrived at by others.

A supplementary question was asked as follows:

In your Cabinet paper presented on 13 December, entitled 'A New Youth Offer' as the only piece of local evidence you cite a review of youth provision in Amber Valley describing it as, and I quote "Helping Shape Future Service Delivery Within Derbyshire" but under questioning at one of the consultation events you said you were no longer relying on this report.

At the full Council meeting on the 1 February 2012 when asked what research you had done in support of your proposal, you cited Cumbria as probably the best example for your proposed model when Cumbria's Council minutes in fact showed that members were anything but happy with their arrangements. I want to ask you: were you badly advised or have you twice knowingly misled this Council that your proposal for a new youth offer has a strong evidence base when in fact it doesn't?

Councillor Lewis responded as follows:

Here is some new evidence for you. Interestingly, Ofsted did a survey of local authority Youth Service commissioning in 2011 and one of the key findings in there states: "Examples were seen where well managed commissioning approach over a period of time had provided young people with a greater range of better targeted activities." This is something we are keen to emulate. We have gone past the Amber Valley report now. We have done a far more extensive consultation and we will base our new youth offer on that consultation.

I can tell you that we intend to develop a mixed economy of providers with ourselves working alongside the VCI sector. Half of the 3,400 people who responded to this consultation have told us who delivers the Youth Service is not important. What we think is important is that a Youth Service is equally available across the piece, across the county for all young people which currently it isn't, and that is where we want to get to.

It should be noted, as you are doubtlessly aware, that the VCI already delivers more youth activities than Derbyshire County Council (70% across the county against 30% of our provision) so we started to develop an excellent relationship with the VCI sector and we are going to continue to build on that. We recognise there is excellent quality

provision across the county being delivered by our colleagues in the VCI sector, for example the scouts, the guides, Army cadets and the many and varied Youth Clubs that are out there. In rural areas we have also got Young Farmers' Clubs, there are a few examples of those, so that they name just a few.

(2) Question to Councillor B Lewis, Cabinet Member for Young People from Mr Gordon Savage

Can Cllr Lewis please confirm how many young people attended DCC youth service provision in 2010/11 and 2011/12?"

Councillor Lewis responded as follows:

I can tell you how many attended for 2010/11 but I cannot tell you the figures for 2011/12 because as you undoubtedly know as former Head of Service the data collected to the end of March this year takes until the end of April to process, verify and present, but it will be available.

As you are also aware the data you are asking for is available on our website so you already have those figures to hand. For 2010/11 in the way the stats are recorded by you, as you were Head of the Service at the time, was that 23,234 young people attended DCC youth service provision. You know I would expect evidence of that figure but I only have evidence of the 18,808 that were properly recorded as having attended with at least a name and address, the other 4,426 could be Scotch Mist for all I know. I further understand that the practice you followed was not unusual across the country, that I do understand, but what I am saying is that in future I would want more rigour in the way that the Service is run and how we collect data like that. If you ever wish to shed light on how we arrive at that figure of 23,000 I would be delighted of an explanation. Perhaps you can send that to me by email or by letter?

A supplementary question was asked as follows:

I think it does show a bit of a lack of understanding of how data is collected and on what basis it is collected. The data you are referring to was in line with the Ofsted regulations in transforming youth work and that is how it was collected.

If you think the 4,000 young people are just "Scotch Mist" then that really does concern a lot of people I would have thought in Derbyshire. The 28% that you are referring to quite rightly filled in their name and address. The nature of youth work - which you clearly do not

understand - is that not all young people will give their name and address because the location the youth workers are working with them are in parks, on street corners and car parks, usually engaged in potentially antisocial behaviour, they might be drinking heavily or whatever. Those young people don't give their name. 28% is highly commendable of the Youth Service and I would have to say the Youth Service was a high performing service recognised nationally.

I am interested in the 2011/12 figures - and I only just got these today because I did not realise they were on the website - I am interested in 2011/12 just to see whether you as the Strategic Lead for youth work have maintained that level of operation, but my supplementary question would be given that you assert 70% of youth work is being delivered by the voluntary sector - you have no evidence of that yet you are asking for more rigour - you have no evidence of that and I would like you to answer the question, how do these figures of 23,000 young people compare with the numbers of young people that are attending the voluntary sector organisations with whom you are going to fund

Councillor Lewis responded as follows:

That is actually the subject of a question that we are receiving from one of our elected members later on today so I hope you will bear with me because I will give a fuller explanation on that one. It is interesting that you talk about the quality of the Youth Service in Derbyshire because in a report that you wrote, and which I have just over there, you tell us, and I quote:

“Many of the County Council’s open access Youth Clubs or projects failed to attract significant numbers of young people with even less engagement of vulnerable young people. This type of provision requires robust evaluation.”

You also talk about the recent radical shift to a more mobile and flexible street based service and how this has yielded an increase in the numbers of young people, albeit not a very significant increase as the total numbers of users getting meaningful contact of ten hours or more over the year was only about 1%, just 963 young people. You then go on to say:

“The impact of this work does not appear to have significantly changed the underlying social issues affecting young people.”

