

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL**
held on 7 February 2018 at County Hall, Matlock

PRESENT

Councillor Mrs L M Chilton (In the Chair)

Councillors T Ainsworth, D Allen, R Ashton, K S Athwal, J Atkin, N Atkin, Mrs E Atkins, S A Bambrick, N Barker, B Bingham, J Boulton, S Brittain, S Bull, Mrs S Burfoot, K Buttery, Mrs D W E Charles, J A Coyle, A Dale, Mrs C Dale, J E Dixon, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, J A Frudd, K Gillott, A Griffiths, Mrs L Grooby, Mrs C A Hart, G Hickton, R Iliffe, Mrs J M Innes, T A Kemp, T King, B Lewis, W Major, P Makin, S Marshall-Clarke, D McGregor, R Mihaly, C R Moesby, P Murray, G Musson, R A Parkinson, Mrs J E Patten, J Perkins, Mrs I Ratcliffe, B Ridgway, C Short, P J Smith, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, M Wall, Ms A Western, G Wharmby, Mrs J Wharmby, Ms R Woods and B Wright.

01/18 APOLOGIES FOR ABSENCE Apologies for absence were submitted on behalf of Councillor Mrs S L Blank.

02/18 DECLARATIONS OF INTEREST There were no declarations of interest.

03/18 CHAIRMAN'S ANNOUNCEMENTS The following announcements were made:-

The Chairman:-

- (a) Welcomed Councillor Ratcliffe back after her period of absence due to ill health and conveyed her best wishes on behalf of the Council.
- (b) Referred to the 100th anniversary since women earned the right to vote.
- (c) Reminded members that there would be a separate Council meeting on the rise of this meeting which would consider the nominations for appointments to the role of Honorary Alderman and Alderwoman. A reception would take place immediately after the special meeting.

04/18 MINUTES On the motion of Councillor Mrs L Chilton, duly seconded;

RESOLVED that the minutes of the meeting of Council held on 6 December 2017 be confirmed as a correct record.

05/18 REPORT OF THE LEADER Councillor B Lewis, Leader of the Council, informed the Council that there was nothing to report.

06/18 PUBLIC QUESTIONS

(1) Question from Graham Heaseman to Councillor S A Spencer, Cabinet Member for Highways, Transport and Infrastructure

At the public meeting that Councillor Simon Spencer attended in Newton on Saturday 20th January he was able to judge for himself the strength of feeling and the deep concerns of the local residents and how their lives and homes are under threat by the HS2 spur.

We thank him for accepting our invitation along with Councillor Ainsworth.

He mentioned, after the end of the meeting, that he is chairing an HS2 Mitigation Strategy Committee, and he felt it was important that it was not made up of political appointees and would be considering the appointing or 'co-opting on' of representatives of the communities most affected by the HS2 decisions.

A meeting of that committee he said was to be held the following week. Following that meeting, is he able to tell us if members of the Blackwell group will be able to be part of that committee?

Councillor Spencer responded to the question as follows:

Mr Heaseman, thanks for coming along again today and thank you for your kind invitation and the reception I received in Blackwell on the 20 January.

There is a little confusion in your question and I need to establish the correct criteria. I did say that Derbyshire was chairing a Mitigation Committee the following week and that there have been discussions about the possible chairing of that particular group and it becoming a Board by myself. That is what I actually did say at the meeting. I also went on to say that the HS2 Strategic Board was meeting the following week where the discussions would take place how that was going to be formed. That is quite correct. That is just for clarification.

That meeting did take place at Nottingham at Loxley House, last week. The Chairman, unfortunately, withdrew the paper that was due to discuss how that particular Mitigation Board should be chaired, along

with some other Boards and other structural changes that are due to take place. That is nothing to be concerned about, it will be discussed at the next meeting when more detail is available.

I am fully aware and conscious of the impact on the community that you are here to represent. I thought the meeting we had on the 20 January was a productive meeting. I can give you assurances today, that I am going to seek some form of mechanism for your group to have its views heard. I cannot categorically tell you how that will be achieved at this moment in time, but I hope you will take my assurances in good faith that we are going to put a system in place that allows all communities affected by the impact of HS2 to be heard at the appropriate time and place and feed into the HS2 Strategic Board at the East Midlands' level. Thank you.

