

## **PUBLIC**

**MINUTES** of the meeting of the **DERBYSHIRE COUNTY COUNCIL**  
held on 27 July 2016 at County Hall, Matlock

### **PRESENT**

Councillor S Freeborn (In the Chair)

Councillors D Allen, S A Bambrick, Mrs M W Booth, A Botham, S J Bradford, K Buttery, Mrs D W E Charles, Mrs L M Chilton, J A Coyle, R Davison, J E Dixon, P Dunn, S J Ellis, M Ford, J A Frudd, K Gillott, D T Greenhalgh, Mrs C A Hart, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, P Jones, T A Kemp, Mrs K D Lauro, B Lewis, S Marshall-Clarke, W Major, D McGregor, R R Mihaly, C R Moesby, J R Owen, Mrs J E Patten, Mrs I Ratcliffe, B Ridgway, P J Smith, T Southerd, S A Spencer, Mrs M Stockdale, Mrs J S Street, D H Taylor, Mrs J A Twigg, D Walton, Ms A Western, D J Wilcox, E S Wilcox and D A Williams

**54/16      APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors Mrs E Atkins, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, S Brittain, S Bull, D Collins, Mrs C M Cox, Mrs P A Gilby, Mrs J M Innes, D W Lomax, K P Morgan, C E Neill, R A Parkinson, Ms J Wild, J G Williams and B Wright

**55/16      DECLARATIONS OF INTEREST**      There were no declarations of interest.

**56/16      CHAIR'S ANNOUNCEMENTS**      The following announcements were made:-

(1) Members were reminded that the meeting was being filmed by BBC Radio Derby and would be live-streamed via Radio Derby's Facebook page.

(2) the Chair informed Council of the following deaths:-

- former County Councillor Marjory Beastall who was the Councillor for the Darley Electoral Division from 1985 to 1997; and
- John Newing, CBE, former Chief Constable of Derbyshire from 1990 to 2000.

The meeting observed a Minute's silence and tributes were made.

**57/16      REPORT OF THE LEADER OF THE COUNCIL**

Councillor A Western, Leader of the Council, referred to the current proposals for the preferred route of the HS2 rail project and its implications for Derbyshire.

There were no questions on the report.

**58/16        PUBLIC QUESTIONS**    There were no public questions.

**59/16        IMPLICATIONS OF THE PROPOSAL TO EXPAND THE GEOGRAPHY OF THE CURRENT SHEFFIELD CITY REGION COMBINED AUTHORITY**    Council was provided with an overview of the key issues and potential implications of the current proposal to expand the geography of the Sheffield City Region Combined Authority (SCR CA) to include Chesterfield Borough Council as a constituent member, and to outline the current consultation process and opportunities for the County Council to make representations.

During 2015, the 19 local authorities of the D2N2 (Derby and Derbyshire, Nottingham and Nottinghamshire) Local Economic Partnership (LEP) area developed and presented proposals to Government to create a single Combined Authority and secure a Devolution Deal for the region. Derbyshire County Council and Chesterfield Borough Council were constituent members of the D2N2 LEP and instrumental in the development of these proposals. These proposals received a positive response from Government civil servants who acknowledged that there was a clear and convincing case in terms of the proposed geography and evidence of economic inter-relationships.

At the same time, the constituent members of the existing Sheffield City Region (SCR) Combined Authority (Barnsley, Doncaster, Rotherham and Sheffield Councils) developed and secured Government's agreement in October 2015 for a new Devolution Deal and an amended governance proposal that included a directly elected Mayor. The SCR CA invited their five non constituent members (Bassetlaw, Bolsover, Chesterfield, Derbyshire Dales and North East Derbyshire Councils) to formalise their arrangements and become constituent members of the SCR CA. Late amendments made by the Government to the Cities and Local Government Bill in December 2015, allowed District and Borough Councils to apply to be full constituent members without the agreement of their relevant County Councils. At a Council meeting on 3 March 2016, Chesterfield Borough Council agreed to apply to become a constituent member of the SCR, based on the agreed Devolution Deal and a non-constituent member of the North Midlands CA; Bassetlaw District Council had made a similar decision. Chesterfield Borough Council considered a further report on 6 April

following receipt of concerns from Derbyshire County Council that it had failed to comply with its Public Sector Equality Duty in considering the impact of the proposals. At that meeting, the Borough Council resolved again to become a constituent member of the SCR Combined Authority.

The three remaining local authorities that formed part of the overlap area, Bolsover, Derbyshire Dales and North East Derbyshire, also considered the proposals to extend the SCR Combined Authority. North East Derbyshire District Council had resolved to become a constituent member of the North Midlands (D2N2) devolution agreement and maintain its non-constituent membership of the SCR CA. Similar resolutions were passed at Bolsover District Council and Derbyshire Dales District Council.

Over the past few months, the SCR Combined Authority had been working with Government to complete its draft Scheme and Governance Review, in line with the requirements of the Cities, Local Government and Devolution Act, 2016, and to set out the process for establishing new mayoral powers and extend the geographical area of the current SCR CA to include Chesterfield and Bassetlaw. Despite the fact that preparation of the two documents had been in progress for many months, the County Council only had first sight of the draft Scheme and Governance Review on the morning of 20 June, just shortly in advance of the informal SCR CA meeting later that afternoon. Similarly, the County Council only received the final copy of the Scheme and Governance Review on 22 June, in advance of their formal consideration at the CA meeting on 27 June 2016. This short period of time was considered to be neither reasonable nor adequate, particularly given the significant implications of the proposals.

The County Council intended to provide a formal response to the SCR CA consultation, as well as to the Secretary of State. In its response, it was proposed the Council makes clear that it does not support the proposal and considers the statutory tests have not been met. The Director of Legal Services had now taken Counsel's advice and had written to SCR CA to question and challenge the consultation process that had been undertaken by SCR CA and asking them to respond to the County Council's concerns. A reply had been received from Sheffield SCR CA earlier in the day and this would be considered in detail over the coming days.

Cabinet had given the Chief Executive delegated authority to work up a more detailed response in consultation with the Leader, based on the issues and implications outlined in the report and including reference to the detailed and robust evidence that the Council had itself undertaken, and submit these to the SCR CA and Secretary of State prior to consultation closing.

The Chief Executive made a presentation to Council which re-stated the background and the proposals that were under consideration. The implications for Derbyshire and the issues and concerns were highlighted. The actions being taken the next steps were reported and the Council would respond formally as part of the consultation and the debate at Council would inform this response.

On the motion of Councillor A Western, duly seconded,

**RESOLVED** (1) to endorse Cabinet's decision to prepare a detailed and robust response to the Sheffield City Region Combined Authority consultation that highlights the key areas of concern;

(2) that the relevant issues from today's debate be used to inform the Council's response to the consultation on the proposed expansion of the Sheffield City Region Combined Authority;

(3) to endorse Cabinet's decision that a similar response is prepared and sent direct to the Secretary of State with a copy to the Chamber of Commerce and D2N2 LEP;

(4) to note that Cabinet has delegated authority to the Chief Executive to approve the final response to the Sheffield City Region Combined Authority scheme and governance review, on behalf of the Council and in consultation with the Leader;

(5) to support a proactive communication approach to be undertaken with Derbyshire residents and other interested parties on the stated position of the Council and the likely implications of the proposals; and

(6) to note that the Director of Legal Services, following advice from Leading Counsel, has written to Sheffield City Region to challenge the current consultation process and to request that this be withdrawn

**60/16**      **COUNCILLOR QUESTIONS**      There were no Councillor questions.