

MINUTES of a meeting of the REGULATORY – LICENSING AND APPEALS COMMITTEE held on 13 April 2015 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

Councillors Mrs D Charles, P Dunn, J Frudd, Mrs Janet Hill, S Marshall-Clarke, D McGregor, R A Parkinson and Mrs J S Street.

17/15 DECLARATIONS OF INTEREST RESOLVED to note the following declaration of interest:

Councillor Mrs J Street declared a personal interest in relation to Agenda item 5 as a family member's property ran alongside part of the route under consideration.

18/15 MINUTES RESOLVED that the minutes of the meeting of the Committee held on 2 March 2015 be confirmed as a correct record and signed by the Chair.

19/15 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO UPGRADE TO BRIDLEWAY PUBLIC FOOTPATH NOS. 10, 7 (PARTS), AND TO ADD SECTIONS OF BRIDLEWAY, PARISH OF SHIRLAND AND HIGHAM Prior to the meeting Members had undertaken a site visit to look at the applications in question. The landowner, Mr Cryans was also in attendance.

Members were informed that 3 applications had been made during 2010 to amend the Definitive Map and Statement.

The first application was made in July 2010 and was to upgrade Footpath No. 10 (Dog Lane), Parish of Shirland and Higham to a Bridleway. The application was accompanied by 22 user evidence forms and copies of the 1899 and 1923 Ordnance Survey plans showing the route as minor roads.

In October 2010, the applicant submitted an application to upgrade Footpath No. 6 (part) and 7 (part) along Dam Lane to a Bridleway and to add a Bridleway from Footpath No. 6 to Footpath No. 10, Parish of Shirland and Higham. This application was accompanied by 17 user evidence forms (1 witness withdrew their evidence as they were no longer interested) and extracts from the 1899 Ordnance Survey plans and the 1949 Chesterfield and Rural District Definitive Statement.

Again in July 2010 the applicant submitted an additional application to upgrade Footpath No. 7 (part) Parish of Shirland and Higham to a Bridleway. The application was accompanied by 27 user evidence forms and extracts from the 1899 and 1923 Ordnance Survey plans showing the route as minor roads and the 1949 Chesterfield and Rural District Definitive Statement.

Plans showing all of the claimed routes were attached as an Appendix to the Director of Legal Services report.

Consultation was simultaneously carried out between May and June 2012 and notices were placed on the routes and letters were sent to the statutory consultees, landowners and the local Elected Member. Responses were received both in objection to and support of the application and details of these responses were given in the report.

The Assistant Director of Legal Services summarised all of the available evidence as detailed in the report and gave her conclusions to the committee.

Members gave careful consideration to the applications and made a number of observations/comments and raised questions in relation to the site visit they had undertaken. The Assistant Director of Legal Services advised as appropriate.

RESOLVED (1) to reject the application to make an Order under Section 53 of the Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement by upgrading to public bridleway Public Footpath No 10 from Point A to Point B, adding a bridleway from point B along hedge line to point B1 then through the hedge and SW to point C then to point D, upgrading to bridleway Public Footpath No. 7 from point D to point E, adding a bridleway from point E through hedge to point E1 and ENE to point F then NW to point F1 and upgrading to bridleway Public Footpath No. 7, from point F1 to point G as shown on the plan appended to the Director of Legal Services report; and

(2) to reject the application to make an Order under Section 53 of the Wildlife and Countryside Act 1981 to amend the Definitive Map and Statement by upgrading to bridleway Public Footpath No. 7 from point H to point I and Public Footpath No. 6 to point J and by adding a bridleway from point J to point L.

**20/15 CLAIM TO ADD A BYWAY OPEN TO ALL TRAFFIC (BOAT)
ALONG NON-CLASSIFIED HIGHWAY FROM MONYASH ROAD IN OVER
HADDON VIA LATHKILL DALE AND MEADOW PLACE GRANGE TO**

BACK LANE, CONKSURRY Members were asked to consider the available evidence relating to a non-classified highway from Monyash Road in Over Haddon via Lathkill Dale and Meadow Place Grange to Back Lane, Conksbury and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add the route to the Definitive Map and Statement. A plan showing the claimed route was appended to the Director of Legal Services report.

A DMMO claim dated 3 November 2005 was received by the County Council the effect of which, if such an Order was confirmed, would be to add the application route to the Definitive Map and Statement of Public Rights of Way as a Byway Open to All Traffic (BOAT).

Consultation was carried out in September 2014 with various groups and individuals regarding the claim including any relevant landowners, local and national rights of way user groups and the District and Parish councils. The consultees were asked whether they were aware of any evidence or information which might be helpful to the Council in terms of deciding what level of public access rights existed over the claimed route. Details of the consultation responses were given in the Director of Legal Services report.

The Director of Legal Services summarised all of the available evidence as detailed in the report and gave his conclusions to the committee.

RESOLVED (1) to authorise the making of an Order under Section 53 of the Wildlife and Countryside Act 1981 to add the non-classified highway from Monyash Road in Over Haddon via Lathkill Dale and Meadow Place Grange to Back Lane, Conksbury shown between points B and C on the attached plan to the Definitive Map and Statement for the area as Public Bridleway; and

(2) to reject entirely the claim to show a right of way between points A and B on the plan appended to the Director of Legal Services report.

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 20 April 2015.

PRESENT

Councillor J Innes (in the Chair)

Councillors M Ford, S Freeborn (substitute Member), Janet Hill, R L Hosker, R Mihaly, R A Parkinson, T Southerd and J Twigg.

Apologies for absence were received from Councillors Julie Hill and B Wright.

No Declarations of Interest were received.

No Significant Lobbying had been received.

20/15 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 9 March 2015 be confirmed as a correct record and signed by the Chair.

21/15 **APPLICATION FOR RETROSPECTIVE PERMISSION FOR CHANGE OF USE TO WASTE TRANSFER STATION, AT PLANET METALS, INCOMOL BUILDING, DERBY ROAD, CLAY CROSS APPLICANT PLANET METALS (CODE NO CW4/0115/132)** The applicant sought a grant of retrospective planning permission to authorise the change of use of existing industrial premises from a general industrial use to a waste transfer station use. The waste transfer use involved metal sorting and processing before export for final disposal and processing for recycling elsewhere. Details of the development were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultations and following publicity. Comments submitted from North East Derbyshire District Council, Clay Cross Parish Council and the Environment Agency were included in the report. One letter had been received following publicity, whilst not objecting to the principle to the continuation of the development, there were concerns regarding noise and had requested an alteration to working practices. The Strategic Director's representative commented that noise impacts would be limited to an extent by the draft condition which limited the hours of operation and that it would also be possible to impose a condition to control maximum height from which objects were dropped into the skips. More information on parking and vehicle manoeuvring on site had been requested by the Highways Authority; this was addressed through a draft condition which required submission and

implementation of a detailed layout scheme for the site which would include marked parking and vehicle manoeuvring areas.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations, including the National Planning Policy Framework, National Planning Practice Guidance, the National Waste Management Plan and National Planning Policy for Waste had also been taken in to account. It was considered that the key planning considerations for the application were need for the development, location of the development, potential impacts on amenity and on the surrounding environment, and cumulative impact of the development.

The report concluded that on balance the waste metal transfer facility would help to cater for the needs of the local area and have benefits in enabling waste to be processed higher up the waste hierarchy and its contribution towards sustainable waste management objectives. The Strategic Director was satisfied that its impacts on amenity and the environment were not significant and could be appropriately controlled by planning conditions. The application accorded with the National Planning Policy Framework, the National Planning Policy for Waste, the development plans and other material planning considerations.

The Strategic Director's representative reported that an Environmental Permit was not required by the Environment Agency for the proposed operations on site. The Strategic Director's representative then showed screen projections of location plans of the site and photographs of the current facility in use. In response to questions from Committee Members, it was confirmed a residential area was about 400 metres away from the site and the provisions of the draft conditions in the report were reviewed. The Strategic Director's representative then confirmed that he was satisfied with the control that such conditions would bring to the site, subject to an additional condition in the interests of amenity, to require submission and implementation as approved of a scheme of working practices to minimise noise impacts from dropping of objects into skips and other sporadic noise generating activities under the use to be permitted.

RESOLVED that planning permission be granted in accordance with the application, subject to a set of conditions substantially similar to those given in the report of the Strategic Director for Economy, Transport and Environment, with an additional condition to require submission and implementation as approved of a scheme of working practices to minimise noise impacts from dropping of objects into skips and other sporadic noise generating activities under the use to be permitted.

22/15 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

23/15 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 20 April 2015 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

24/15 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

25/15 **DEVELOPMENT MANAGEMENT MONTHLY PERFORMANCE MANAGEMENT STATISTICS** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for March 2015.

