

**MINUTES** of a meeting of the **REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 14 April 2014 at County Hall, Matlock.

**PRESENT**

Councillor J G Williams (in the Chair)

Councillors W Burrows (substitute member) P Dunn, J Frudd, Mrs Janet Hill, Ms Julie Hill, D McGregor, R A Parkinson (substitute Member) and Mrs J S Street.

Apologies for absence were submitted on behalf of Councillors D Charles, A I Lewer and M Tomlinson.

**03/14** **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 3 February 2014 be confirmed as a correct record and signed by the Chair.

**04/14** **WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO UPGRADE PUBLIC FOOTPATH 5 (HARLESTHORPE LANE) TO BRIDLEWAY AND TO ADD A BRIDLEWAY FROM FOOTPATH 5 TO HICKINGWOOD LANE, PARISH OF CLOWNE** Members were informed that in May 2009, an application had been received to upgrade to public bridleway, Public Footpath No 5, Harlesthorne Lane, Clowne and to add a bridleway from Public Footpath No 5 to Hickingwood Lane, Clowne. The application was accompanied by 10 user evidence forms and a copy of the area dated 1837. A plan showing the claimed route was appended to the report.

Consultation was carried out between July and August 2011 with 14 responses being received in opposition to the application which were detailed in the report. In addition, following the consultation period 3 people made statements to the Council, which again were detailed in the report.

Following deferral of the report by this Committee at its meeting in December 2013, Clowne Parish Council had submitted further correspondence objecting to the claim, which was detailed in the report.

The Local Elected Member, Councillor A Western attended the meeting and made a presentation to the committee outlining her objections to the application.

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

Members gave careful consideration to all of the available evidence as contained within the Director of Legal Services report, and the representation made at the meeting.

**RESOLVED** (1) to reject the applications to upgrade to bridleway that part of Public Footpath No 5, Parish of Clowne, which was shown between the A618 Rotherham Road (point A) and point C on the plan attached to the Director of Legal Services report, and to a bridleway in the Parish of Clowne from point C to Hickingwood Lane (point G) as shown on the plan; and

(2) to reject the application to upgrade to bridleway that part of Public Footpath No 5, Parish of Clowne between point C and the A619 as shown on the plan appended to the report.

**05/14      CHESTERFIELD FOOTBALL CLUB – SPECIAL SAFETY CERTIFICATE, CONCERTS – 7 & 8 June 2014** Approval was sought for Special Safety Certificates to be issued under the Safety of Sports Ground Act 1975, in respect of Chesterfield Football Club Stadium (known as the Proact Stadium).

Applications had been received from Chris Turner, Chief Executive, as the qualified person on behalf of Chesterfield Football Club for the issue of Special Safety Certificates for concerts at the ground on 7 & 8 June 2014. The events were being promoted by Liz Hobbs Group Limited but the club would remain responsible for crowd safety.

The first application was in respect of a concert featuring Tom Jones on 7 June 2014. The capacity sought for this concert was 16,531 including seating on the pitch.

The second event on 8 June 2014 featuring a multi-pop line-up including Tinie Tempah requested a capacity of 12,402 including seating on the pitch.

The Management Plan stated that under 14's would be allowed in the stand if accompanied by an adult, but would not be admitted to the pitch area. Over 14's would be admitted to the pitch area. The club was to clarify how this policy would be ticketed and stewarded effectively.

The ground already had the benefit of a General Safety Certificate issued on 21 July 2010. Closely allied to the General Certificate was an

operating manual, based on risk assessment approach where the club set out its spectator safety policy.

The current certificate restricted specified activities in the ground to football matches. Special certificates were therefore required in order for the club to be able to stage the concerts. Applications with the appropriate fees had been received from the club.

The promoters of the event had undertaken extensive risk assessments and produced an Event Management and Major Incident Plan and associated policies and procedures including a spectator safety policy, medical plan, fire safety plan and stewarding plan.