The following supplementary question was asked by Mr Heaseman to all Councillors:

Although most of your areas in the county will at first glance not be affected by HS2 or the so-called Sheffield spur, that many of you might feel, like myself, we might not even be here by the time these trains could be running, just think it is estimated that this project will cost every household in the UK over £3,000 so if you can see that the local and national Government budgets are being squeezed now and that vital services cannot be cut any further, then I urge you to think again. Will you all question this vanity project at every opportunity which will drain the valuable resources of this great country for generations? Thank you.

(2) Question from Tony Mellors to Councillor S A Spencer, Cabinet Member for Highways, Transport and Infrastructure

I am grateful to County Councillors Spencer, Ainsworth and Moesby for attending our meeting at Newton on January 20th, and listening to the many issues we raised about the extent of the impact of two HS2 lines through Blackwell Parish. There are approximately twenty families in Blackwell who are being encouraged to sell their homes to HS2 Limited or face compulsory purchase, and those families are currently experiencing great difficulties in obtaining a fair valuation from HS2 Limited, and in finding comparable properties at a similar price level. The package offered by Government of HS2 Limited valuation plus ten per cent does not compensate those families; in addition to the stress of being forced to move from family homes they have to suffer a financial loss. We also have evidence that the whole of Newton village has seen property devalued by fifteen percent during the last twelve months due to HS2, and there is little chance of that trend being reversed before 2033.

Does Derbyshire County Council agree that there should be No Losers from HS2, and will they join us in fighting for a Fair Deal for our community?

Councillor Spencer responded as follows:

Thank you, Chairman, and thank you, Mr Mellors, for the question.

I did find the meeting itself a very constructive discussion in your community the other Saturday. I felt that by attending, I got a true sense and understanding of the views of your community, although I had a pretty good understanding from the outset.

At the last strategic meeting of HS2 East Midlands Board, I did actually raise the very issue you question in this particular document here today. I said to my colleagues at that meeting, that we need to give due consideration to the challenges that communities such as yourself face. We need to understand that there is a huge gulf between what is considered mitigation and the way in which we should deal with it. I think I used the language that "A home should be replaced with an equivalent home." I do understand the intricate details of the mitigation programme that HS2 Ltd have put forward. We have Express Purchase Systems; Need to Sell Schemes; Rural Support Zones; Home Owner Payment Schemes and those are just a few of them. Unless you are an expert in this particular field, it is very difficult to grasp. I am not surprised that the communities and individuals who are affected are finding difficulty in understanding it and how to deal with it.

I can give you an assurance today, Mr Mellors, that Derbyshire County Council will be doing all it can for all the communities in Derbyshire that are affected by HS2 to mitigate the impact moving forward. We will endeavour to get the best we can out of the programme as far as the financial benefits to our county are concerned, but I can assure you today that we will be supporting you, like we will be supporting every other community in Derbyshire, to raise the issues that you have concerns about with regard to mitigation.

I want to say also Chairman, if I may, that Derbyshire County Council as every other Authority in the East Midlands, has been approached to sign a confidentiality agreement. You will not be aware of that, Mr Mellors, because I was not aware of it until earlier on last week. I want to make it very clear and transparent to enable me to do my job as the Cabinet Member for Highways and Transport here in Derbyshire, and provided other Councils across our County agree to it, I do believe it will be a necessity that we sign up to that confidentiality

agreement, so we can have a full view of the impact that may be occurring as a consequence of their proposals.

I look forward to your views on that but I am in a very difficult position, as I am sure you can appreciate, and the Council is also, so I await your supplementary. Thank you.

The following supplementary question was asked by Mr Mellors:

Yes, it is news to me and it will take us some time to think that through. I want to ask a supplementary concerning whether you are prepared to commission an independent analysis of the negative impacts of HS2 lines through Blackwell Parish, in order to present evidence to HS2, confidentially or not, and the Department of Transport that construction of a tunnel for the spur line from Hilcote to Clay Cross is cost effective, will maintain a cohesive community, and it will maintain the promise of the Secretary of State that people be treated with fairness, compassion and respect.

Councillor Spencer responded to the supplementary question as follows:

Thank you, Mr Mellors. As you are aware, a commissioned report has already started to take place. I think Lavalin have been commissioned to carry out that study on the very same issues you have highlighted today.