26/15 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 12 March 2015

- 1 Proposed Engineering Works to Restore Former Landfill Comprising Re-Grading of Landfill and Adjacent Area, Installation of a Capping System, Importation of Restoration Soils and Formation of a Surface Water Lagoon at Former Staveley Works, off Works Road, Hollingwood, Chesterfield
Applicant: Saint Gobain Pam UK Ltd
Planning Application Code No: CW2/0113/133
- 2 Proposed Installation of a metal Framed Bike Shelter with Clear Perspex Cover at Matlock Bath Holy Trinity C of E (Controlled) Primary School, Clifton Road, Matlock Bath
Applicant: Derbyshire County Council
Planning Application Code No: CD3/0115/133
- 3 Proposed Installation of Timber Trim Trail Play Equipment at Westhouses Primary School, Bolden Terrace, Westhouses
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0115/129
- 4 Delegated Decision on Schemes Required by Planning Conditions:

- SD2695
- SD2661
- SD2675
- SD2679

(b) 19 March 2015

- 1 Proposed Retention of a Temporary Modular Building at Chinley Primary School, Buxton Road, Chinley
Applicant: Derbyshire County Council
Planning Application Code No: CD1/0115/134
- 2 Proposed Installation of a Multi-Use Games Area, a Metal Storage Shed and Perimeter Fencing at The Brigg Infant School, South Street, South Normanton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0115/126
- 3 Proposed Demolition of Existing Brick Kiosk and Erection of New Glass Reinforced Plastic Kiosk to Facilitate the Existing Sewage Pumping Station at Manor Farm Barns, Breadsall
Applicant: Severn Trent Water Ltd
Planning Application Code No: CW8/0115/136
- 4 Submission for the Authority's Approval under Part 19B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995: the Proposed Erection of Welfare Facility and a Replacement Sand Tower at Swarkstone Sand and Gravel Quarry, Twyford Road, Barrow on Trent
Applicant: Lafarge-Tarmac Limited
Submission Code No: PD19/9/50
- 5 Delegated Decision on Schemes Required by Planning Conditions:
 - SD2677
 - SD2678
 - SD2708
 - SW2688
 - SM2579

(c) 26 March 2015

- 1 Retention of Existing Modular Teaching Accommodation used as a Specialist Teaching Unit for Pupils with Social, Emotional and Behavioural Difficulties, Tupton Hall School, Old Tupton, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD4/0115/130

2 Retrospective Planning Application for the Retention of a GRP Switch Container at Shirebrook Energy Park, off Portland Drive, Shirebrook
Applicant: Alkane Energy Limited
Planning Application Code No: CM5/0215/140

3 Proposed Installation of a Metal Storage Shed and Polytunnel at Tibshelf Community School, Doe Hill Lane, Tibshelf
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0115/128

4 Delegated Decision on Schemes Required by Planning Conditions:

- SW2685
- SW2686

(d) 2 April 2015

1 Erection of Freestanding Canopy, Shirland Primary School, Park Lane, Shirland
Applicant: Derbyshire County Council
Planning Application Code No: CD4/0115/131

2 Delegated Decision on Schemes Required by Planning Conditions:

- SW2689
- SW2682
- SD2707
- SD2696
- SD2697
- SD2698
- SD2715
- SD2713
- SD2714
- SD2691
- SD2709
- SD2711
- SD2712

(e) 16 April 2015

1 Application for Non-Material Amendment at Harpur Hill Primary School, Trent Avenue, Harpur Hill, Buxton
Applicant: Derbyshire County Council
Planning Application Code No: NMA/0315/38

2 Delegated Decision on Schemes Required by Planning Conditions:

- SD2676
- SD2716

- SD2717
- SD2718
- SD2719
- SM2041
- SM2042

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PUBLIC

MINUTES of a meeting of the **COUNTY COUNCIL'S STANDARDS COMMITTEE** held on 12 May 2015 at County Hall, Matlock

PRESENT

Councillor C M Cox (in the Chair)

Councillors G Birkin, J Frudd (substitute member), C A Hart, T Kemp, S Marshall-Clarke (substitute member), I Ratcliffe and D H Taylor (substitute member)

Also in attendance – Messrs K Jackson-Horner, L Newby MBE and P Smith (Independent Persons)

Apologies for absence were submitted on behalf of Councillors K Buttery, S Freeborn and C R Moesby

7/15 **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 25 March 2015 be confirmed as a correct record and signed by the Chair.

8/15 **RULES OF PROCEDURE – DISCIPLINARY ARRANGEMENTS FOR STATUTORY OFFICERS** Members were advised of legislative changes relating to the disciplining and dismissal of a local authority's head of paid service, monitoring officer and chief finance officer (the statutory officers) and were asked to consider the proposed amendments to the Council's Rules of Procedure required as a result of the changes.

In exercising their functions, the statutory officers worked in a political environment and under the current Regulations were afforded protection by requiring that disciplinary procedures incorporated the mandatory appointment of a designated independent person (DIP) to investigate any allegation of misconduct and to provide a binding recommendation on disciplinary action against them. The arrangements were designed to provide objectivity and impartiality to the disciplinary process.

In 2013, the Department for Communities and Local Government (DCLG) consulted on proposals to remove the DIP from the disciplinary process for these officers. Following the consultation, the Local Authorities (Standing Orders) (England) (Amendment) Regulations were brought into force on 11 May 2015. These Regulations set out a new procedure which must be undertaken should disciplinary action be taken in respect of these officers and removed the requirement for a DIP to be appointed.

The new procedure required that any disciplinary sanction should be determined by Full Council, which must consider any advice, views or recommendations of an Independent Panel, the conclusion of any investigation into the proposed dismissal and any representations from the statutory officers concerned. The Panel would include at least two “independent persons” who had been appointed to assist the Council’s or another authority’s Standards Committee in maintaining high ethical standards.

It was proposed that the Panel, to be known as the Statutory Officers Disciplinary Panel, should include three Elected Members (politically balanced) and two independent persons. The appointment of Panel Members would occur as and when the Panel was required to be convened. All members of the Panel including those who were not Elected Members would have voting rights.

The new Regulations required the County Council to amend its Standing Orders to set out the new procedure and a draft copy of the report to Council detailing the proposed changes was appended to the report.

RESOLVED to commend to the Council the proposed changes to the Rules of Procedure.

MINUTES of a meeting of the **PENSIONS AND INVESTMENT COMMITTEE** held at County Hall, Matlock on 18 March 2015

PRESENT

Councillor S Marshall-Clarke (in the Chair)

Derbyshire County Council

Councillors R Davison, P Dunn, S Freeborn and D J Wilcox

Trade Union Representatives

N Read – Derbyshire County Unison

Investment Advisers

Mr P Williams

Apologies for absence were submitted on behalf of Councillors S J Ellis, J Frudd, M Longden and M Tittley

10/15 **MINUTES RESOLVED** that the minutes of the meeting held on 21 January 2015 be confirmed as a correct record and signed by the Chair.

11/15 **EXTERNAL ADVISOR'S REPORT** The report of the external advisor to the Committee was presented, and Mr Philip Williams attended the meeting. The report incorporated Mr Williams' view on the global economic position, information on both global market returns and the performance of the Derbyshire Fund, which had been discussed and agreed with officers. The report also included Mr Williams' latest recommendations on investment strategy and asset allocation.

RESOLVED that the report be noted.

12/15 **ASSET ALLOCATION, INVESTMENT ACTIVITY, LONG TERM PERFORMANCE ANALYSIS AND INVESTMENT STRATEGY** The Fund's latest asset allocation as at 31 January 2015, and the recommendation of the Director of Finance and the Fund's Independent Advisor in relation to the Pension Fund's benchmark was reported. Relative to its benchmark, the Fund as at 31 January 2015 was overweight in equities and cash but underweight in bonds, property and alternative investments.

Investment activity since the last meeting was reported. The Fund's investment assets were currently valued at £3,551.2m. A copy of the latest portfolio was presented. The Fund's investment assets had also been

impacted by transfers in and out, the most significant of which had been the transfer out payment of £46m in respect of Manchester Probation Trust in November 2014. This transfer had been matched by a transfer out of the associated pension liabilities in excess of £50m.

Details were given on the Fund's performance over 1, 3 and 5 years to 31 December 2014. Performance for 10 years related to the period to 31 March 2014. The Fund had outperformed against its benchmark for the three and ten year periods, but had underperformed over the last twelve months and the five year period. The under performance in the last twelve months reflected the Fund's overweight cash positions and underweight position in bonds. The under performance over the last five years reflected the Fund's overweight cash position, offset by over performance elsewhere in the portfolio.

In terms of Investment recommendations, Mr Williams had reduced his allocation to both UK Equities and Property by 1% to neutral and 1.5% overweight respectively. While Mr Williams had maintained his overall allocation to bonds at 22.5%, his allocation to overseas Fixed Income/Government bonds had increased to 1% overweight, offset by a 1% reduction in his allocation to Real Return/Index-Linked bonds. Details were provided of Mr Williams' recommendations in UK Equities, North American Equities, European Equities, Japan, Asia/Pacific, Emerging Markets, Bonds, Property, Private Equity/Infrastructure and Cash, along with those of the Derbyshire Pension Fund In-House Fund Manager Team.

Since the last meeting, action had been taken where it had been required, and the main differences related to North American Equities, Europe, Japan and Emerging Markets.

RESOLVED that (1) the asset allocations, investment activity and long term performance analysis be noted; and

(2) the strategy outlined in the report be approved.

13/15 **LAPFF** The minutes of the LAPFF Business meeting, held on 4 November 2014, were presented for information.

RESOLVED that the report be noted.

14/15 **VOTING ACTIVITY** Details of the Fund's voting activity for the period 1 November 2014 – 28 February 2015 were given, along with a summary of votes against management proposals. It was asked that, in future reports, details be provided of LAPFF voting activity.

RESOLVED that the report be noted.

15/15 TREASURY MANAGEMENT STRATEGY The Pension Fund had previously adopted the same basic Treasury Management Strategy at the County Council, and this placed security of capital and liquidity ahead of investment return. The Pension Fund had used the same list of counterparties as the County Council and had agreed a joint limit with the Council for each counterparty. For 2015/16, the County Council had extended the counterparty list to include UK public and private sector pension funds, the Local Capital Finance Company and the D2N2 Local Economic Partnership. It was recommended that the Pension Fund should adopt the same basic Treasury Management Strategy as the County Council, and this was presented.