That I think is a great shame, because one of the things that did come through from the consultation was that some young people value

the mobile units particularly. One thing I have learnt is that the mobile youth vans are poorly deployed in many cases to places where young people do not actually go and there is a recent example of a youth van sitting in a car park where there was nobody, where they intercept young people on their way to voluntary run centres. I am afraid it is true.

This suggests to me poor management and that is something we need to address. I intend that we shall correct that in future.

(3) Question to Councillor J P Harrison, Cabinet Member for Finance and Management from Mr Philip Moss, Chairman, Codnor Boys FC – Question read by the Chairman

Can Councillor Harrison please explain why the piece of land behind the car park at Mill Lane, Codnor, which has always been managed by Codnor Primary School, has now been designated as land for allotments or future development? Codnor Boys Football Club have previously used this land and were wanting to create two mini soccer pitches for under-10s but has been told they can no longer have a licence.

Councillor Harrison responded as follows:

My investigations following receipt of this question have revealed this is clearly a big local issue but one also with a long history.

The land in question forms part of a notified potential replacement school, which is why the land is still in the ownership of the Council. Currently there are two licences associated with the land, one to Amber Valley Borough Council for their Recycling Centre, and the other to Codnor Parish Council for car parking. The playing field area does not appear to have been used for a number of years and on visual inspection would be ideally suited for allotment use or for potential future development. As admitted in the question, Codnor Boys' Football Club used the playing field until 2009. However, no formal agreement ever existed between the Council and the Codnor Boys' Football Club. There was an informal arrangement in place with Codnor Church of England Primary School and the Football Club.

In 2009 the Council tried to regularise the arrangement but Codnor Boys' Football Club did not wish to continue to use the field at that time.

In 2010 the Council was approached by Codnor's Miners' Football Club who wished to use the site for a football pitch. However,

there was strong opposition to this by local residents, the Parish Council and also the District Council, all of whom wanted the site kept as open land. It was decided, due to the strong opposition, not to grant a lease or licence to the Miners' Football Club.

Taking into consideration the local opposition to the use of the site as a football pitch in 2010, should the land no longer be required by Codnor Church of England Primary School the intention is to consider using the land as an allotment site in line with the County Council's allotment initiative, subject to relevant contamination and ecology reports being favourable and the local community requesting allotment provision in this area. Further advertising is imminent on the Council's willingness to provide allotment sites to local communities. This site, I suggest, would be eminently suitable. The County Council would only grant a lease of the site and would retain the freehold ownership of the site as it is notified as a potential replacement school site.

In addition, it has also been brought to my attention by Amber Valley Borough Council that their proposed recreation ground in Ripley has moved a step closer to becoming a reality. As recently as Monday, 16 April, their Planning Board recommended approval for the temporary change of use from agriculture to recreational open space for two years.

In addition, the Borough Council is currently consulting with Schools and Sports Clubs to determine the long-term sports uses of this land and adjoining land and the facilities of a new children's play area. In addition, Derbyshire Police have agreed in principle to allow the Ripley Rhinos Rugby Club and Butterley United Cricket Club to share the use of the recreation ground at their Ripley Headquarters.

Moreover, discussions are continuing with Ripley Town Football Club and Ripley Rangers Football Club about their potential future use of recreation on their ground on Nottingham Road, and in particular as far as the Codnor Football Club is concerned the new park could in future include additional recreational football pitches and a new children's play area depending upon the outcome of the public consultation.

(4) Question to Councillor B Lewis, Cabinet Member for Young People from Cllr Irene Ratcliffe on behalf of Wirksworth Town Council

1. Why was the Wirksworth Town Council not consulted on the decision to close the Wirksworth Youth Club which enabled young people to

meet twice a week on Tuesday and Thursday evenings in a safe and covered place at the Anthony Gell School.

2. The people of Derbyshire have been offered the chance to comment and be consulted on the County's Youth Centres on the Council's Youth Centres changes (re closure of Youth Centres) but the residents of Wirksworth were not. Why?

3. Who was responsible for the decision to close the Wirksworth's Youth Centre without such consultation?

4. Can Cllr Lewis say what activities been undertaken in Wirksworth since the closure of its youth club, and how many of the young people that attended the youth club have taken up any of the activities?

5. Why have the promised lunchtime activities under a deal with Anthony Gell School, been stopped?

6. What activities were provided by DCC over the Easter holiday for the young people of Wirksworth and by who?

7. If the people of Wirksworth feel that a Youth Club is a very positive service will Cllr Lewis re-open its Youth Club?

Councillor Lewis responded as follows:

I thought that a full response to this particular issue had been sent to you on two occasions over the last several months, once following a stakeholder event that you attended where you asked this question, and again through your local County Councillor. I would refer you to the information sent to you and your Parish Clerk which outlines the extensive offer locally.