What we have to be doing, Mr Mellors, is making sure we don't duplicate the work. We need to make sure we use our resources effectively and efficiently to deal with the issues of mitigation highlighted in your question. I await that report and, when I have that report, it will be a public document and we will share it with all concerned.

I do note the issues with regard to a tunnel and the way in which we could mitigate the impact on the community that you represent. I take note of what you say. I think we need to have a full and thorough discussion following the publication of the Lavalin Report moving forward and, when we have done so, we will be in a clearer position to make recommendations to HS2 Ltd on what we would like them to see as far as mitigation is concerned for our residents here in Derbyshire. I hope that answers your question.

(3) Question from Wendy Prati to Councillor Mrs J Wharmby, Cabinet Member for Adult Care

It has come to my attention that Derbyshire County Council are putting up the Council Tax, yet cutting the funding for People with a

Learning Disability to the tune of £500,000. Part of these cuts are to Housing Related Support. As a parent/carer I find this proposal totally outrageous.

Reducing this kind of funding from the most vulnerable in our society will cause untold damage. This could lead to vulnerable people losing vital support which they need to live in their own home. This will also drive people with a learning disability into our NHS beds or onto the streets, because they will not be able to look after themselves without the right support.

You need to deliver on the Health and Social Care Bill. Why do you want to punish People with a Learning Disability?

Councillor Mrs J Wharmby responded as follows:

Thank you, Mrs Prati, for your question. We are not “punishing” people with a learning disability. We are doing everything we can to help them.

We have set a saving target of 500k in the Learning Disability Services for the coming financial year. However, I am not sure about the reference to Housing Related Support. There are no plans to reduce funding in that area.

Regarding the Council Tax we have growing needs as the numbers of frailer older people increase and we need to meet the requirements of the National Living Wage, which will take a big chunk of that money.

As you can see in the Council papers that you have before you, the savings are to be delivered by working more efficiently across Health and Social Care and not about cutting support to the most vulnerable.

We know as a Council that we spend more than any other Authority in the area on this. We are looking to reduce costs and make better use of our available resources.

The following supplementary question was asked by Mrs Prati:

You say they are not cutting. You don’t know anything about Housing Related Support. As a parent/carer, I have had a letter actually saying that reviews have to be done about Housing Related Support. They have changed the goal posts. It is obviously Derbyshire County Council who changes the goal posts not Social Services because they are funded by Derbyshire County Council.

We have had the review and they have changed the goal posts saying “You only have this block of hours not this block of hours.” It is to do with the blocks of hours that have been changed. That means you are pushing people with a learning disability into paying for that care that they didn’t previously pay for because of the funding cuts. I can’t see how you can actually deny that or say you don’t have any knowledge of it. If you don’t, I think you ought to have a word with Housing Related Support, because this is happening, this is really happening. I would like to really know what you are cutting then, what areas of funding you are cutting for people with a learning disability? I would like to know exactly where that funding is being cut?

Councillor Mrs J Wharmby responded to the supplementary question as follows:

Thank you for your supplementary. I will get those details back to you regarding Housing Related Support. As I say, I am not aware, but I will get that back to you in the next few days.

We have already delivered several million in savings by working more efficiently in reducing costs. We have moved from outdated block contracts for day services; reduced the numbers of younger adults in restricted residential care by moving to supported living. We are not punishing people with learning disabilities, we are supporting them. I would still like to say that, but I will get those details back to you in the next few days.

(4) Question from Mr R Prati to Councillor Mrs J Wharmby, Cabinet Member for Adult Care

The Chairman read the question on behalf of Mr Prati who was not present at the meeting.

I understand that you wish to increase the Council Tax in order to help look after children in need, if this is correct, I have no problem with looking after children who need our protection. What I do object to is the total lack of thought or care given to people with a learning difficulty, cutting a lifeline is unforgivable.

Vulnerable people have suffered enough, having to jump through hoops to get any benefits or support, austerity is targeting people who do not have the capacity to fight back.

It is about time that you started listening to parent/carers, disability groups and make sure that people who are vulnerable stop being persecuted by Government Policies.

What guarantees can you give me that no person with a learning disability will become homeless because of your budget cuts?

As Mr Prati was not present at the meeting, the Chairman indicated that a written response would be provided.