The Pension Fund had a less restrictive regulatory framework than the County Council, and it also potentially needed to retain a higher level of instant access funds to meet its less predictable cash flows. A major buying opportunity could suddenly require immediate access to significant sums of cash for investment. However, with a benchmark allocation to cash of 2% (about £70m at current values) there was scope for longer term investment of Pension Fund cash. This was particularly relevant in the current environment where, with cash well in excess of its benchmark allocation, the low returns being achieved had a disproportionate effect on overall Fund performance. It was therefore recommended that the Pension Fund should adopt the following strategy for 2015/16:-

- Security of capital and liquidity should be placed ahead of investment return
- Sufficient funds should be retained on instant access accounts to ensure longer term investment strategy was not compromised by lack of liquidity
- Subject to the above, consideration should be given to investment of a certain level of funds over a longer time frame
- The maximum amount and duration by counterparty should be as per Table 3 on page 11 of the Strategy
- Investments should be limited by type in accordance with Table 5 on page 16 of the Strategy
- Borrowing should be permitted only in exceptional circumstances, limited to the minimum amount required to meet the Fund's obligations, and for the shortest possible duration which should not exceed 90 days.

RESOLVED that the strategy contained within the report be approved.

16/15 ESTABLISHMENT OF A LOCAL PENSION BOARD Pension fund arrangements had been the subject of reform in the light of the Hutton Report, which had given rise to the Public Service Pensions Act 2013. The Act had introduced a new governance structure for the Local Government

Pension Scheme, which would come into force on 1 April 2015. A new national Scheme Advisory Board was being established to provide advice to both the Secretary of State and to administering authorities. The Regulations also required administering authorities to establish Local Pension Boards by April 2015.

The County Council had to approve the establishment of a Local Pension Board, its composition and terms of reference. It was recognised that the timescale for establishing a Board was unrealistic and that the Boards would not be operational immediately. The statutory guidance anticipated that Boards would be operational within a reasonably practicable period. The establishment of the Local Pension Board would be a matter for Full Council, and a report would be presented on 8 April.

The role of the Local Pension Board was highlighted – it would be responsible for assisting administering authorities to secure compliance with pension legislation and for ensuring the effective governance and administration of local pension schemes. It would oversee the work undertaken by the Council, through the Pensions and Investment Committee, in its capacity as the Administering Authority. However, the creation of the new Board did not change the core role of administering authorities or the way they delegated their pension functions, and so there would be no change to the role of the Pension and Investment Committee. The Pension Board would be part of the Council, although it would not be a committee for the purposes of the Local Government Act 1972. This would be likely to give rise to governance and procedural issues, but it would be necessary for processes and procedures to develop nationally over time. The County Council had flexibility to decide the procedures that applied to the Local Pension Board.

It would also be for the County Council to determine Board membership, the manner of appointment and removal of members and the terms of appointment of members. However, the Regulations provided that the Board had to include an equal number of employer and member representatives with a minimum requirement of no fewer than four in total. The Regulations also allowed for the appointment of other non-representative members. County Councillors could only be appointed to the Board in the capacity of either an employer representative or a member representative. Other persons could be appointed to the Board, but they would not be entitled to vote. The statutory guidance advised that a number of relevant factors should be taken into account, and these were stated. It was considered that, at least in the first instance, the Board should have a small membership – the minimum of two employer and two member representatives together with an independent, non-voting chair. The Council would retain its discretion to review the arrangements as the Board developed. The guidance stated that the methodology for appointment must ensure that board members were truly

representative, and an open and transparent process for the appointment of members had to be followed and regard had to be paid to equal opportunities.

It was proposed that the members of the Board would be appointed by the Full Council following a recruitment and selection process which would be managed by the Strategic Director of Corporate Resources, Director of Legal Services and Director of Finance or their nominees in consultation with the Leader of the Council. It was hoped that the Council would be in a position to consider the confirmation of appointments at its meeting in June 2015.

Draft terms of reference for the Board were presented. It would be necessary for the Council to approve the terms of reference at its meeting in April in order that the statutory requirement to establish the Board could be met, but it would perhaps be necessary to refine the terms of reference in due course. In keeping with the guidance, it was proposed that all Board members should be subject to the County Council's Code of Conduct for Members.

The national guidance placed emphasis on the importance of appointing members to the Local Pension Board who had the time to commit to attending meetings, had the capacity to represent employers or members, and to undertake training. The guidance required administering authorities to offer induction training and relevant ongoing training for Board members. The Council's Member Development Programme would cover the work of the Board.

The expenses of Local Pension Boards were to be regarded as part of the costs of administration of the Pension Fund.

RESOLVED to note the position in relation to the establishment of a Local Pension Board.

17/15 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public be excluded from the meeting during the Committee's consideration of the remaining items on the Agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting, as an Administering Authority, held on 21 January 2015
2. To confirm the exempt minutes of the meeting, as an Employing Authority, held on 21 January 2015

18/15 **EXEMPT MINUTES RESOLVED** that the exempt minutes of the meeting, as an Administering Authority, held on 21 January 2015 be confirmed as a correct record and signed by the Chair.

19/15 **EXEMPT MINUTES RESOLVED** that the exempt minutes of the meeting, as an Employing Authority, held on 21 January 2015 be confirmed as a correct record and signed by the Chair.

MINUTES of a meeting of the **PENSIONS AND INVESTMENT COMMITTEE** held at County Hall, Matlock on 29 April 2015

PRESENT

Councillor S Marshall-Clarke (in the Chair)

Derbyshire County Council

Councillors P Dunn, S J Ellis, S Freeborn, J Frudd, and D J Wilcox

Trade Union Representatives

N Read – Derbyshire County Unison

Apologies for absence were submitted on behalf of Councillors R Davison and M V Longden

20/15 **MINUTES RESOLVED** that the minutes of the meeting held on 18 March 2015 be confirmed as a correct record and signed by the Chair.

21/15 **DERBYSHIRE PENSION FUND COMMUNICATION STRATEGY 2015/16** The County Council was required to produce and adhere to a Communications Strategy document each year. The strategy had evolved to reflect changes in legislation, technology and financial resource, and each of these variables had been considered in developing the key themes for the pensions administration service in 2015/16. The Communications Strategy was presented and gave greater detail on the specific goals for 2015/16 and provided an action plan. It also analysed success against the previous year's goals.

Developments on the investments side of the strategy would be incorporated into the Strategy and presented to the Committee at a later date. At the end of 2015/16, a report would be presented on the success of the 2015/16 strategy. It was intended to keep costs to a minimum by the effective use of technology and collaborative working with the Local Government Association and with Derbyshire Pension Fund employing authorities. All costs incurred would be met from the existing Pension Fund budget.

A query was raised around pre-retirement workshops, and this would be raised with the HR Department. A further report would be presented to the next meeting.

RESOLVED to approve the draft Derbyshire Pension Fund Communication Strategy 2015/16.

22/15 DERBYSHIRE PENSION FUND PENSIONS ADMINISTRATION

STRATEGY The Pensions Administration Strategy aimed to ensure that both the administering authority and the employing authorities were fully aware of their responsibilities under the Scheme regulations and to identify acceptable levels of performance. The strategy outlined the policies and performance standards towards providing a cost-effective, inclusive pensions administration service. The intention was to promote good working relationships, improve efficiency and ensure agreed standards of quality in delivery of the pension administration service amongst the employers and the Fund. A copy of the Strategy was presented, and would be issued to each of the employing authorities within the Derbyshire Pension Fund.

RESOLVED to approve the Derbyshire Pension Fund Pensions Administration Strategy 2015/16.

23/15 FREEDOM AND CHOICE LEGISLATION AND ITS IMPACT ON THE LOCAL GOVERNMENT PENSION SCHEME

The Government's 2014 Budget Reforms that impacted on pensions, known as 'Freedom and Choice', were designed to give greater flexibility to pension scheme members who were age 55 or over and had a Defined Contribution pension. The greater flexibility in how Defined Contribution pension savings could be accessed would enable members to take their benefits early and in any combination of annual pension and lump sum.

Although the new flexibilities did not apply to pension benefits held in Defined Benefit pension schemes such as the LGPS, if an LGPS member ceased active membership of the scheme with 3 or more months' membership, unless they were retiring with immediate payment of their benefits on the grounds of redundancy, efficiency or ill health, they would be given information about their right to transfer their benefits built up in the LGPS. They would have the right to transfer the value of their LGPS Defined Benefits to a Defined Contribution pension scheme and be able to use the Freedom and Choice flexibilities under that scheme.

There were two concerns for LGPS Funds – that members of the Fund would make decisions that may not be in their best long-term financial interests, and that so many members transferred their benefits out that there was an adverse impact on the Fund. There would, however, be some safeguards – where the total value of LGPS benefits was greater than £30,000, a member would be legally required to obtain financial advice at their own cost from an approved Independent Financial Adviser before any transfer out could be paid. The member could ignore any advice but there would be no redress if their decision turned out to be financially disadvantageous. In circumstances where the Government believed that the number of transfers of this type represented a risk to the Pension Fund, there would be a mechanism

provided where the amount of the transfer value could be reduced, although there was no clarity yet around how this might work in practice.

Officers would monitor developments over the coming months and would present a report to the Committee. There were concerns nationally in respect of Defined Benefit schemes generally that the freedoms were inappropriate and called for them to be banned. Both the Pensions Regulator and the Financial Conduct Authority were consulting on how best to implement the requirement for those proposing to swap Defined Benefit for Defined Contribution benefits to take appropriate advice. Both consultations were predicated on the assumption that such transfers were unlikely to be in most members' best interests.

It was asked that clarity be sought around what the Government would advise if too many members started to leave, and a report would be presented on the response.

RESOLVED to note the implications for the Derbyshire Pension Fund and its members of the 'Freedom and Choice' reforms contained in the 2014 Budget statement which came into effect on 1 April 2015.