Just to highlight one or two examples. On Friday night there is the B-Safe project. That is street based youth support. That is rotated between Wirksworth and Ashbourne areas and currently attracts 25-30 young people. There is also a Friday C Card service. That is sexual health consultation and condom distribution. There is also a lunchtime drop-in at the Wirksworth Children's Centre and the school, which is part of the same service. Currently 23 regular users are signed up to that. Lunchtime activities are still continuing effectively.

Easter activities delivered for young people and families were staffed by all those involved in the multi-agency team and engaged more than 40 young people locally, so I hope you can see that there are things for young people to do locally and we are supporting that.

Following the new youth offer we hope we can extend the range of things going on to include more universal provision there.

It is possible that the change in provision that has happened in Wirksworth may not be apparent to the Town Council and if it is difficult to follow what I can do is arrange briefings for Wirksworth Town Council with a local youth worker to outline the range of provision that we currently offer.

A supplementary question was asked as follows:

What comments did the Ward Member make when the decision was taken to close Wirksworth Youth Club and how many County Councillors attended the Derbyshire Dales' consultation meeting.

Councillor Lewis responded as follows:

I hope I have made it perfectly clear that we have not closed local youth provision. Closures without consultation have happened under the previous administration. I can cite examples of Melbourne, Burbage and Wingerworth, to name no doubt just a few, and I dare say there are more out there that we can probably find out about. One thing I want to assure you of is we want to all move away from the possibility of arbitrary closures of such an important local service to one where real local consultation with young people decides the nature and shape of youth activities in that area.

(5) Question to Councillor B Lewis, Cabinet Member for Young People from Mr Mark Spencer

Are you not taking a very serious gamble with the important provision for young people by abandoning 29 DCC Youth Centres Mobile Units and 160 plus qualified part time youth workers in favour of a voluntary sector that is in Derbyshire of largely unknown availability capacity and ability.

Councillor Lewis responded as follows:

We are not going to "abandon 29 Youth Centres" nor are we going to abandon 160 plus staff. I would draw attention to the wording of the 13 December 2011 report that came to Cabinet which factually outlined the proposal clearly, and I am sure you will be able to find that if you want it.

We are not taking a “gamble”. We know that there are many organisations in the voluntary, community and independent sector which have the ability to take on youth provision. The VCI grid, which is the voluntary sector infrastructure body, has welcomed the opportunity to expand youth services across the county and recently the YMCA has appointed a Youth and Community Development Officer to develop its work and look at new opportunities within Derbyshire.

We intend to consult the VCI as part of this process and help them develop the necessary infrastructure and skills and high quality practice which will ensure that we get good outcomes for young people. That is undoubtedly what we need, good outcomes. We need good impact within local communities and good value for money for the taxpayer.

A supplementary question was asked as follows:

There have been some professional people who have provided you with some advice. Your guest speaker at Scrutiny Committee, Susanne Rauprich of the National Council for Voluntary Services said: “To have a chance of success, the voluntary sector requires co-ordination, capacity building, support and quality control.” Do you really think you have that quality control in place and can you detail it now for us please beyond what you have already said?

Councillor Lewis responded as follows:

You are right, she did say that the sector needs co-ordination, that it does need capacity building and it does need quality control and all of those things I believe this Authority is well equipped to deliver, particularly around co-ordination. We have recently developed, as you know, a VCI Youth Work Forum which allows all those organisations that are currently working with the county to come together, share best practice and also look towards filling some of the gaps in provision that we have in the county. They will work with our officers to ensure that we can meet the demand, find where those gaps are and move the sector in to help fill that.

In terms of capacity building our grant scheme, when it happens, will help build the capacity within the sector, will create a vibrant open market out there, and already we are seeing indications of that. The VCI sector are already telling us that they are ready, waiting and willing to fill that capacity. Quality control, we will manage that through the way we commission those services.

(6) Question to Councillor B Lewis, Cabinet Member for Young People from Mr Tom Mills – Question read by the Chairman

Will the Cabinet member please identify specifically the organisations within the voluntary sector that have confirmed that they have the capability, professionally trained staff and resources that are prepared to undertake the delivery of youth service provision, reaching all sections of young people throughout the county?

Councillor Lewis responded as follows:

I would refer Mr Mills to my previous answer but I would also add we are currently analysing all the information we have received through the consultation, including the list of over 1,000 expressions of interest to be involved with delivering the new youth offer. If we take the decision to commission any of these organisations, and this harks back to my previous answer also, then a rigorous capability assessment would be undertaken and that would be supported by the National Youth Agency.

(7) Question to Councillor C W Jones, Cabinet Member for Adult Care from Mr and Mrs Wendy Prati – Question read by the Chairman

How is the Supporting People budget used and allocated by the Council?

Councillor Jones responded as follows:

The short answer to this one is unfortunately the Supporting People budget ceased two years ago. However, since then the Council has funded the Housing Related Support Service through that programme which was previously known as Supporting People. The Council has set aside a budget of £17m which maintains the accommodation and support team who manage and deliver this programme. It now supports more than 27,500 vulnerable people in Derbyshire covering a wide range of client groups.