(5) Question from Jeannie Robinson to Councillor Mrs C A Hart, Cabinet Member for Health and Communities

Poverty and poor health are inextricably linked. Poverty is both a cause and a consequence of poor health. Money spent on Public Health can be expected to help ease the pressure on the National Health Service. Would the Derbyshire County Council agree that all decisions to cut, commission and deliver services should be poverty proofed in order to recognise and eliminate the detrimental knock on effects on the health of the people of Derbyshire?

Councillor Hart responded to the question as follows:

Thank you, Ms Robinson, for your question. I totally agree that poverty and poor health can be linked. I can assure you that everything we do and every service we provide, all the decisions we make, all take into consideration the social value impact of any changes that will be made as a result of a change of policy or a service provision. This would pick up issues related to poverty and, where appropriate, a health equality audit would be undertaken.

We do know that roughly only 20% of health is actually linked to Health Care Services. The majority of things that make us healthy, or unhealthy, are our behaviours, where we live and work, and the support we have from family and friends. I do fully recognise that part of that, social and economic circumstances impact on health and wellbeing. This is why we invest well over £1m of the Public Health budget in providing services such as CAB in over 98% of general practices within Derbyshire and in every Children's Centre. Later this year we will broaden this approach to develop the Wellness Hubs in venues such as local libraries and, again, CAB will be included in that service.

As a Council, we spend over £4m in total on the financial inclusion and poverty agenda across Derbyshire. That is including such services as welfare rights. We work closely with local employers, educational institutions, career advice services and Jobcentre Plus, to help support local people into employment, recognising that having a job is key to improving health and wellbeing and recognising that aspiring to a future career has an even better impact on health.

We recently had a visit last week, and I will quote him more than once I think today, from the Chief Executive of Public Health England. This was a key message that he put forward. He also went on to praise the way that we are working and delivering in Public Health and Adult Care. In fact, I am sure he won't mind me quoting him. He actually said he was really pleased with our systematic approach to Community Wellness Hubs, working across the Council with wider partners and focusing on the wider determinants of health, bringing together everything from housing to debt support, so a wide remit. Hopefully, that will allay some of your fears.

Ms Robinson asked the following supplementary question:

I notice you mentioned the CAB. One of the consequences of the money that is being spent on the CAB, is a particular cut that I want to draw your attention to. The Derbyshire Unemployed Workers' Centres have over 800 appeal tribunals waiting to be heard. The majority of these appeals are on health related issues. Derbyshire County Council has completely cut the funding of the Derbyshire Unemployed Workers' Centre. That is a cost of £50,000. That financial support has been withdrawn with no concern for those appellants. Don't you agree that this essential work supporting people wishing to challenge DWP decisions should continue?

Councillor Hart responded to the supplementary question as follows:

I say we are not renewing the funding there because that is an isolated area. What we want to do is to look at the whole of Derbyshire. We want to deliver a fair and equitable service right across and that is why we are re-looking at how we are going to deliver. It seems nonsensical to me, that we have somebody based in the north dealing with problems right down in the south. Derbyshire is such a large area. It took me two hours to go to a meeting in Gamesley a couple of days ago. We want to try and deliver the services locally and we will be going out to tender for that. I am sorry, but that is the reason we are doing it and that will change in the new financial year.

(6) Question from Mike Jones to Councillor Mrs C A Hart, Cabinet Member for Health and Communities

Given the proposed closure of Babington Hospital in Belper and the loss of 18 nursed beds for intensive rehabilitation, can Councillor Hart please explain how this provision can be redistributed across the county without putting undue strain on the Royal Derby Hospital and, indeed, on other hospitals?

Councillor Hart responded as follows:

Thank you, Mr Jones, for your question. Of course this is really a question for local NHS partners not Derbyshire County Council, but my understanding is that more services will be delivered in the community which I think is in the best interests of patients, and some services will be delivered from the other Community Hospitals, such as Heanor. In addition, the NHS are looking at building a new health clinic in Belper and are considering using some of the beds within the DCC new build residential unit at Derwent Street in Belper. As I have already said, it is not really a question that should be put, this should go to our NHS partners, but I am equally sure that when they made these decisions, they have gone into it very, very thoroughly, and I am sure they will have more answers for you, if you care to speak to them.