24/15 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public be excluded from the meeting during the Committee's consideration of the remaining items on the Agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider, as an Administering Authority, the exempt reports of the Director of Finance on:-
 - a) Request by NSL Limited for Admission Body Status (contains information relating to the financial or business affairs of any particular person)
 - b) Request by Vinci Construction UK Limited for Admission Body Status (contains information relating to the financial or business affairs of any particular person)

Public

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 25 March 2015 at County Hall, Matlock

PRESENT

Councillor S Brittain (in the Chair)

Councillors S L Blank, S J Bradford, L M Chilton and D Williams

Apologies for absence were received on behalf of Councillor C R Moesby

14/15 MINUTES RESOLVED that the minutes of the meeting held on 3 February 2015 be confirmed as a correct record and signed by the Chair.

15/15 REGULATION OF INVESTIGATORY POWERS ACT It was reported that no applications had been made in respect of access to communications data or in relation to directed surveillance in the period from 16 September 2014 to 6 March 2015.

Following the passage of the Data Retention and Investigatory Powers Act, the Home Office had revoked all accreditation which enabled local authority staff to acquire communications data with effect from 1 December 2014. Consequently the Authority would now be required to use the National Anti-Fraud Network's Single Point of Contact services to acquire communications data under RIPA, if approved by a magistrate.

This change would require the Authority's RIPA Policy to be updated and a working group had been established to carry out the necessary review. A report would be brought to a future meeting of the Audit Committee identifying the required changes to the Policy and request their approval.

RESOLVED (1) that in the period 16 September 2014 to 6 March 2015 no applications were made under the Authority's powers relating to RIPA; and

(2) the changes to arrangements to access communications data and the requirement to amend the Authority's RIPA Policy.

16/15 NATIONAL FRAUD INITIATIVE In order to inform both Members and staff of the Council's participation in the NFI exercise fair processing notices were included in the pay slips for October and September 2014 respectively. Arrangements had also been made to inform pensioners of the exercise by the inclusion of a pay slip message in March 2015. The results of the matching exercise arising from the data submitted to the Audit

Commission in October 2014 were made available to the individual organisations from 29 January 2015.

Audit Services was the central coordinator for the data matches received from the Audit Commission and ensured matches were investigated, liaising as required with Departments within the Council and other organisations. Audit Services also maintained the web based application provided by the Audit Commission which tracked progress on matches reported. Investigation of the data matches reported had commenced and staff were reviewing forty four separate reports with a total of approximately 26,600 matches, of which 5,922 were classified as higher priority matches by the Audit Commission. These matches covered the Authority's payroll, pensions, blue badge, concessionary travel, private residential care homes, personal budgets and insurance data which had been matched to other participants' data submissions including housing benefits claimants and Department for Work and Pensions deceased pensioners. Further reports would be brought to future meetings of the Audit Committee to provide Members with updates on progress.

Members referred to the Tell Us Once scheme which was a cross-government programme that was supported by the Registration Service. Further information on this scheme and how the information was cascaded to other departments would be circulated to Members.

RESOLVED to note the progress made by the Council in respect of the NFI 2014-15 exercise.

17/15 EXTERNAL AUDIT PLAN 2014-15 John Cornett from KPMG attended the meeting to present Members with the External Audit Plan for 2014-15. This document supplemented the Audit Fee Letter 2014-15 and described how KPMG would deliver their audit work for the Authority. The report identified any key risks for the financial statements audit and Value for Money arrangements Conclusion.

The initial risk assessment for the financial statements audit had identified two significant risks in relation to the accounting requirements for Local Authority maintained schools and the transfer of banking services from the Co-operative to Lloyds. The initial risk assessment for the Pension Fund's financial statements audit had identified LGPS reform as a significant risk.

The planned fee for the 2014-15 audit was £167,141, which was the total fee for the work on the Council's audit, including work on the VfM conclusion and the audit of the Authority's financial statements. However, it was expected that there would be an added element for the additional work in relation to the significant risks identified in the Plan. The Committee would be informed when the additional amount had been determined.

Mr Cornett thanked Mr Handford and the finance officers for their co-operation and continued support throughout their audit work. This sentiment was echoed by Members of the Committee.

RESOLVED that the report be noted.

18/15 **EXCLUSION OF THE PUBLIC RESOLVED** to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 3 February 2015 (contains exempt information)
2. To consider the exempt report of the Assistant Director of Finance (Audit) on the Internal Audit Plan 2015-16 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information)).

Public

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 12 May 2015 at County Hall, Matlock

PRESENT

Councillor S Brittain (in the Chair)

Councillors S J Bradford, L M Chilton, C R Moesby and D Williams

Apologies for absence were received on behalf of Councillor S L Blank

21/15 **COUNCILLOR MIKE LONGDEN** Councillor Bradford referred to Councillor Mike Longden who had recently passed away. The Committee observed a minute's silence as a mark of respect and tributes were paid.

22/15 **MINUTES RESOLVED** that the minutes of the meeting held on 25 March 2015 be confirmed as a correct record and signed by the Chair.

23/15 **ANNUAL GOVERNANCE STATEMENT AND SYSTEM OF INTERNAL CONTROL** Members were informed of the progress on the review of the County Council's compliance with Best Practice requirements in respect of the annual review of the system of internal control and the production of the Draft Annual Governance Statement. In accordance with previously stated aims the Annual Governance Statement now included details of the Council's compliance with International Auditing Standards.

Members were asked to consider the Draft Annual Governance Statement and recommend its inclusion in the Authority's Statement of Accounts for 2014-15.

RESOLVED that the information provided in the report be accepted as evidence of the Authority's effective compliance with the statutory requirement to produce an Annual Governance Statement and recommend it for inclusion in the Authority's Statement of Accounts.

24/15 **STRATEGIC RISK REVIEW** The Council undertook regular reviews of risks and the latest detailed assessment of the highest ranking risks formed the Council's Strategic Risk Register which had been circulated to Members. A summary of the changes to risk scores were attached as an appendix to the report.

RESOLVED that the report be noted.

25/15 BUDGET MONITORING ARRANGEMENTS Details of the Council's budget monitoring protocols and developments had previously been reported to Audit Committee.

Departments were required to meet monthly with the Director of Finance and provide details of their latest budget monitoring position. The information was generally presented in a consistent format by all departments, showing the year to date position and the projected outturn for the year, together with a brief summary of the major variances.

The ISA260 Report 2013-14 made two recommendations, one of which related to financial resilience. The recommendation stated that the Council would need to ensure that budget reports to Members provided sufficient information to allow scrutiny and challenge. Therefore, the format of the reports to both Cabinet and Cabinet Member had been revised to include details regarding progress against the departmental budget cuts targets, as well as the level of outstanding earmarked reserves.

In 2015-16, details of the Derbyshire Challenge Fund bids would also be presented in budget monitoring reports, a future development would look to include some element of performance monitoring information.

RESOLVED to note the details of current budget monitoring arrangements.

26/15 FINANCE TIMETABLE The Council was required to undertake key financial tasks annually, many of which were statutory such as setting a balanced budget and producing the final accounts. In order to ensure that the Council met the requirements and ensured that robust financial management procedures were in place, there were a number of key tasks which were planned and delivered throughout the year.

Appendix 1 provided a general overview of the budget setting, financial management and closedown processes which were fundamental in ensuring that the Council met its statutory and legislative financial requirements. A detailed budget timetable would be distributed to key stakeholders later in the year. In addition, the Council had adopted project management principles in ensuring that the final accounts were completed within the statutory timescales.

RESOLVED to note the details of the Finance Timetable.

27/15 ACCOUNTING OFFICER ACCOUNTABILITY SYSTEM STATEMENT FOR LOCAL GOVERNMENT In March 2012 the Government first published the 'Accounting Officer Accountability System Statement for Local Government'. Members received the second update which reflected

measures in the Local Audit and Accountability Act 2014, including the closure of the Audit Commission on 31 March 2015. Accounting officers in Government departments were accountable to Parliament for the proper stewardship of the resources allocated to the department. The Department for Communities and Local Government (DCLG) accounting officer was the lead accounting officer for local authorities. This system therefore covered the core accountability system for local authorities, which was concerned with issues such as their financial management and democratic accountability. DCLG distributed the majority of its funding directly to local authorities; principally through Revenue Support Grant, which the department managed on behalf of Government and therefore the Secretary of State for DCLG was the lead accounting officer in Government who was accountable for the proper stewardship of resources allocated to the department. The Secretary of State was responsible for ensuring that a core framework was in place which required that local authorities acted with regularity, propriety and value for money in the use of all their resources. The statement showed how this system operated and covered:

- The scope of the Government's accountability in relation to local government
- How the core accountability system for local government worked
- How the system responded to failure

The Director of Finance provided a brief overview of the document.

RESOLVED to note the details of the Accounting Officer Accountability document issued by Government.

28/15 AUDIT COMMISSION CLOSURE The Audit Commission had closed on 31 March 2015 and Members were provided with details of which other organisations had become responsible for delivering several of the Commission's functions.

The Director of Finance wished to place on record his gratitude towards the Commission's staff, who had provided a great deal of support to the Authority particularly during the accounts closure process.

RESOLVED to note the details of the closure of the Audit Commission.

29/15 PUBLIC CONTRACTS REGULATIONS 2015 Members were updated on the new requirements of the Public Contracts Regulations 2015 which came into force on 26 February 2015 and asked to note that a review was being carried out of the Council's Financial Regulations in light of the changes.

The aim of the new regulations was to ensure a simpler and more consistent approach to supplier selection across public sector authorities and to remove some of the bureaucracy and barriers which made it difficult for businesses, in particular smaller firms, to access public sector contracts. A summary of the key changes was provided and the Director of Finance highlighted a couple issues:

Procurement Procedures

The regulations provided for a fifth award procedure, the Innovation Partnership procedure was to be added to the existing four; open, restricted, competitive dialogue and competitive procedure with negotiation. The new procedure, called the "Innovation Partnership", provided for a selection to be made of those who responded to the advertisement. The contracting authority uses a negotiated approach to invite suppliers to submit ideas to develop innovative products, services or works aimed at meeting a need for which there was no suitable existing product on the market. The contracting authority was allowed to award partnerships to more than one supplier.