(8) Question to Councillor B Lewis, Cabinet Member for Young People from Mrs Rita Hodkin - Question read by the Chairman

Why do you think it is “fair” and a wise move to completely decommission a safety-net Council public service and to rely solely on the capacity of voluntary, community and independent providers when

there is a significant risk that there may not be enough providers out there to take on all the current activities that DCC provides and that it cannot be known what the capacity organisations will have in the future?

Councillor Lewis responded as follows:

The answer is no it would not be fair and wise and we are not decommissioning a safety net. We believe the voluntary, community and independent sector has a significant role as a co-producer of youth activities and we will help them to develop the required standard as part of any commissioning process, and again I refer to those earlier answers I gave.

This is a requirement set out by the Government in its Positive for Youth policy. I think it is fair to point out that many workers in the VCI sector are as qualified and experienced as many of our own part-time youth workers in DCC. It is increasingly clear that by moving to a commissioning model we will build a vibrant mixed economy within the county, something that through the consultation the VCI sector has told us they are poised to take advantage of.

(9) Question to Councillor J P Harrison, Cabinet Member for Finance and Management from Mrs Elizabeth Potter - Question read by the Chairman

I note with some sadness that the café in County Hall has now closed. Why has this happened and what facilities are now available for staff to get hot food?

Councillor Harrison responded as follows:

First of all may I say that I share Mrs Potter's sadness that the canteen here at County Hall has closed but the simple fact was that it was no longer sustainable, it had not been for some considerable time. The statistics show that on average there were a maximum of 30 people per day making use of the hot food facility and that was costing the Authority £100,000 a year. Clearly not sustainable.

However, there are now four food establishments within two minutes' walk of the back entrance to County Hall, all of which provide an excellent service at reasonable prices, including healthy salads as well as other forms of hot food, and I have had no complaints from any member of staff about their inability to find food while they are working here at County Hall.

(10) Question to Councillor B Lewis, Cabinet Member for Young People from Mr Alan Stevenson - Question read by the Chairman

Targeted Youth Service provision and Universal Youth Service provision are two distinct aspects of the statutory Council-provided Youth Service. How will DCC ensure that the targeted work is done in a consistent and co-ordinated manner e.g. Street Work, teenage pregnancy advice, health advice if the Council Youth Service no longer exists?

Councillor Lewis responded as follows:

We will continue to deliver targeted youth supported in a consistent and co-ordinated way through our integrated multi-agency teams where it will be planned, commissioned and delivered at a local level.

We have clearly stated that the full-time youth workers will be retained as part of those arrangements. We have an excellent teenage pregnancy strategy which will be embedded into the new youth offer. Many VCI organisations already deliver C Card schemes and we have over 200 courses that volunteers across the piece have access to to enable them to deliver these key services.

26/12 RECEIPT OF PETITION A petition entitled “Save our Youth Services”, containing in excess of 16,000 signatures, had been received by the County Council. An on-line petition relating to the same subject had also been conducted.

The petition stated that:-

“We the undersigned oppose the County Council’s plans to close its Youth Centres and make up to 157 Youth Workers redundant – Under the Conservative led government young people are at risk of becoming a lost generation, being the target of national and local spending cuts. Young people are facing the highest unemployment levels in decades, the trebling of tuition fees, the abolition of the Education Maintenance Allowance and in Derbyshire are having to pay more for public transport because of the b_line cuts. They now face the loss of youth services which provide access to a wide range of social and cultural activities, health advice and general support. We call on Derbyshire County Council to retain the current directly provided universal youth service.”

The County Council’s Petition Scheme set out how the Council should respond to petitions both in terms of the timescales for

responses and also the specific action it may take. The Scheme stipulated that where a petition contained more than 7,500 signatures it would be debated by the Full Council. The scheme provided that the petition organiser (or their nominee) be given five minutes to present the petition at the meeting. The petition would then be discussed by Councillors for a maximum of 15 minutes.

The Director of Legal services advised the Council that the debate would not lead to a vote but would inform the Cabinet decision making.

It was moved by Councillor Ms A Western, duly seconded, that the Council's Standing Orders be suspended to allow a full debate on the petition.

Councillor Western's motion was put to the vote and declared to be lost.

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

For the motion (29) – Councillors D Allen, Mrs E Atkins, Mrs G Birkin, Ms S L Blank, Mrs M W Booth, W Burrows, D Chapman, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, S Flitter, K Gillott, M Higginbottom, R L Hosker, B C Lucas, K P Morgan, Mrs C Pidgeon, B Ridgway, A H Rogers, R W Russell, P J Smith, K Stevenson, Mrs M Stockdale, D Stone, D B Taylor, A Western, D J Wilcox and J G Williams.