Mr Jones asked the following supplementary question:

Firstly, I would like to inform Councillor Hart that yes, a new build in Derwent Street is proposed but no, there will be no nursed beds on that site. What I really would like to know is where this provision is? Ripley Hospital has been mentioned, but I don't believe from information I have been given that there is that capacity at Ripley Hospital. Ashbourne Hospital has also been mentioned, but as we all know the road from Belper, from Derby to Ashbourne, is one that can be, shall we say un-negotiable in wintry conditions, putting severe stress on the relatives of elderly vulnerable patients. It is very, very difficult to see where this provision is actually going to be relocated without putting severe stress on other hospitals.

In that context, would it not, therefore, be more advisable to open up this issue to an honest, open and full public consultation?

Councillor Hart responded to the supplementary question as follows:

As I said, I think it needs to be addressed to the NHS. It is not our responsibility to be opening up a consultation. I think you have been misinformed, there will be some beds in the new build, so whoever has told you that I think you will find you have been misinformed, but I will send you some more details about that. There will be beds available there.

(7) Question from Anne Sadler to Councillor Mrs J Wharmby, Cabinet Member for Adult Care

Across the county, care closer to home needs Social Services funding to provide it. What funding is to be put in place to make this possible bearing in mind that Social Services are now under Jeremy Hunt's remit?

Councillor Mrs J Wharmby responded as follows:

Thank you very much, Mrs Sadler. We have received funding through the Better Care Fund, over £95m across the County, which is new money from the Government, allocated to enable Social Care and the NHS to work together to improve services within the community. It is not all about additional funding, but about enabling people to stay in their own homes rather than a hospital bed. Regardless in what Government department Social Care sits, this Council will continue to support our vulnerable people.

The following supplementary question was asked:

It is to do with the first question really, because in fact, your funding of Social Care is so lamentable that it cannot be the sort of care that is needed for the proposed Care Closer to Home. In fact, the former question addressed those numbers of beds which are being cut from the service in Belper. It is correct actually, so I think you are misinformed on that, because in fact, there are going to be no nursing beds in Belper at all, which means that those people are going to be so-called in the community with Care Closer to Home. You will need more funding, won't you, for your Social Services' budget in order to be able to provide that care that is not going to be available because those beds are not going to be there. We were told that by Dr John Wood when he came to a meeting in Belper recently.

Councillor Mrs J Wharmby responded to the supplementary question as follows:

If the question is that, I think Councillor Hart has answered the question about Belper, but you were asking me about funding. I have explained to you and you can see in the paperwork there are reductions in commissioning of performing staff, but that is where we have to look at cuts because we have to work with things more efficiently.

(8) Question from Keith Venables to Councillor Mrs C A Hart, Cabinet Member for Health and Communities

Could you explain why Babington and Newholme Hospitals were transferred to a thing called "NHS Property Services" which took the money away from Derbyshire, and how the sale of those sites will be used to benefit local Derbyshire NHS people?

Councillor Hart responded to the question as follows:

Thank you, Mr Venables. Again it is another question for the local NHS not the County Council. I believe that you have asked a very similar question at another forum, so I hope the answer I can give you tallies up with what you have received before.

I understand that the Newholme and Babington properties were transferred to NHS Property when the Derbyshire Primary Care Trust was dis-established, I believe somewhere around seven to ten years ago. Apparently, there was some criteria that dictated what was transferred and what wasn't, but it was not a local decision.

I would just like to add, though, I do know that there is £6m capital funding allocated to DCHS to build a new health clinic in Belper, which I mentioned in my previous answer, so there will be some money going in locally, hopefully.

Mr Venables asked the following supplementary question:

Thank you. The previous forum, Councillor Hart, was in your office about two months ago, when I asked you the question directly so it was not a public forum.

I would look for support from the good people of Derbyshire County Council to recognise that Jeremy Hunt, the Secretary of State for Health, has just said they are backing off from their privatisation processes and they want to suspend that for twelve weeks. Well Derbyshire is a partner in making decisions and hopefully you will support. I ask that Derbyshire County Council does support that decision made by Jeremy Hunt to step away from the privatisation process and to make sure that local people have a major stake in deciding what is happening across the County.

Councillor Hart responded to the supplementary question as follows:

I would refer back to something I said previously about Duncan Selby coming from Public Health England. He was very pleased with the way that we are dealing and working with partners. He thinks that, because we are working so well with partners, we are delivering a good service. I shall mention that no doubt later with regard to the petition item.