Payment of undisputed invoices

Contracting authorities would be required to publish annual performance data on the internet for 2015-16 onwards to show:

- Percentage of undisputed invoices paid within 30 days
- The amount of interest paid to suppliers due to late payment.

In addition it would be a requirement to disclose the total amount of interest that the contracting authority was liable to pay, i.e. whether or not paid. This figure must be published annually from 2016-17 onwards. The Authority would need to look at its processes to minimise any charge and reduce invoices to within 30 days.

RESOLVED to note the requirements of the new Public Contracts Regulations 2015 and that a review of the Council's Financial Regulations was taking place in light of the changes.

30/15 EXCLUSION OF THE PUBLIC RESOLVED to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 25 March 2015 (contains exempt information)

2. To consider the exempt report of the Director of Finance on the Strategic Risk Review (contains information relating to the prevention, investigation or prosecution of crime).

MINUTES of a meeting of the **DERBYSHIRE HEALTH AND WELLBEING BOARD** held on 14 May 2015 at Coney Green Business Centre, Wingfield View, Coney Green Business Park, Clay Cross

PRESENT

J Pendleton (in the Chair)

T Allen	DCHS NHS Foundation Trust
H Bowen	Chesterfield Borough Council
G Boyle	Chesterfield Royal Hospital
Councillor J A Coyle	Derbyshire County Council
A Gregory	Hardwick CCG
S James	Derby Teaching Hospitals NHS Foundation Trust
I Johnson	Derbyshire County Council
A Layzell	Southern Derbyshire CCG
D Lowe	Derbyshire County Council
R Marwaha	Erewash CCG
M McElvaney	Derbyshire County Council
E Michel	Derbyshire County Council
Dr A Mott	Southern Derbyshire CCG
H Phillips	Chesterfield Royal Hospital NHS Foundation Trust
E Richardson	NHS Tameside and Glossop
K Ritchie	HealthWatch Derbyshire
J Simmons	HealthWatch Derbyshire
P Singh	DCHS NHS Foundation Trust
M Todd	Derbyshire Healthcare
S Trenchard	DHFT
Councillor A Western	Derbyshire County Council
J Willis	NDVA

Also in Attendance – J Ilott (Derbyshire County Council) and J Vollar (Derbyshire County Council)

Apologies for absence were submitted on behalf of Councillor D Allen, P Coleman, Dr D Collins, Dr A Dow, Councillor C A Hart, J Smith, Councillor P Smith, I Stephenson, and Councillor R J Wheeler

25/15 **MINUTES RESOLVED** that the minutes of the meeting of the Board held on 11 March 2015 be confirmed as a correct record.

26/15 **MINUTES OF ASSOCIATED BOARDS RESOLVED** to note the minutes of the Adult Care Board, Children's Trust Board, 21st Century Plan Delivery Group, Tameside and Glossop Care Together and STAR Board.

27/15 DERBYSHIRE COMBINED AUTHORITY AND HEALTH

DEVOLUTION An update was provided on the proposed D2 Combined Authority, the health devolution proposals for Greater Manchester and the local position. The D2CA Scheme had been submitted to DCLG and, following the General Election, would be subject to an eight week consultation process. It was anticipated that formal commencement of the D2CA would be 1 January 2016.

Details had previously been given around announcements in Greater Manchester in relation to extended areas of devolution for the Combined Authority for health and social care. The Board had agreed that it would be ambitious for similar arrangements in Derbyshire and had requested a report to allow consideration of the potential implications for the wider health and social care agenda. A briefing report had been circulated which set out the Manchester position.

The D2CA proposals were currently being progressed through the D2 Joint Committee for Economic Prosperity, which had recently agreed ten work streams, including one for health and social care integration. This was in recognition of the likelihood of the D2CA being invited to indicate areas for devolved budgets and powers. The work stream would be progressed jointly by local government and health and the meeting proposed that a summit/workshop should be arranged as the first step, including representatives from Derby City.

Further reports would be made to the Board as the Combined Authority developed and models emerged for health and social care.

RESOLVED to (1) note the latest proposals in relation to the Derby and Derbyshire Combined Authority;

(2) note the work stream arrangements for health and social care integration approved by the D2 Joint Committee for Economic Prosperity;

(3) monitor developments within Greater Manchester for health and social care and report to the Board as appropriate; and

(4) organise a summit/workshop to initiate the D2 work stream for health and social care integration.

28/15 HEALTH AND WELLBEING STRATEGY REFRESH

A summary document had been presented at the last meeting highlighting progress to date, performance measures and future actions for each of the four priority areas of the Strategy. It had been agreed that the priorities would be further developed at a series of workshops. The Healthy Communities workshop was due to be held on 30 June, and for the Emotional Health and Wellbeing for

Children, an alternative date to that which had previously been circulated was being arranged. Consideration would be given to the Social Capital priority at both workshops.

A proposed timetable for the further development and sign-off of the strategy was outlined. The development of the strategy and priorities would take place during June/July, and the development of the strategy format and initial draft of the document, along with consideration by the Health and Wellbeing Board Core Group would occur in August. The Strategy document would be presented to the main Board in September.

RESOLVED to note (1) the progress on the development of the Health and Wellbeing Strategy to date; and

(2) the timescales and key milestones for the development and finalisation of the strategy.

29/15 HEALTH AND SOCIAL CARE SYSTEM: TOWARDS A FIVE YEAR STRATEGY FOR SOUTH DERBYSHIRE The Board received a presentation from Andy Layzell on the Health and Social Care System: Towards a Five Year Strategy for South Derbyshire. The work that had been taking place in Southern Derbyshire over the last year was highlighted. It was noted that there were a number of challenges along with a series of questions – what happens if nothing changes; what are the options for transforming the system to ensure long term sustainability; and what is the financial impact of these options and what steps need to be taken to implement them?

There was a financial challenge, and by 2018, there would be a recurrent deficit of £150m with all providers being in deficit. This would need to be addressed if nothing was done over the next five years. The direction of travel was highlighted, along with the proposed areas for transformation – redesigning community services, primary care transformation, improving end of life care, and enhancing flow. These were considered to be the priorities for health and social care system transformation. To achieve the timeline of work, there needed to be an increase in the pace of transformation, and the activities which needed to take place to ensure that a system wide business case was in place by September 2015 was illustrated. An increase in pace from the delivery groups was also required to achieve the deadlines contained within the timeline. The priorities had been fit into the delivery groups and there were work streams for each of these. A document would be produced in September showing the way forward for the next five years.

Two integrated community pilots were being established – one in the county and one in Derby City. Community Support Teams working with general practice were already in place, and the pilots were based on community services and general practice working with 50,000 populations.

Links were being developed with social care, mental health and social capital, and the pilots had the freedom to develop local services with additional funding to invest. Practices had been funded to create time to innovate and the focus was on frail, elderly and long term conditions.

Rakesh Marwaha provided an update on the Erewash Multi Specialty Community Provider (MCP). The background to this was to deliver better care, better health, better value for people, and to have better outcomes for the people of Ilkeston and Long Eaton. The intention was to build community support rather than health and social care services, and to build resilience in services and communities. It was not just about bringing the workforce together, but changing how services worked together, what was delivered for people, and what people delivered for themselves. The 2020 vision for the Erewash MCP was highlighted, along with the 2 Hub System for Erewash for 2016.

There would be a recurrent system deficit of £150m by 2018/19, but it was stated that around £39m of this could be closed by transformation and £85m could be closed by provider Cost Improvement Plans. However, this still left a gap of £38m.

30/15 BETTER CARE FUND UPDATE The Better Care Fund pooled budget for 2015/16 had started with effect from 1 April. A Section 75 framework partnership agreement relating to the commissioning of health and social care services had been signed by all partners, and this set out how the pooled budget arrangements would work. The Better Care Fund Programme Board was accountable to, and would provide regular reports for, the Health and Wellbeing Board, the CCG Governing Bodies and the County Council's Cabinet. A Better Care Fund Programme Co-ordinator had been appointed.

A Finance and Performance Sub-Group had been established, with responsibility to monitor against delivery of the Better Care Fund reporting dashboard. The Group would also receive regular reports on the delivery of each of the projects within the Better Care Fund Programme to ensure that they were delivering the planned outcomes. The information would be used to provide quarterly update reports to the Health and Wellbeing Board and to complete the BCF nationally required returns.

In terms of next steps, the work initiated with HealthWatch and the VCS representatives to assist with the monitoring of the impact and effectiveness of individual BCF schemes needed to be completed, along with the BCF Programme Implementation plan. Details of monitoring requirements for each of the BCF funded schemes would also need to be finalised.

RESOLVED to (1) approve the report;

(2) approve the next steps as set out; and

(3) agree to receive quarterly monitoring and update reports.

31/15 HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

The Terms of Reference for the Health and Wellbeing Board had been revised and were presented to the Board as a draft for comment. As the Board was a Committee of the Council, the Terms of Reference would be presented to a future meeting of the Full Council for formal sign off. The associated groups related to the Health and Wellbeing Board within its governance structure had their own Terms of Reference, and work was ongoing to ensure alignment and the ability for joined up working. A joint protocol between the groups was being developed and would be presented to the Board at a later date.

A working vision statement for health and care had been drafted and was presented for consideration. The vision statement would be appended to the Terms of Reference.

RESOLVED to approve the vision statement and revised Terms of Reference, subject to Board Members providing any minor changes, noting that the Terms of Reference would require approval by the Full Council.