Against the motion (30) – Councillors J A Allsop, Mrs S M Allsop, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, Mrs G A Farrington, J P Harrison, Mrs C A Hart, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, P Makin, P Murray, K L Parkinson, R A Parkinson, G W Purdy, Mrs G P Reddy, S A Spencer, J N Stevens, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

Abstained (0)

The petition was presented to Council by Greg Roberts who explained that he was chair of Eckington Youth Parish Forum, a group of young people. When the proposals had been announced, Forum members visited vulnerable people in the area to explain the proposals to those people and then asking them to sign the petition. They had spent five to ten minutes in most cases explaining the petition to people and they were only too happy to sign after they had heard what had been said. If it had been possible for the Council meeting to be held

later in the day there would have been a lot more young people in attendance at the Council meeting. There had been accusations that this was a party political petition but Mr Roberts said that this was absolutely not the case.

Mr Roberts said that the meeting seemed to be dismissing the voices of 16,000 Derbyshire residents by not having a vote and he wished to reiterate what Councillor Western had said and call on Derbyshire County Council to retain the currently directly provided universal youth service.

Councillors Western, Flitter, Stone and Lewis also contributed to the debate and spoke to express their views on the proposals.

27/12 COUNCILLOR QUESTIONS

Councillors asked questions as follows:-

(1) Question to Councillor B Lewis, Cabinet Member for Young People from Councillor A F Charles

Can Councillor Lewis inform Council how many different figures he used to portray the Young Person contact rate in the DCC Youth Service during the Youth Service Review Consultation, giving an explanation for each different figure used and why the figure was changed on each occasion.

There were so many changes that it is impossible to recall them all but as a reminder the original figure quoted in the consultation was 28%. Via several step changes a figure of 0.34% was claimed at one consultation meeting. Please explain.

Further can Councillor Lewis share with Council the parallel contact figures for the Voluntary, Community and Independent Youth Service, with which he intends replacing the DCC service.

Councillor Lewis responded as follows:

I would only be delighted to provide you with an answer on this one and I know that Councillor Charles and the Labour leadership find numbers particularly challenging. I believe that Labour did not challenge the figures rigorously enough to ensure that they give a true representation of what was happening. I do not blame the officers who followed the vague and sometimes contradictory national guidance advice. However, you should have been challenging your own government for more rigour and challenging your own figures. Perhaps

I could then ask Alan or indeed anybody who was on watch at the time to explain how we arrived at a situation where we have misleading figures recorded and presented as being factual? We would all here be interested in that.

We use the data that we have recorded on youth base, and Councillor Charles knows that. This told us that there were 28% participants. That is 18,808 out of 67,000 plus young people and upon a more detailed scrutiny, because I wanted to know what defined “a participant”, after all I was putting the figures out there at these stakeholder events as you know, we found that their definition of “participant” was based on one hour of contact a year. The national definition of “a participant” is regular contact throughout the year. This must be for more than one hour a year. I hope so far you are following this. So I asked for more details. I did my job. I challenged. That is what we are here to do. There are always frameworks, I have learnt, so I asked for details of more regular and sustained contact. I asked what was the percentage who attended for ten hours or more and this figure is a figure that equates to 9% or 6,009 participants, so on a more realistic level of participation we found that there are not 28% of participants but 9%.

Now without boring everyone rigid let's jump to some accredited outcomes which are important because they show real progress with the young person recording a qualification such as an ASDAN or other accredited qualification, and that is a real personal achievement. It is a milestone. The national benchmark for this is 30% of our young people need to be achieving that. We achieved 7% which is frankly dismal.

Yesterday I met with the NYA and they described that figure as “very disappointing”. I can only say they are masters of understatement.

Then there is Youth Standard 8. Labour will undoubtedly tell us that this figure is irrelevant, meaningless, but it is not, it is a key indicator. It has been for a long time. This is 96 hours of contact over the year reflecting a real relationship and some of those key milestones. We should achieve 15% but we don't, and that is where the 0.34% stat comes from. That is the dismal figure that we actually recorded.

Councillor Charles knows that we do not collect comparable data for the VCI sector because we do not fund them. When the new youth offer comes into being we will, through our service level agreements, require the collection of some data so that we can ensure value for money and, most importantly, good outcomes for our young people but, since Councillor Charles did ask and I like to be obliging, I busted a gut and got him some figures we can compare to these. It is as like for like

as we can get, I am afraid, but he will have to bear with me. For one organisation in Amber Valley they engage over 6,000 young people over the course of the year, many for 20 hours or more in a year. Another works with over 500 young people a year for this many hours and in High Peak another Club where 71% of young people had more than ten hours per year and 50% attended for more than 20 hours per year. I would say that this was an outstandingly good basis to build from, as I am sure he would agree.

A supplementary question was asked as follows:

It is interesting that Councillor Lewis embarked upon this policy change and consultation back in December with a figure of 28% and yet it was not until the third consultation meeting when he saw the hornet's nest he had walked into that he thought "I had better go back and have a look and see how we can massage these figures to make the case even stronger for us." He has also mentioned Youth Standard 8. As was put to him in one of the meetings by Gordon Savage, there is also a Youth Standard 1, 2, 3, 4, 5, 6 and 7 which you have not talked about.