Yes, we have had good work with partners. I have not heard that latest statement and I will look at that. As I say, it is difficult for us to tell

the NHS. Whether we like it or not, the partners try and work together, but we do make individual decisions. We will do our best to keep working together. I think it has happened so far. We are performing very very well. If you look at our statistics that I will speak about later, I won't repeat myself, I can assure you we will still keep working with the partners. As you know with any big decision, there is consultation. Yes, in some areas people do take part, but other times you go out to consultation and people just don't seem to bother. They complain when a decision is made but they have not taken part, so I look forward if there is consultation that everybody gets involved. Thank you.

07/18 PETITIONS The Director of Legal Services reported that a petition on the Derbyshire NHS Sustainability and Transformation Plan, containing more than 7,500 signatures had been received by the County Council and a full Council debate had been requested by the petitioners.

The petition stated that:

"We the undersigned reject the £280 million proposed budget cuts, that is the equivalent of 535 hospital bed losses in the Derbyshire NHS Sustainability and Transformation Plan, or any other cuts to our NHS and the social care budget in Derbyshire. We call on Derbyshire and Derby Councils to refuse to collude with these cuts by signing-off the STP or by accepting the Memorandum of Understanding."

The County Council's Petition Scheme sets 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 debated by Councillors for a maximum of fifteen minutes.

The petition was introduced and presented to Council by Mr Maurice Neville, Secretary of the Belper Save our NHS Organisation.

On the motion of Councillor Mrs C A Hart, duly seconded;

RESOLVED to note the receipt of the petition.

08/18 BUDGET MONITORING 2017-18 (AS AT 31 OCTOBER 2017) The Director of Finance and ICT presented a report which provided Council with an update of the Revenue Budget position for 2017-18 as at 31 October 2017.

The report summarised the controllable budget position by Cabinet Member Portfolios as at 31 October 2017. In addition to this report, further reports would also be considered at Cabinet Member meetings, the Audit Committee and Cabinet, in accordance with the Budget Monitoring Policy and Financial Regulations. There were overspends on the Young People and Economic Development and Regeneration Portfolios. The projected outturn compared to controllable budget was summarised in the report, along with details of the individual Portfolio positions.

It was reported that a portfolio underspend of £1.152m was forecast. Any underspends in 2017-18 would be used to manage the budget in 2018-19. The Debt Charges and Risk Management Budgets had an underspend of £7.157m, however, the balance would support the management of a balanced budget in future years.

Details of additional grant income received in-year had been reported to Cabinet at its meeting on 20 July 2017. This resource would be used to help manage the budget in future years and details of this were set out in the Five Year Financial Plan.

Interest on balances was estimated to break even by the year-end and, whilst the interest base rate remained at 0.25%, the Council utilised a range of investments to maximise its income.

Details of the Council's Earmarked Reserves balances as at 31 October 2017 were appended to the report. It was noted that the recent review of the Council's reserves' balances had been reported to Cabinet on 26 October 2017.

On the motion of Councillor B Lewis, duly seconded;

RESOLVED to note the 2017-18 budget monitoring position as at 31 October 2017.

09/18 BUDGET CONSULTATION RESULTS The Director of Finance and ICT presented a report which enabled Council to consider the outcome of the Council's budget consultation exercises when formulating its budgetary proposals to Council in relation to the Revenue Budget for 2018-19.

The report contained a detailed analysis of the consultation results and themes that had arisen from the comments that participants had contributed during the process.

On the motion of Councillor B Lewis, duly seconded;

RESOLVED that the views of the consultation respondents be taken into account by Council when formulating its proposals to Full Council regarding the Revenue Budget for 2018-19.

10/18 REVENUE BUDGET REPORT 2018-19 The Director of Finance and ICT reported to Council on proposals regarding the Revenue Budget for 2018-19.

The report presented detail in respect of the 2017-18 budget, the Autumn Statement 2017, the Provisional Local Government Finance Settlement, Council Tax, Business Rates, price increases, Corporate Budgets, budget cuts targets, service pressures, statutory requirements of the Local Government Act 2003, the Five Year Financial Plan and consultation.

When setting the budget, the Council must be mindful of the potential impact on service users and therefore the consultation exercises undertaken in the preparation of the 2018-19 budget were relevant in this respect. Section 149 of The Equality Act 2010 imposed an obligation on Members to have due regard to protecting and promoting the welfare and interests of persons who shared a relevant protected characteristic (age; disability; gender re-assignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation).