32/15 DISTINCTIVE, VALUED, PERSONAL – WHY SOCIAL CARE MATTERS: THE NEXT FIVE YEARS The Association of the Directors of Adult Social Services (ADASS) had published a report ‘Why Social Care Matters: The Next Five Years’, which outlined the main challenges facing the adult social care system. Recommendations were aligned to the NHS Five Year Forward View. A summary of the main recommendations put forward by ADASS was presented.

The report outlined five recommendations, and whilst some actions related to national policy, a number could be considered and addressed locally by the Health and Wellbeing Board. Surveys conducted by ADASS and the NHS Confederation had highlighted support by both CCGs and Councils for joint working. However, the main obstacles to this arose from national policies. ADASS proposed a number of national policy changes to support local delivery – the development of a single shared outcomes framework for health care, public health and social care; the funding the gap facing social care by 2020 was addressed alongside the NHS funding gap; a transformation fund be established to address the potential double-running costs as new delivery models were rolled out and other services were de-commissioned; and a flexible approach be adopted, recognising that different locally developed care models would be established.

RESOLVED to note (1) the key findings of the report; and

(2) the implications for the Health and Wellbeing Board partners and consider how these can be addressed through local transformation programmes.

33/15 HEALTH AND WELLBEING ROUND-UP A round up of key progress in relation to health and wellbeing issues and projects was given.

The falls prevention task and finish group had met for the last time in September 2014, and a range of activities to support the development of a multi-disciplinary falls and bone health pathway for Derbyshire had taken place. One item on the Falls and Bones Action Plan was currently flagged as red, and this was an action for Public Health, CCGs and Adult Care to explore the potential to work with registered social landlords to ensure that housing advice regarding access to suitable alternative accommodation was available for delayed discharge high risk falls patients to reduce admissions to care for this group. It would be necessary to ensure that robust systems of monitoring agreed outcomes were in place with DCHS community falls services.

The JSNA Board had developed its work programme for 2015/16, and this would help inform decisions on local priorities and the strategic direction of partner organisations. For all new topics, template scoping reports would be developed. It was anticipated that all major pieces of work would be completed by November 2015 to ensure that these informed commissioning intentions for 2016/17.

The Health Protection Board had met in March, where a number of items had been discussed – these were highlighted.

Under the requirements of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, the NHS Commissioning Board had to notify the Health and Wellbeing Board of all relevant applications to provide pharmaceutical services, including the relocation of existing pharmacies. Notification of a number of applications had been received.

RESOLVED to note the information contained in the round-up report.

34/15 GP PRACTICE GROUP The Board was informed that the Holywell Medical Group contract would be terminated as of midnight on 14 May, after which Chesterfield Royal Hospital would take over the contract and would consolidate the practice over three sites. Communication about the closure of the practice had taken place and a public helpline had been established. An advertisement had been published to recruit GPs into the practice, and attempts were being made to improve services.

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 26 March 2015 at County Hall, Matlock.

PRESENT

Councillor Julie Hill (Derbyshire County Council) (In the Chair)

Councillors N Atkin (South Derbyshire District Council), (substitute member), P Bayliss (Derby City Council), J Frudd (Derbyshire County Council), Mrs I Harry (Amber Valley Borough Council), B Murray-Carr (Bolsover District Council), T Norton (High Peak Borough Council), Mrs L Robinson (North East Derbyshire District Council), C Short (Amber Valley Borough Council), and V Newbury (Independent Member).

Also in attendance: Mr J McElvaney (Director of Legal Services, Derbyshire County Council), Mr D Rose (Improvement and Scrutiny Officer) and Mr I Walters (Democratic Services Officer).

A Charles, Police and Crime Commissioner (PCC), H Dhindsa, Deputy Police and Crime Commissioner, and Mr D Peet, Chief Executive of the PCC's office were also present.

Apologies for absence were received on behalf of Councillors S Blank (Chesterfield Borough Council), Mrs C Hart (Erewash Borough Council), D Hawksworth (Chesterfield Borough Council), P Hickson (Derby City Council), P Pegg (Derby City Council), Ms A Plenderleith (South Derbyshire District Council), and L Rose (Derbyshire Dales District Council).

12/15 **MINUTES** **RESOLVED** that the minutes of the meeting of the Derbyshire Police and Crime Panel held on 29 January 2015 be confirmed as a correct record and signed by the Chair.

13/15 **POLICE AND CRIME PLAN – OBJECTIVE 2** The Police and Crime Commissioner (PCC) provided the Panel with an update on the work to provide strong and effective partnership working with organisations such as Neighbourhood Watch and the Voluntary and Social Enterprise Sector to facilitate greater impact and use of resources.

Whilst the PCC had funding streams to support partnership working he reiterated that his responsibilities were wider than this and there was a clear role for the facilitation and support of working relationships.

The objective was designed to ensure all organisations with a capacity to support, prevent and address crime and its impact on victims could and were enabled to do so, to the best of their ability and to ensure that the public informed

that plan specifically for their local communities where all levels of need and risk were addressed.

The Commissioner highlighted areas of work that had been undertaken in relation to community safety, victims, the PCC Crime Prevention Fund, non-funding related activity and engagement activity.

With regards to future activity the Office of the Police and Crime Commissioner Engagement Strategy had been updated and a plan devised for 2015 which would maximise the opportunities to engage with the public around the crime and community safety agendas. This would, as always, involve working with partners and the engagement aspect of the work would be a key theme this year as the Commissioner endeavoured to circulate key messages and reassurance to the public at a time where there was much speculation about resources and budget cuts, as well as political uncertainty.

A number of summits and conferences were planned for 2015 these being:-

- In April 2015 the Office was working with an organisation called “No Offence” to put on a conference on Domestic Abuse, a key priority area for the PCC and the police;
- In June a summit was planned on drug related harm and crime; and
- In October the focus would be hate crime when the PCC would host a summit to tackle this sensitive and often under-reported crime.

The PCC was also launching a new funding stream at the March meeting of the Strategic Governance Board. The NICE fund (Neighbourhoods Investing Criminal Earnings) was a fund for legacy projects within communities funded through monies recovered through the Proceeds of Crime Act (POCA). This would see money generated by criminal activity that had often undermined and blighted the communities, reinvested to help build safer and stronger communities. Details of how to apply would be available via the PCC’s website.

Members were given the opportunity to make comments and ask questions which were duly noted or answered.

RESOLVED to note the report.

14/15 PERFORMANCE REPORT Members were informed of the challenge and scrutiny of the Force’s performance from the most recent Police and Crime Commissioner, Strategic Governance Board meeting (SGB). The PCC received a scorecard once a quarter and during the other two months reviewed an internally produced performance report. In February the Office of the Police and Crime Commissioner produced an internal performance report.

Copies of the Performance report that went to the Strategic Governance Board meeting in February and the draft notes of the PCC’s discussions with the

Chief Constable were appended to the report to assist the Panel in understanding the management/performance data that the Commissioner received.

In accordance with the Performance Framework also included for Panel Members information was a Police and Crime Commissioner/Force financial update, a complaints and dissatisfaction update and the digest of PCC decisions taken since the last meeting.

RESOLVED to note the update performance report.

15/15 RECRUITMENT OF INDEPENDENT MEMBER The Director of Legal Services of Derbyshire County Council informed members of the recruitment and selection process for a new Independent Member of the Police and Crime Panel.

Schedule 6 of the Police Reform and Social Responsibility Act 2011 required the Panel to co-opt at least 2 non-political Independent Members. Following the resignation of one of the Independent Members, Mr Norman Hodges, it was necessary to recruit and select a replacement so that the Panel was fully constituted.

Details of the recruitment process were given in the report with applications being considered against an agreed eligibility criteria. It was considered appropriate to establish a small working group including the Chair and Vice Chair and one or more other Panel members to ensure that there was sufficient capacity to interview potential candidates. Following the interviews a recommendation would be made to the Panel about appointment.

RESOLVED (1) to note the recruitment and selection process for an Independent Panel Member; and

(2) that Councillor J Hill (Chair), V Newbury (Vice-Chair), Councillor B Murray-Carr and Councillor C Short form a working group to undertake the interviewing of candidates.

16/15 4TH NATIONAL CONFERENCE FOR POLICE AND CRIME PANELS Members were informed of the 4th National Conference for Police and Crime Panels which was to be held on Friday 3 July 2015 at County Hall, West Bridgford. Any members wishing to attend should contact David Rose, Improvement and Scrutiny Officer who would make the necessary arrangements.

17/15 DATE OF NEXT MEETING RESOLVED to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 16 July 2015 at 11.00 am at County Hall, Matlock.

MINUTES of the Meeting of **DERBYSHIRE FIRE & RESCUE AUTHORITY** held at the Fire & Rescue Service Headquarters, Burton Road, Littleover, Derby commencing at 1030 hours on 19 February 2015

Present:

Councillors: R Hosker (Chair), R Banwait (Vice Chair), M Stockdale, G Nawaz, T Southerd, S Brittain, J Hill, C Moesby, K Lauro, S Marshall-Clarke, K Buttery, S Spencer, J Patten, E Williams, D Lomax, R Skelton

Officers in Attendance:

L Taylor	Solicitor/Monitoring Officer
S Allsop	Director of Finance/Treasurer
J Smith	Chief Executive
G Tomlinson	ACFO
A Wathall	Committee Clerk

Apologies:

T McDermott DCFO

1/15

PUBLIC QUESTION TIME

1.1 There were no questions from members of the public.

2/15

DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3/15

TO CONFIRM THE MINUTES OF DERBYSHIRE FIRE & RESCUE AUTHORITY MEETING HELD ON 4 DECEMBER 2014

3.1 Members confirmed the minutes as a correct record and these were signed by the Chair.

4/15

TO CONFIRM THE MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 12 DECEMBER 2014

4.1 Members confirmed the minutes as a correct record.

5/15

TO CONFIRM THE MINUTES OF THE INCLUSION & EQUALITY FORUM MEETING HELD ON 20 JANUARY 2015

5.1 Members confirmed the minutes as a correct record.

Reports For Decision:

6/15

FINANCE REPORTS PRESENTATION

- 6.1 The Director of Finance/Treasurer gave an overview and background to the finance reports presented for decision to the Authority.
- 6.2 Members received assurance that establishment levels were kept under review. Workforce profiles in relation to retirements and decisions to be made in respect of changes in duty systems were being monitored and were likely to lead to further discussions on promotion and recruitment later in the year.
- 6.3 The Treasurer explained to Members the costs involved in call-outs to Automatic Fire Alarms (AFAs) which impacted on the retained duty system budget.
- 6.4 Home Safety Checks (HSCs) were still being undertaken by the Service, however, a smaller number of smoke detectors were being fitted as many properties, particularly those owned by local housing authorities, had hard-wired detectors. Prevention initiatives with partners to undertake HSCs, targeting of vulnerable adults, as well as raising awareness of the importance of smoke detectors through prevention work, had all led to a decline in the number of detectors being fitted. The ACFO gave assurance that the budget would be monitored over the next 12 months.