Additionally, and I like Councillor Stone's analogy earlier about jumping out of aeroplanes and analysing the parachute later, there was no comparable data for VCI at all yet you are proposing closing down our Youth Centres – again you have just disparaged the good work all these people are doing – to replace it with something he hasn't got a clue about it. I tell you what, I never want to get on your parachute, Barry, that's for certain.

My question is nothing to do with figures, well it is a figure actually and Anne touched on it earlier. Councillor Lewis can you tell us how many visits you made to VCI clubs and to DCC Youth Clubs before December when you embarked upon this policy initiative?

Councillor Lewis responded as follows:

Just to go back to your first point around the 28%, that figure in itself is not a problem, it is only when we scratched at it that it became an apparent problem. The problem at that time in December was the equity of provision around the county. Not everybody could access DCC provision and that was the basis, that was the problem we had. Youth Standard 8 is important and it is a recognised standard, lest it is more so than the others between 1-7, as Gordon Savage will probably be aware.

Once again we have the Opposition playing to its strengths, being divisive, militant, clueless, no real explanation of why they sat on their hands for all those years and mismanaging the whole Youth Service. If they got into power – and it is a big if – they can waste officer time and

taxpayer time and money chasing stats. What we want and what we are interested in is outcomes.

I have said on more than one occasion that we applaud the work done by our youth workers across the county, that has not been in question. We are on record as saying that, as Councillor Western well knows.

As for your final question I have been a volunteer worker in a Derby City Club some number of years ago so I do understand the Youth Service and where it comes from. I did not visit many, I did not visit many prior to December but I have brushed against it. I have also visited many of the youth buses at various shows around the county etc. I have visited since December a number of them. I also visited an awful lot of VCI sector clubs before December.

(2) Question to Councillor B Lewis, Cabinet Member for Young People from Councillor K Gillott

Can you assure the council that all people – staff and volunteers – working in your new youth offer will have an enhanced CRB check?

Councillor Lewis responded as follows:

Yes, they will where we commission them.

A supplementary question was asked as follows:

Can you confirm that that will apply to people working in the Ozbox Scheme as well, and if on further investigation it proves that people do not have the enhanced CRB check and young people are thereby put at risk will you resign?

Councillor Lewis responded as follows:

I am not going to answer that obviously ridiculous second part of your question, but as to the first part about Ozbox, yes because they all go through the VCI Passport Scheme and as you know that is an enhanced CRB.

28/12 QUESTIONS ON THE FUNCTIONS OF THE DERBYSHIRE POLICE AUTHORITY AND THE DERBYSHIRE FIRE AUTHORITY No questions had been received.

29/12 COUNCIL MINUTES On the motion of Councillor G D Wharmby, duly seconded,

RESOLVED that the minutes of the meeting of Council held on 1 February 2012 be approved as a correct record and signed by the Chairman.

30/12 **CABINET** On the motion of Councillor A I Lewer, duly seconded,

RESOLVED that the minutes of the meetings of Cabinet held on 24 January, 31 January, 20 February and 13 March 2012 be received and adopted.

31/12 **REGULATORY – LICENSING AND APPEALS COMMITTEE** On the motion of Councillor R A Parkinson, duly seconded,

RESOLVED that the minutes of the meetings of the Regulatory – Licensing and Appeals Committee held on 16 January and 26 March 2012 be received and adopted.

32/12 **REGULATORY – PLANNING COMMITTEE** On the motion of Councillor M Ford, duly seconded,

RESOLVED that the minutes of the meetings of the Regulatory - Planning Committee held on 20 February and 12 March 2012 be received and adopted.

33/12 **PENSIONS COMMITTEE** On the motion of Councillor P Makin , duly seconded,

RESOLVED that the minutes of the meetings of the Pensions Committee, as administering authority and as employing authority, held on 3 February 2012 be received and adopted.

34/12 **INVESTMENT COMMITTEE** On the motion of Councillor S J Ellis, duly seconded,

RESOLVED that the minutes of the meeting of the Investment Committee held on 19 March 2012 be received and adopted.

35/12 **STANDARDS COMMITTEE** On the motion of Mr P Purnell, duly seconded,

RESOLVED that the minutes of the meeting of the Standards Committee held on 6 January 2012 be received and adopted.

36/12 AUDIT COMMITTEE On the motion of Councillor Councillor S J Bradford, duly seconded,

RESOLVED that the minutes of the meeting of the Audit Committee held on 24 January 2012 be received and adopted.

37/12 IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE On the motion of Councillor Mrs G A Farrington, duly seconded,

RESOLVED that the minutes of the meeting of the Improvement and Scrutiny Committee – People held on 7 March 2012 be received and adopted.

38/12 IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES On the motion of Councillor P Murray, duly seconded,

RESOLVED that the minutes of the meeting of the Improvement and Scrutiny Committee – Resources held on 22 March 2012 be received and adopted.

39/12 IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES On the motion of Councillor Mrs J A Twigg, duly seconded,

RESOLVED that the minutes of the meeting of the Improvement and Scrutiny Committee – Places held on 14 March 2012 be received and adopted.