The detailed arrangements for the event had been examined by the Chair of the Safety Advisory Group and by Derbyshire Resilience Forums Events Safety Advisory Group chaired by the Emergency Planning Division which had also considered related matches such as traffic management.

A full fire risk assessment, to include pitch and stage areas was being prepared by the club and would be passed to the fire service to ensure it was suitable and sufficient.

The stage and other temporary structures were to be the subject of full structural certification, both as to design and construction, by appropriately qualified personnel to ensure they complied with relevant guidance.

The existing stands at the ground had previously been the subject of specialist structural engineer approval taking account of the different crowd dynamics at the events and in accordance with associated guidance

The club had been reminded that the Special Safety Certificates, if granted, extended to these events only and that any future concerts would require a further application to this committee for a safety certificate.

A bespoke multi-agency emergency plan would be agreed not less than 2 weeks before the event.

**RESOLVED** to approve the granting of Special Safety Certificates in respect of the Proact Stadium to Chris Turner as the qualified person, subject to:-

- (1) the provision of satisfactory certification;
- (2) the completion of satisfactory fire risk assessments;

(3) confirmation of satisfactory stewarding arrangements;

(4) the club's full co-operation in the development of a multi-agency emergency plan;

(5) the contents of the Special Safety Certificate being agreed; and

(6) approval of the items listed above being delegated to the Chair of the Safety of Sports Grounds Advisory Group in consultation with the Chair of the Regulatory Licensing and Appeals Committee.

**06/14      PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 15 (PART), WHALEY BRIDGE**

Members were informed that the County Council had received an application for the diversion of part of Public Footpath No 15 in Whaley Bridge. Footpath No 15 was one of the two Public Footpaths which crossed the railway within close proximity of each other. The crossing at Footpath No 15 had poor visibility and there was a speed reduction currently in place on the railway. The proposed diversion would take the path parallel to the railway to join Public Footpath No 14, which had a safer crossing point.

If the Diversion Order took effect it would divert approximately 70 metres of Public Footpath No 15 in Whaley Bridge shown on the plan appended to the report as a solid bold line between points A-B to a line shown as a bold broken line between points A-C. The new path would be approximately 50 metres long with a recorded width of 2 metres and a crushed stone surface.

No objections were received to the proposed diversion when informal consultation was carried out in March 2014. The local Elected Member and Whaley Bridge Town Council had been consulted and supported the proposal. High Peak Borough Council had been consulted and also had no objections to the proposal.

**RESOLVED** (1) that the Director of Legal Services be authorised to make the necessary Order to divert Public Footpath No 15 (part), Whaley Bridge under Section 119A of the Highways Act 1980; and

(2) that should objections be received to the making of the Orders that could not be resolved then the matter be forwarded to the Secretary of State for determination.

**07/14      PROPOSED DIVERSION ORDER - PUBLIC FOOTPATH NO 24 (PART), PARISH OF KNIVETON**

Members were informed that the County Council had received an application for the permanent diversion of part of

Public Footpath No 24 (part) in the Parish of Kniveton in the interests of the landowner.

The proposed diversion would divert the footpath away from the yard/garden of 2 residential properties and within very close proximity of the windows of the cottage to a route to the north in the adjoining fields which would provide the landowners with added security and privacy.

If the diversion order took effect, then it would divert approximately 215 metres of Public Footpath No 24, shown on the plan appended to the report as a solid bold line between points A-B to a line shown as a bold broken line between points A-C-D-E. No objections were received to the proposed diversion order when informal consultation was carried out in August 2013. The local Elected Member, Kniveton Parish Council and Derbyshire Dales District Council had been consulted and also had no objections.

The Peak and Northern Footpath Society made a comment concerning the western section of the proposed route between points C and D, which, on the pre-order consultation plan ran along the field boundary. The Society suggested that the most obvious route was in a straight line between the two field gates and that following the field boundary was not logical. It also observed that way-marking would be easier and the public would not inadvertently be directed towards the applicant's private gate. As a result of these comments, and with the agreement of the applicant, the proposed line of the path had been amended to a straight line shown between points C-D on the plan appended to the report and a further consultation was carried out in January 2014. No objections were received to this revised proposal.