7/15

REVENUE BUDGET MONITORING 2014/15 (APRIL – DECEMBER 2014)

- 7.1 The Treasurer briefed Members on the Revenue Budget Monitoring and Forecast Outturn position as at 31 December 2014. The projected underspend of £3m had reduced due to the purchase of three rural fire appliances, following discussions held in December. However, significant progress continued to be made in delivering the Effectiveness Programme savings as well as maintenance of the Authority's favourable reserves position.
- 7.2 The staff pay award had been built into the figures and it was anticipated that staff savings of £1.5m would be achieved by the end of the financial year.
- 7.3 Underspends on the ICT budget were acknowledged and an exempt report on the ICT Review (item 15) would provide further information to Members.

Resolution:

- 7.4 Members noted the Revenue Budget Monitoring and Forecast Outturn position as at 31 December 2014, being a projected underspend of £3.0m, as outlined in Appendices 1 and 2.

7.3 Members noted the significant progress made in delivering the Effectiveness Programme savings as outlined in Appendix 3.

7.4 Members noted the Authority's favourable reserves position as illustrated in Appendix 4.

8/15

REVENUE BUDGET 2015/16 AND THE MEDIUM TERM FINANCIAL FORECAST FOR 2015/16 TO 2018/19

8.1 The Treasurer outlined proposals for the above and assumptions including pay and inflation increases contained within the budget estimates.

8.2 The report informed and updated Members on the following:

- The Local Government finance settlement 2015/16
- The proposed revenue budget 2015/16
- Council tax and precepting options
- Feedback on budget and Service consultations
- Financial settlements for 2016/17 and future years
- The four year financial forecast
- The Effectiveness Programme and 'Fit 2 Respond' Programme
- The robustness of estimates and level of reserves.

8.3 The report was intended to build on the medium term financial strategy presented to Members on 4 December 2014 and was framed in accordance with the agreed strategy from that meeting.

8.4 It was noted that the budget did not provide for an increase in the employers' pension contribution in 2015/16 and later years but assurance was given that strategic reserves could be utilised if required and Members would receive regular updates, depending on the actuarial forecast.

8.5 The Leader of the Conservative Group thanked the Treasurer for the comprehensive report. He pointed out the assumptions made in the report and although the Service had benefited from the council tax receipts over the last year, expressed concern on behalf of the tax payer at accepting another increase. For this reason he stated that the Conservative Group would not support an increase to the precept.

8.6 A Member for the Labour Group accepted current financial pressures on the public but pointed out the small increase of £1.36 per annum in council tax required for a Band D property. The increase in income for the Service would avoid borrowing and in turn would keep the Service delivering to the people of Derbyshire.

8.7 The Vice Chair expressed concerns over Conservative cuts in funding throughout the country affecting public services. The Labour Group believed in funding public services and felt that council tax payers would support the increase in order to carry on providing vital front line services.

Resolution:

- 8.8 Members approved a net budget requirement of £38m as set out in Table 1, Section 5.
- 8.9 Members noted the Local Government settlement, council tax base and collection fund positions as outlined in the report.
- 8.10 Members, with collection fund surpluses of £318,765, approved a 1.98% increase in council tax as set out in Appendix 2b.

Recorded votes for: 10
(Cllrs Hosker, Banwait, Moesby, Southerd, Hill, Stockdale, Lauro, Brittain, Nawaz, Marshall-Clarke)

Recorded votes against: 6
(Cllrs Spencer, Buttery, Patten, Williams, Lomax, Skelton)

No absentions.

- 8.11 Members approved precepts totalling £20,751,263 as set out in Appendix 2b and to advise the collection authorities.
- 8.12 Members noted the medium term financial position for 2015/16 to 2018/19, and in particular, the significant financial pressures in years 2016/17 onwards.
- 8.13 Members noted the Director of Finance/Treasurer's comments about the robustness of estimates, adequacy of reserves and potential liabilities that may arise in future years.

9/15

2015/16 TO 2018/19 CAPITAL PROGRAMME, PRUDENTIAL COST REPORT AND TREASURY MANAGEMENT STRATEGY

- 9.1 The Treasurer briefly outlined the key points of the report which covered the capital expenditure position at the end of December 2014 and the recommended capital programme for 2015/16 to 2018/19. The report also presented recommendations required under the CIPFA Prudential Code indicators for capital finance which will subsequently be built into the Authority's 2015/16 Treasury Management Strategy.
- 9.2 With regard to progress of the capital programmes in place, Members were assured that any slippages would be tracked and monitored. Contingency levels would be reported to the next meeting.
- 9.3 It was anticipated that new valuations of the HQ site would be sought in a couple of years' time after preparations for sale had been completed which, dependent on the market prices, may see the value of the site increase.

Funds raised from the sale, along with the transformation grant would substantially fund the DFRS share of the new joint HQ building.

Resolution:

- 9.4 Members unanimously noted the Capital Monitoring position as at 31 December 2014 as set out in Appendix 1.
- 9.5 Members unanimously approved slippage of £160,000 for the training centre project (sections 3.2).
- 9.6 Members unanimously approved additional budgetary provision of £15,000 for the new payroll system (section 3.5) and £2,500 for the Dog Van (section 3.10).
- 9.7 Members unanimously approved funding the rural fire appliance (£850,000) from the 2014/15 revenue budget rather than leasing (section 3.7).
- 9.8 Members unanimously approved the 2015/16 Capital Programme of £8.426m as detailed in Appendix 2.
- 9.9 Members unanimously approved the Prudential Indicators as set out in the report.
- 9.10 Members unanimously approved the Minimum Revenue Provision policy statement as set out in section 5.13 to 5.14.
- 9.11 Members unanimously approved the Treasury Management Strategy for 2015/16, included within the report (section 6).

Reports For Information:

10/15

VERBAL REPORT FROM THE CHIEF EXECUTIVE

10.1 The Chief Executive briefed members on the following:

- The successful prosecution on 12 January 2015 of Midshires Healthcare, owners of a care home who pleaded guilty to four breaches of the Regulatory Reform (Fire Safety) Order 2005. Sentencing was due to take place that day with a maximum fine of £5,000 per offence.
- Dialogue with Telefonica (O2) had continued since the formal signing of the Primary Authority Scheme (PAS). The scheme has been formally registered with the Government's Better Regulation Delivery Office (BDRO) and the partnership had received ministerial approval. Work will begin shortly on the process of formal auditing and verifying of their fire safety systems and processes to aid legislative compliance. £6,000 received from Telefónica in

payment for the first year of the PAS was intended to be utilised within the Community Safety budget.

- Further PASs were currently being considered, with approaches being made from some housing authorities.
- Work continued closely with housing providers in order to progress the Think Sprinkler campaign. This had resulted in Derby Homes being nominated for an award for the Elton Road Scheme in the City, in recognition of the collaborative work with sprinklers and the assistance of DFRS with the Elton Road scheme.
- Chesterfield Borough Council recently completed a sprinkler retro-fit to a third sheltered housing scheme and work on a fourth scheme is due to begin this month.
- Activation of a Portable Misting System (PMS) at a house in Sandiacre took place on 7 January 2015. The call was received via a text message from a Global System for Mobile Communication (GSM) fitted inside the misting system. This is the third activation at this address since its installation and all fires have been smoking related. The case has now gone to Vulnerable Adult Risk Management Meeting where numerous partners will work closely together in determining how best to ensure the long term safety of the vulnerable person involved.
- The following incidents of note were reported:
 - 30 December 2014 – Mill Lane, Codnor, Ripley. A large water main burst under the roadway flooding 5 properties and affecting another 20.
 - 17 January 2015 – Swarkestone Road, Chellaston. House fire to a vacant property. A fire investigation was unable to determine a cause but likely to have been caused by a candle used by someone sleeping rough.
 - 26 January 2015 – Bolsover Road, Mastin Moor, Chesterfield. A road traffic collision involving 4 vehicles and 12 casualties.
 - 1 February 2015 – Derby Road, Ilkeston. House fire. All occupiers evacuated the building without assistance. A fire investigation determined the most likely cause to be due to a faulty heater unit.
 - 19 February 2015 (0600 that day), factory fire at Quill International, on Castle Lane estate in Melbourne. The majority of the building was saved but appliances remained in attendance and the cause was yet to be determined.
- A 24 hour period of industrial action had been held from 9/10 December 2014 and a further 24 hour period had been notified for 0700 hrs 25/26 February 2015 to coincide with a FBU national rally.