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

It was moved by Councillor B Lewis, duly seconded, that the recommendations set out at (i) to (x) in the report be approved.

The report was debated.

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

RESOLVED that Council:

- (i) notes the details of the Autumn Statement 2017 and Provisional Local Government Finance Settlement as outlined in sections (b) and (c) of the report;
- (ii) notes the Government's expectations about Council Tax levels for 2018-19 in section (d);
- (iii) approves the precepts as outlined in Appendix Three;
- (iv) approves that billing authorities are informed of Council Tax levels arising from the budget proposals as outlined in section (d) and Appendix Three;
- (v) approves the contingency to cover non-standard inflation as outlined in section (f). The contingency to be allocated by the Director of Finance and ICT once non-standard inflation has been agreed;
- (vi) approves the service pressure items identified in section (g) and Appendix Four;
- (vii) approves the level and allocation of budget savings as outlined in section (h) and Appendix Five;
- (viii) notes the Director of Finance and ICT's comments about the robustness of the estimates and adequacy of the reserves as outlined in section (i);
- (ix) notes the details of the Council's consultation activity as outlined in section (k)
- (x) approves the Council Tax requirement of £314.135m which is calculated as follows:

	£
Budget Before Pressures and Budget Reductions	489,018,545
Plus Service Pressures – on-going	23,098,518
Plus Adult Social Care Precept	5,921,757
Plus Service Pressures - one-off	11,036,000
Less Budget Reductions	-12,427,000
Plus Shortfall on Savings Target	421,000

Contribution to Contingency Budget	10,100,000
Reduction to Debt Charges	-18,500,000
Reduction to Risk Management Budget	-4,483,820
Increase in Interest Receipts	-1,000,000
Net Budget Requirement	503,185,000
Less Top-Up	-43,031,143
Less Business Rates	-94,173,096
Less New Homes Bonus	-2,057,945
Less General Grant	-27,826,939
Less PFI Grant	-10,503,833
Less Earmarked Reserves	-11,457,000
Balance to be met from Council Tax	314,135,044

(xi) authorises the Director of Finance and ICT to allocate cash limits amongst Cabinet portfolios; Strategic Directors to then report to Cabinet on the revised service plans for 2018-19.

A recorded vote was taken and recorded as follows:

For the recommendation (37) Councillors T Ainsworth, R Ashton, K S Athwal, J Atkin, N Atkin, J Boulton, S Bull, K Buttery, Mrs L Chilton, A Dale, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, A Griffiths, Mrs L Grooby, Mrs C A Hart, G Hickton, R Iliffe, T A Kemp, T King, B Lewis, W Major, P Makin, P Murray, G Musson, R A Parkinson, Mrs J E Patten, J Perkins, C Short, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, G Wharmby and Mrs J Wharmby.

Against the recommendation (24) Councillors D Allen, S A Bambrick, N Barker, B Bingham, S Brittain, Mrs S Burfoot, Mrs D W E Charles, J A Coyle, Mrs C Dale, J E Dixon, J A Frudd, K Gillott, Mrs J M Innes, S Marshall-Clarke, D McGregor, R Mihaly, C R Moesby, Mrs I Ratcliffe, B Ridgway, P J Smith, M Wall, Ms A Western, Ms R Woods and B Wright.

Abstained (1) Councillor Mrs E Atkins.

11/18 PRUDENTIAL CODE FOR CAPITAL FINANCE, CAPITAL PROGRAMME APPROVALS AND TREASURY MANAGEMENT STRATEGY

The Director of Finance and ICT presented a report which sought approval for proposals relating to the Prudential Code for capital finance including:

- The Capital Starts Programme for 2018-19;

- The Minimum Revenue Provision (MRP) Policy for 2018-19;
- A Treasury Management Strategy for 2018-19;
- The undertaking of a procurement exercise to commission services to undertake works associated with these schemes where appropriate;
- Compliance with, and set limits under, CIPFA's Prudential Code and the Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes.