**RESOLVED** (1) that the Director of Legal Services be authorised to make the necessary Diversion Order for Public Footpath No 24 (part), in the Parish of Kniveton, pursuant to Section 119 of the Highways Act 1980 with authorisation for structures, as detailed in the report; and

(2) should objections be received to the making of the orders that could not be resolved, then the matter be forwarded to the Secretary of State for determination.

**08/14      PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 33 (PART) – PARISH OF DENBY** Members were informed that the County Council had received an application for the permanent diversion of part of Public Footpath No 33 in the Parish of Denby, in the interests of the landowners. The proposed diversion would improve privacy and security to the properties as the Definitive alignment of the path ran through domestic gardens and business premises. In addition, the legal line of the footpath was

currently obstructed by agricultural buildings. The proposed diversion would allow the buildings, which at this stage it would be impractical and costly to remove, to remain whilst diverting the route away from the domestic gardens and business premises.

If the diversion order took effect, then it would divert approximately 279 metres of Public Footpath No 33, shown on the plan appended to the report as a solid bold line, between points A-B to a line shown as a bold broken line between points C-D-E-F-B. The new path would be approximately 343 metres long with a recorded width of 3 metres. The surface of the alternative route would be tarmacadam between points C-D, tarmacadam chippings between points D-E and stone, grass and earth between points E-F-B.

No objections were received to the proposed diversion when consultation was carried out in September 2012. The local Elected Member at that time, Denby Parish Council and Amber Valley Borough Council had been consulted and had no objections to the proposal. The current Elected Member had also now been approached.

**RESOLVED** (1) that the Director of Legal Services be authorised to make the necessary Diversion Order to divert Public Footpath No 33 (part), in the Parish of Denby under Section 119 of the Highways Act 1980; and

(2) that should objections be received to the making of the order that could not be resolved then the matter be forwarded to the Secretary of State for determination.

**09/14      PROPOSAL TO RESCIND AN ORDER MADE UNDER SECTION 119 OF THE HIGHWAYS ACT 1980 – PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 24, PARISH OF HARTSHORNE**

Members were informed that the County Council had made an Order in July 2012 to divert part of Public Footpath No 24, in the Parish of Hartshorne in the interests of the landowner. Following the making of the order, an objection was received on the basis that the proposed new route was not substantially as convenient. In the meantime, the landowner obtained planning permission to extend the business premises which would affect the public right of way and therefore applied to South Derbyshire District Council to divert the footpath under Section 257 of the Town and County Planning Act 1990. An Order had now been made and confirmed by South Derbyshire District Council and therefore, there was no need to proceed with the order made under Section 119 of the Highways Act 1980.

**RESOLVED** that approval be given to formally rescind the Public Path Order, made to divert part of Public Footpath No 24 in the Parish of Hartshorne under Section 119 of the Highways Act 1980.

**10/14      WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD A FOOTPATH BETWEEN ADOPTED HIGHWAY NORTH EAST OF SINDELFINGEN PARK, ALONG THE EASTERN SIDE OF ST ANDREW’S PRIMARY SCHOOL PLAYING FIELD, TO PUBLIC FOOTPATH 104, DRONFIELD TO THE DEFINITIVE MAP AND STATEMENT** Members were informed that an application had been received in April 2010 to add a footpath to the Definitive Map and Statement from the north east corner of Sindelfingen Park to the Public Footpath on the east side of St Andrew’s playing field. The application was accompanied by a covering letter, 2 photographs, a plan and 20 user evidence forms. A plan showing the claimed route was appended to the Director of Legal Services report.

Consultation was carried out in January and February 2014 and a number of letters of objection including letters offering evidence of the existence of fencing around the school.