40/12 MINUTES OF MEETINGS OF THE DERBYSHIRE POLICE AUTHORITY AND THE DERBYSHIRE FIRE AUTHORITY

The Minutes of the meeting of the Derbyshire Police Authority held on 26 January 2012 and the Derbyshire Fire Authority held 23 February 2012 were received.

41/12 NOTICES OF MOTION Council considered Notices of Motion as set out below:-

Motion submitted by Councillor S Flitter

“Noting the growing success of the fair trade initiative throughout Derbyshire, this Council re-affirms its support and commitment by updating existing publicity and promoting and purchasing fair trade products wherever and whenever the opportunity arises”.

The motion was duly seconded and debated by Council.

Councillor Flitter's motion was put to the vote and declared to be carried.

RESOLVED that, in noting the growing success of the fair trade initiative throughout Derbyshire, this Council re-affirms its support and commitment by updating existing publicity and promoting and purchasing fair trade products wherever and whenever the opportunity arises.

Motion submitted by Councillor Ms A Western

"This Council recognises the high level of public concern about the proposals to close the DCC universal youth service. This Council requires the Cabinet Member for Young People to:

- (1) Conduct a centre by centre review of DCC youth work to evaluate its effectiveness and value to young people
- (2) Review the impact of part-time youth worker job losses on multi-agency team effectiveness
- (3) Commit to a process of local dialogue with young people before any changes are introduced"

The motion was duly seconded.

An amendment to the motion was moved by Councillor B Lewis, duly seconded, that the motion be amended to read –

"This Council recognises the high level of public concern about the proposed New Youth Offer and therefore the Cabinet member for Young People will use the data gathered in the recent consultation:

- (1) to evaluate the effectiveness and value to young people of youth centres
- (2) to assess and review the impact of the proposals on multi-agency team effectiveness

The Cabinet member will also continue the process of local dialogue with young people as committed to during the consultation."

The amendment was put to the vote on whether it should be accepted as the substantive motion and was declared to be carried.

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

For the motion (32) – Councillors J A Allsop, Mrs S M Allsop, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, Mrs G A Farrington, M Ford, J P Harrison, Mrs C A Hart, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, P Makin, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, G W Purdy, Mrs G P Reddy, S A Spencer, J N Stevens, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

Against the motion (25) – Councillors D Allen, Mrs E Atkins, Mrs G Birkin, Ms S L Blank, Mrs M W Booth, W Burrows, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, S Flitter, K Gillott, M Higginbottom, R L Hosker, B C Lucas, Mrs C Pidgeon, B Ridgway, A H Rogers, P J Smith, K Stevenson, Mrs M Stockdale, D B Taylor, A Western, D J Wilcox and J G Williams.

Abstained (1) – Councillor R B Baldry.

The substantive motion was debated by Council.

Councillor Lewis' motion was put to the vote and declared to be carried.

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

For the motion (32) – Councillors J A Allsop, Mrs S M Allsop, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, Mrs G A Farrington, M Ford, J P Harrison, Mrs C A Hart, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, P Makin, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, G W Purdy, Mrs G P Reddy, S A Spencer, J N Stevens, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

Against the motion (24) – Councillors D Allen, Mrs E Atkins, Ms S L Blank, Mrs M W Booth, W Burrows, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, S Flitter, K Gillott, M Higginbottom, R L Hosker, B C Lucas, Mrs C Pidgeon, B Ridgway, A H Rogers, P J Smith, K Stevenson, Mrs M Stockdale, D B Taylor, A Western, D J Wilcox and J G Williams.

Abstained (1) – Councillor R B Baldry.

RESOLVED that this Council recognises the high level of public concern about the proposed New Youth Offer and therefore the Cabinet

member for Young People will use the data gathered in the recent consultation:

- (1) to evaluate the effectiveness and value to young people of youth centres
- (2) to assess and review the impact of the proposals on multi-agency team effectiveness

The Cabinet member will also continue the process of local dialogue with young people as committed to during the consultation.

42/12 DEPARTMENTAL SERVICE PLANS 2010/2014 REFRESH

The Chief Executive sought approval for the Departmental Service Plans 2012/13 refresh and associated budgets. Departmental Service Plans set out how each department would contribute to the Council Plan 2010/14 priorities. The Plans described how departments would deliver these priorities and how success or impact would be measured.

RESOLVED that the 2012/13 refresh of Departmental Service and spend plans, including the award of contracts and the placing of orders within each approved programme budget, be approved.

(Councillor Ms A Western left the meeting during the consideration of the following item (Minute 43/12))

43/12 MEMBERS' ALLOWANCES SCHEME – REPORT OF THE INDEPENDENT REMUNERATION PANEL Council was presented with a copy of the Independent Remuneration Panel's report giving advice on its Members' Allowances Scheme. The report was presented by Panel members Professor Allen Hutchinson and Mr Tony Turnock who attended the meeting.

The recommendations of the Panel were:-

The Basic Allowance

That no change is needed to the existing 2011-12 level of Basic Allowance (unless it is a variation under S.2(b) of the Scheme which allows for an uplift linked to any increase in the Pay Award).