- Numerous letters to the Chair had been received seeking assurance on the guarantee provided by the Fire Minister regarding early retirement. In response, the Service had been unable to give a guarantee as, in line with LGA legal advice, decisions were a discretionary matter based on individual cases. Assurance however, was given that the Service would continue to do everything possible to support its staff and avoid dismissals.
- On 4 March 2015 the Organisational Assurance team will host the National Operational Assurance Hub (NOAH) Conference at DFRS Headquarters. The aim is to share knowledge and learning around operational assurance across fire and rescue services throughout the United Kingdom. This would also showcase the Service and guest speakers were to include Rolls Royce and the HSE.
- On 9 December 2014 the Service hosted a national event for Women in the Fire and Rescue Service.
- On 29 January the Service hosted a visit from the High Sheriff of Derbyshire. The CE reported that he was extremely impressed with the work of the Service and the professionalism and positive attitude of employees.

11/15

REVIEW OF PERFORMANCE INFORMATION VIA PERFORMANCE DASHBOARD

- 11.1 Members noted the performance information available via the FireView intranet link to the Performance Dashboard. AM Aykroyd gave a brief explanation on the balance scorecard on the dashboard which gave an overall view of the status and trends of the Key Performance Indicators (KPIs) also discussed by the Governance and Performance Working Group (GPWG).
- 11.2 Industrial action had impacted on the delivery of training but through the realignment of courses and the introduction of a new shift pattern for Learning and Development instructors, this had been kept to a minimum.
- 11.3 Returns from post contact satisfaction surveys were low and the Prevention Department were looking into better ways to receive feedback including social media and email.
- 11.4 Issues around driver qualification courses for RDS availability were discussed. The courses were being managed and two new instructors had been appointed after a recent retirement in Driver Training. However, new ways of delivering the courses were being looked at by the department.

12/15

TRI-SERVICE VERBAL UPDATE

- 12.1 The ACFO presented a training video to Members, previously shown at the Transformation Steering Group (TSG) meeting, demonstrating how the system operates.

12.2 The French engineers from Systel continued to work on testing and bug fixing and this would continue until the system was robust and ready to be signed off by the three Services.

12.3 Costs incurred by the extended 'go-live' date were being met by Systel.

MINUTES of a meeting of the **D2 JOINT COMMITTEE FOR ECONOMIC PROSPERITY** held on 13 March 2015 at the Town Hall, Ripley.

PRESENT

<u>Amber Valley Borough Council</u> Councillor P Jones	<u>Derbyshire Dales District Council</u> Councillor L M Rose
<u>Bolsover District Council</u> Not represented	<u>Erewash Borough Council</u> Not represented
<u>Chesterfield Borough Council</u> Councillor J Burrows	<u>High Peak Borough Council</u> Councillor A McKeown (substitute)
<u>Derby City Council</u> Councillor M Rawson (substitute)	<u>North East Derbyshire District Council</u> Councillor G Baxter
<u>Derbyshire County Council</u> Ms A Western	<u>South Derbyshire District Council</u> Councillor R J Wheeler

Also in Attendance –

Amber Valley Borough Council – J Townsend
Bolsover District Council/North East Derbyshire District Council – W Lumley
Chesterfield Borough Council – H Bowen
Derbyshire County Council – M Ashworth, J Battye, S Burkinshaw, F Horsley, P Peat and I Stephenson
Derbyshire Dales District Council – P Wilson
Derby City Council – R Williams
Erewash Borough Council – J Jaroszek
High Peak Borough Council – D Larnier
South Derbyshire District Council – M Roylance

Apologies for absence were submitted on behalf of Councillors R Banwait, C Bisknell, C Corbett and E Watts.

01/15 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 6 November 2014 be confirmed as a correct record and signed by the Chair.

02/15 **THE DEVOLUTION DEAL** The Joint Committee was provided with a draft of the Devolution Deal Prospectus being prepared for D2N2 and was asked to support the further dialogue with Government on devolution opportunities over the coming months.

The creation of the two combined authorities in the D2N2 region would provide the foundations for increased confidence by Government that governance and leadership was strong and capable of taking on additional powers in future – beyond those of economic development, regeneration and transport which were inherent in the combined authority proposals.

Given Nottingham city's status as a 'core city', the opportunity has been taken to commence early discussions with Government around a potential devolution deal for the D2N2 area. A 'Prospectus' had been prepared by a working group of key officers, led by Nottingham City Council. Representatives from the county, city and district councils across D2 and N2 had been engaged in the drafting process and the document captured the headline proposals of a draft deal which was currently subject to discussion with Government.

An earlier draft of the Prospectus had been shared with senior civil servants on 24 February and amendments had been undertaken in response to feedback. Separate meetings with Greg Clarke MP and Hilary Benn MP were planned for 17 March. A number of officer and elected member discussions had taken place in relation to the devolution proposals and further amendments had been made to the Prospectus. The latest draft was circulated.

RESOLVED (1) to agree the draft Prospectus; and (2) that Hilary Benn MP be also involved in the discussions to be held on 17 March.

03/15 **FINALISING THE COMBINED AUTHORITY** W Lumley and J Battye updated the Joint Committee on the work that had taken place on the development of the Combined Authority over the previous two months. DCLG had provided feedback on an earlier iteration of the Review Report and had advised that the case for the CA needed to be drawn out more clearly, this included being more open about the shortcomings of the current Joint Committee and LEP arrangements, why they were not fit for purpose and how the new CA would enable the economic conditions of D2 to be improved. In addition, DCLG had advised of the need to demonstrate how the two proposed CAs for D2 and N2 would work seamlessly with the LEP arrangements and to incorporate the 'option appraisal' appendix into the main body of the report – with some additional, supporting commentary.

The Joint Committee noted that the Executive Summary had been re-written in response to this feedback and had been shared with DCLG. Government had

confirmed the Executive Summary was acceptable and had advised the more detailed Review Report needed to be amended to take on board the previous feedback.

The Joint Committee noted that the next steps were a minor wording change to the Scheme and the finalisation of the Governance Review Report which needed amending in line with the latest discussions and the revised Executive Summary. It was accepted that elements of the ordering of the content of the document would need to change and that additional commentary would need to be included to satisfy the feedback of DCLG. It was also accepted that this would not substantively alter the proposal or recommendations of the Review Report over and above that approved by Cabinet/ Council meetings and that such changes could be undertaken without the need for further approval.

The Joint Committee noted that the next steps were to prepare and submit a final draft; to formally publish the Scheme; and to continue dialogue with DCLG over the Summer of 2015 when statutory consultation would be undertaken, with a view to enactment of the CA in January 2016.

In clarifying the proposed changes to the Review Report, it was noted that both the D2 and N2 governance reviews had identified a democratic deficit in the current working arrangements of the LEP, particularly given the limited number of elected members represented on the Board (6 out of 19 local authorities). The need to address this issue through a collective arena for strategic discussions was identified in both reviews and a new 'Joint Leaders' Forum' had been proposed; this approach was supported by the LEP and by DCLG.

Whilst the D2 CA would form an essential element of the overall LEP-wide governance arrangements and help strengthen accountability and ensure transparency of decision-making, there was a clear need to ensure more seamless work with the N2 CA, and any reshaped D2N2 LEP, to reduce duplication of effort and ensure the impact of activity in all areas was maximised.

A new Joint Leaders Forum constituted of all 19 elected leaders from across the local authorities of D2 and N2 was proposed to help ensure strong collaboration and leadership around key areas of mutual concern and potential opportunity. It was proposed that an initial meeting be set up with N2 Leaders to scope out the role and remit of the new Joint Leaders' Board and identify possible areas of mutual interest and opportunity for discussion.

RESOLVED (1) to note the considerable work that had been undertaken by all to reach this point and to express thanks to all involved;

(2) to agree the draft Scheme and Executive Summary of the D2 Governance Review;

(3) to agree to final amendments being made to the more detailed Review Report in line with the feedback from DCLG and to reflect the revised Executive Summary;

(4) that, subject to these amendments being made, the Review Report, Scheme and Executive Summary be submitted to Government alongside the complementary N2 combined authority work before the end of March, the Chair and Vice Chair to determine the exact date for submission and publication;

(5) to note the draft forward timetable for completing the CA process; and

(6) to agree to an initial meeting with the 19 local authority leaders to consider the role and remit of work for the new Joint Leaders' Board; to agree a meeting timetable; and identify potential areas of joint work going forward.

04/15 EUROPEAN STRUCTURAL INVESTMENT FUND F Horsley gave an update on the ESIF with the D2N2 allocation being one of the largest in the country at approximately £214m for 2014-2020, comprised of:

- £104,400,000 – ERDF (European Regional Development Fund)
- £104,400,000 – ESF (European Social Fund)
- £5,500,000 – EAFRD (European Agricultural Fund for Rural Development)

A D2N2 ESIF Strategy had been published in 2014 following widespread consultation. An ESIF Programme Board has since been set up to oversee the delivery of the Programme and prioritise those applications that best fit the Strategy.

In particular, the Joint Committee was asked to consider the proposed D2:N2 allocation for the Employ Local programme. It was suggested that this be on the basis of reliable and objective evidence using Out of Work Benefit data to count claimants. This showed D2 had a total of 65,800 claimants and N2 84,005 resulting in a 44:56% D2:N2 split.

RESOLVED (1) to note the progress in relation to the proposed ERDF early “open calls” and D2N2 contribution towards the delivery of the three national products; and

(2) to note early delivery arrangements for the ESF options and endorse the proposed D2:N2 44:56% allocation in relation to Employ Local.

05/15 NEXT MEETING The next meeting would be held on Friday 17 April 2015 at 12.00 noon hosted by Bolsover District Council. A programme of dates for the rest of the year would be circulated.

06/15 FUTURE DISCUSSION ITEMS Future discussion items to include:-

- Establishment of proposed D2 CA working groups with designated lead
- Next steps for the Derbyshire Economic Partnership

- Proposals for investment and development vehicle
- Development of the new Local Transport Plan
- Taking forward the Big List and Big Map
- Update on Visit Peak District and Derbyshire