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

**RESOLVED** to reject the application made under Section 53 of The Wildlife and Countryside Act 1981 to add a footpath between adopted highway north east of Sindelfingen Park on the east side of St Andrew’s Primary School playing field to Public Footpath 104 in Dronfield to the Definitive Map and Statement.

**11/14      WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO ADD TWO SECTIONS OF BYWAY OPEN TO ALL TRAFFIC (BOAT) ALONG THE NON-CLASSIFIED HIGHWAY KNOWN AS MONKSDALE LANE – PARISHES OF WHESTON AND TIDESWELL** Members were informed that 3 applications had been received in February 2004 to add Byways Open To All Traffic (BOAT’S) along the non-classified highway known as Monksdale Lane in the Parishes of Wheston and Tideswell and to determine whether to authorise the making of Definitive Map Modification Orders (DMMOs) to add the route to the Definitive Map and Statement.

The applications were supported by documentary evidence and plans showing the claimed routes. User evidence forms were submitted by vehicular users and from other users of the claimed routes. A plan showing the claimed routes was appended to the Director of Legal Services report.

The original applications did not satisfy in full the requirements contained in paragraph 1 of Section 14 to The Wildlife and Countryside Act 1981, regarding the form of DMMO applications, in that they were not accompanied by copies of certain items of documentary evidence cited by the Claimant in support of the applications.

Copies of the required documents were subsequently received from the applicant by 27 August 2010 which allowed the Authority to deal with the claims in the usual way.

Consultation was carried out in March 2012 with landowners, local Members, local and national rights of way user groups, statutory undertakers and district and parish councils.

The consultees were asked to provide any evidence or information relating to the history or use of the claimed routes which they considered might be relevant to the determination of the applications and in deciding what level of public access rights existed over the claimed routes. 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** that an order be made under Section 53 of The Wildlife and Countryside Act 1981 to add to the Definitive Map and Statement:-

(1) a Byway Open to All Traffic (BOAT) along the non-classified highway between points A and B in the Parish of Wheston, as detailed on the plan appended to the Director of Legal Services report; and

(2) a bridleway along the non-classified highway between points C-D-E known as Monksdale Lane in the Parishes of Wheston and Tideswell, also shown on the appended plan.



**MINUTES** of a meeting of the **REGULATORY – PLANNING COMMITTEE**  
held at County Hall, Matlock on 7 April 2014

**PRESENT**

Councillor J Innes (in the Chair)

Councillors M Ford, R L Hosker, R Mihaly, R A Parkinson, P Smith, T Southerd, J Twigg, and B Wright.

Apologies for absence were received from Councillor Julie Hill

No Declarations of Interest were received.

No Significant Lobbying had been received.

**21/14** **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 10 March 2014 be confirmed as a correct record and signed by the Chair.

**22/14** **PROPOSED PROCESSING OF IMPORTED CONSTRUCTION, DEMOLITION AND EXCAVATION WASTE AT LAND AT STATION YARD, STATION ROAD, RENISHAW (CODE NO:CW4/1013/104)**  
(Minute No 61/13) The Strategic Director for Economy, Transport and Environment's representative reported verbally that the application had been withdrawn by the applicant after the papers for the meeting had been produced. The written report for the meeting had contained a recommendation that the Committee refuse the application.

**23/14** **REQUEST TO APPROVE A CONSULTATION EXERCISE CONCERNING THE ADOPTION OF A REVISED LOCAL LIST OF INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS** The Strategic Director for Economy, Transport and Environment reported that a draft revised local list of requirements for planning applications had been prepared in accordance with guidance issued by the Department for Communities and Local Government. The existing local list had been reviewed and he considered it needed to be revised. Prior to publication the Strategic Director wished to consult the local community, including applicants and agents. Once adopted the revised local list would replace the existing list on the County Council's website.

**RESOLVED** to approve the carrying out of a consultation exercise on the adoption by the Council of a revised local list of requirements for planning applications.

**24/14**                    **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

**25/14**                    **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 7 April 2014 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.