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

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to approve:-

- (1) the adoption of the Prudential Code including the Prudential Indicators as described in paragraphs 2.5, 2.6, 2.8 and 2.12-2.16 of the report;
- (2) the 2018-19 Capital Starts Programme as detailed in Appendix One, and that further reports on the detailed schemes be submitted to Cabinet;
- (3) the MRP policy for 2018-19 as detailed in paragraph 2.10;
- (4) to undertake a procurement exercise to commission services to undertake works associated with these schemes where appropriate;
- (5) the Treasury Management Strategy for 2018-19 as described in Appendix Three, and taking into account the guidance issued by the DCLG and noting the changes in 2.18.
- (6) the adoption of CIPFA's Code of Practice on Treasury Management and Cross Sectoral Guidance Notes (revised 2011), as shown in Appendix Three, and the Treasury Management Policy Statement as specified in the Treasury Management Code of Practice and set out in Appendix Three.

12/18 PAY POLICY STATEMENT 2018 The Strategic Director for Commissioning, Communities and Policy presented a report which sought formal approval of the Pay Policy Statement for 2018 and for its publication on the Council's website on 1 April 2018.

Section 38 of the Localism Act 2011, required local authorities to produce a pay policy statement for each financial year. The Pay Policy

Statement also complied with the Code of Recommended Practice for Local Authorities on Data Transparency 2011 which required the publication of certain pay data and defined senior employees' pay as those who had an annual salary of £58,200 full time equivalent and above.

On the motion of Councillor B Lewis, duly seconded;

RESOLVED to approve the Pay Policy Statement for 2018 for publication on the Council's website.

13/18 ADOPTION OF INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTI-SEMITISM The Strategic Director for Commissioning, Communities and Policy presented a report which asked Council to note the adoption of the working definition of anti-Semitism and which set out the next steps for the Council.

In December 2016, the Government had formally adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism. The definition, although not legally binding, would be an important tool for public bodies to understand how anti-Semitism manifests itself in the 21st century.

The definition states:

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities"

In May 2017, the Secretary of State for Communities and Local Government had written to local authorities asking them to adopt the working definition of anti-Semitism and a number of Councils had now adopted it.

At its meeting on 11 January, Cabinet had agreed to adopt the working definition and next steps which were detailed in the report.

On the motion of Councillor B Lewis, duly seconded;

RESOLVED to note the adoption of the working definition of anti-Semitism and the next steps as detailed in the report.

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

For the recommendation (61) Councillors T Ainsworth, D Allen, R Ashton, K S Athwal, J Atkin, N Atkin, S A Bambrick, N Barker, B Bingham, J Boulton, S Brittain, S Bull, Mrs S Burfoot, K Buttery, Mrs D W E Charles, Mrs L Chilton, J A Coyle, A Dale, Mrs C Dale, J E Dixon, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, J A Frudd, K Gillott, A Griffiths, Mrs L Grooby, Mrs C A Hart, G Hickton, R Iliffe, Mrs J M Innes, T A Kemp, T King, B Lewis, W Major, P Makin, S Marshall-Clarke, D McGregor, R Mihaly, C R Moesby, P Murray, G Musson, R A Parkinson, Mrs J E Patten, J Perkins, Mrs I Ratcliffe, B Ridgway, C Short, P J Smith, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, M Wall, Ms A Western, G Wharmby, Mrs J Wharmby, Ms R Woods and B Wright.

Abstained (1) Councillor Mrs E Atkins.

14/18 REPORT OF CABINET AND MEMBERS' QUESTIONS

ON THE REPORT Councillor B Lewis, Leader of the Council, presented a report on the decisions that had been taken at meetings of Cabinet held on 7 December 2017 and 11 and 25 January 2018.

No questions were raised on the report.

RESOLVED to note the report.

15/18 COUNCILLOR QUESTIONS

There were no questions to report.

16/18 MINUTES OF MEETINGS OF COMMITTEES AND OTHER BODIES

On the motion of Councillor Mrs L Chilton, duly seconded;

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

- (a) Regulatory – Licensing and Appeals Committee held on 15 January 2018
- (b) Regulatory – Planning Committee held on 4 December 2017 and 8 January 2018
- (c) Pensions and Investment Committee held on 12 December 2017
- (d) Audit Committee held on 22 November 2017
- (e) Improvement and Scrutiny Committee – Resources held on 7 December 2017

- (f) Improvement and Scrutiny Committee – People held on 22 November 2017
- (g) Improvement and Scrutiny Committee – Places held on 29 November 2017
- (h) Improvement and Scrutiny Committee – Health held on 27 November 2017
- (i) Health and Wellbeing Board held on 7 December 2017
- (j) Derbyshire Police and Crime Panel held on 16 November 2017