Allowance paid to the Leader of the Main Opposition

That the allowance for the Main Leader of the Opposition should be increased in 2012/13 to a Special Responsibility Allowance that is equivalent to 45% of the Leader's allowance.

Travel to Parish Council meetings within the Member's Electoral Division

That Members should be eligible to receive travel expenses for attendance at Parish Council meetings within their Electoral Division when a formal request has been received to discuss a County Council function. Travel expenses should normally only be paid for travel within the area of the Member's Electoral Division, at the rate paid for Member's travel expenses by Derbyshire County Council.

Recommendations on expenses for non-staff members of Derbyshire School Admission and Exclusion Appeal Panels

Where the IRP has made recommendations in the 2010-11 report on travel and carers of dependents allowances, then these recommendations should also apply to School Admission and Exclusion Appeal Panel members. For clarity, these recommendations were:-

- The travel expenses policy for members should mirror the policy for Derbyshire County Council employees. The mileage rate for motor vehicles for 2012/13 should therefore be 45p per mile which, it should be noted, is a significant reduction from the 65p per mile rate paid to panel members in 2011-12. Parking costs should be met on production of receipts.
- Carers of dependents aged 16 or under, or of dependent adults for whom documentary evidence of their care requirements has been provided, are eligible to claim their care costs while undertaking appeal panel duties. The Panel recommends that the benchmark for the maximum amount per hour is linked to the adult national minimum hourly wage. In exceptional circumstances (e.g. where a dependent has a disability for which specialised care is required) and with prior authorisation, higher hourly rates than the benchmark should be available. Only actual receipted expenditure should be reimbursed.

In addition, new recommendations were made for the following areas.

Subsistence

When attending panels, members are working away from home or from their normal employment. The IRP expects that panel members would be provided with refreshments and light meals where appropriate.

Where refreshments or meals are not provided by the meeting organisers, in accordance with regulation 7 of the Appeals Regulations, panel members should be eligible for reasonable subsistence allowance. Subsistence should be paid at the rates set out in Schedule 4 of the Members' Allowances Regulations. Only actual receipted expenditure should be reimbursed.

In recognition of the desire of the Council to move away from subsistence payments, during 2012-13 the IRP will make further enquiries concerning appeal panel member's subsistence requirements and consider alternative means of providing support if needed.

Panel Member Allowance

The Panel did not seek to try to put a monetary value on this valuable voluntary work but rather considers that this role should attract an allowance of £25 per day when panel members attend a meeting, in recognition of each member's contribution. This allowance should be paid without reference to the period of time spent on the activity during the day. The IRP would continue to review the allowance during 2012/13 to ensure it was set at an appropriate level and to consider whether there were any other panels currently constituted by the Council where panel members should also be eligible for the allowance.

Concerning the implementation of the recommendations above, it was further recommended that information on the allowances for members of Education Appeal Panels be incorporated into the Members Allowances Scheme document, and that all panel members be given access to the document.

Officer recommendations in respect of Panel membership

It was proposed by the Officers that it be specified that an individual panel member should be permitted to serve up to two periods of four years and that a fifth member be appointed in 2012. In this way, retention of expertise and an overlap of membership periods would be achieved.

On the motion of Councillor A I Lewer, duly seconded,

RESOLVED (1) that the recommendations contained within the report of the Independent Remuneration Panel be agreed with effect from 18 April 2012; and

(2) that the proposal for the appointment of a fifth Panel member be approved.

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

For the motion (31) – Councillors J A Allsop, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, Mrs G A Farrington, M Ford, J P Harrison, Mrs C A Hart, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, P Makin, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, G W Purdy, Mrs G P Reddy, S A Spencer, J N Stevens, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

Against the motion (20) – Councillors D Allen, Mrs G Birkin, Ms S L Blank, Mrs M W Booth, W Burrows, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, K Gillott, M Higginbottom, B C Lucas, Mrs C Pidgeon, B Ridgway, A H Rogers, P J Smith, K Stevenson, Mrs M Stockdale, D J Wilcox and J G Williams.

Abstained (2) – Councillors Mrs E Atkins and D B Taylor.

44/12 AGREEMENT TO WAIVE CALL-IN PROVISIONS On the motion of Councillor A I Lewer, duly seconded,

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

45/12 PAY POLICY STATEMENT Section 38 of the Localism Act 2011 required the Council to produce a pay policy statement for 2012/13 and for each financial year thereafter. The Act required that pay policy statements be approved formally at Council meetings.

Since the implementation of Single Status on 1 April 2010, all employees covered by the Pay Policy had enjoyed the same pay related terms and conditions, although the Chief Executive, Chief Officers and local government services employees had different national negotiating bodies that determine other conditions of employment, for example disciplinary procedures. All the jobs included had also been subject to job evaluation and were paid in accordance with the same local pay spine.

The Pay Policy Statement had been prepared in order to be as open and transparent as possible and this would be made available on the Council's website.

On the motion of Councillor A I Lower, duly seconded,

RESOLVED to approve the Pay Policy statement.