**26/14**                    **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

**27/14**                    **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for March 2014.

**28/14**                    **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) 13 March 2014**  
Delegation Decisions on Schemes Required by Planning Conditions:
- SM2512
- (b) 20 March 2014**
- 1 Proposed Re-Cladding of Two Detached Classroom Blocks including Installation of Replacement Windows and Doors at Hasland Hall Community School, Broomfield Avenue, Chesterfield  
Applicant: Derbyshire County Council  
Planning Application Code No: CD2/0114/151
  - 2 Retrospective Planning Application for the Retention of a 2.2 Metres High Security Fencing at Town End Junior School, Alfreton Road, Tibshelf  
Applicant: Derbyshire County Council  
Planning Application Code No: CD5/0214/161

- 3 Proposed Erection of a Six Metres High Flagpole at Corfield C of E Infant School, Thorpes Road, Heanor  
Applicant: Derbyshire County Council  
Planning Application Code No: CD6/0214/160
  - 4 Application for Retrospective Approval of a Trim Trail at Repton Primary School, Springfield Road, Repton  
Applicant: Derbyshire County Council  
Planning Application Code No: CD9/0214/159
  - 5 Application for Non-Material Amendments at Florence Shipley Care Home, Market Place, Heanor  
Applicant: Derbyshire County Council  
Planning Application Code No: NMA/0214/24
  - 6 Delegation Decisions on Schemes Required by Planning Conditions:
    - SD2550
    - SM2552
- (c) 27 March 2014**
- 1 Proposed Installation of a Kiosk to Support the existing sewage Pumping Station at Meadow View, Belper  
Applicant: Severn Trent Water Limited  
Planning Application Code No: CW6/0214/157
  - 2 Delegation Decisions on Schemes Required by Planning Conditions:
    - SW1765
    - SM2535
    - SM2536
    - SM2537
    - SM2538
    - SD2553
    - SD2543
    - SD2542
- (d) 3 April 2014**
- 1 Proposed Extension to Develop a Classroom and Replacing the Veranda's Glazing, Infill Screens and Panels, at Wessington Primary School, The Green, Wessington  
Applicant: Derbyshire County Council  
Planning Application Code No: CD4/0214/164
  - 2 Application for Non-Material Amendments at Alfreton Materials Recycling Facility, Cotes Park West Industrial Estate, Somercotes  
Applicant: FCC Environment

Planning Application Code No: NMA/0314/25

- 3 Extraction of Approximately 50,000 Tonnes of Fireclay from within the Existing Coaling Excavations at the Lodge House Surface Mine Extension, Heanor Road, Smalley

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**MINUTES** of a meeting of the **REGULATORY – PLANNING COMMITTEE**  
held at County Hall, Matlock on 12 May 2014

**PRESENT**

Councillor J Innes (in the Chair)

Councillors Julie Hill, R L Hosker, R Mihaly, R A Parkinson, P Smith, T Southerd, J Twigg, D Walton (substitute Member) and B Wright.

Apologies for absence were received from Councillor M Ford.

No Declarations of Interest were received.

No Significant Lobbying had been received, although Members had received various communications in respect of the Calow application (Minute No 34/14).

**29/14** **PETITION RESOLVED** that the petition listed below be received and noted:-

<b><u>LOCATION/SUBJECT</u></b>	<b><u>SIGNATURES</u></b>	<b><u>LOCAL MEMBER</u></b>
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Proposal to Drill Exploratory Boreholes, Erect Containerised Units, Associated Plant and Equipment, Extract Natural Gas, Generate Electricity and Ancillary Operations, Land North-East off Dark Lane, Calow, Chesterfield (Code No CM4/0114/156)	42	Councillor Julie Hill
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See Minute No 34/14 below)

**30/14** **SITE VISITS** In accordance with the Code of Practice the Committee visited the site at Calow (Minute No 34/14) and Somersall Lane, Chesterfield (Minute Nos 32/14 and 33/14).

**31/14** **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 7 April 2014 be confirmed as a correct record and

signed by the Chair, subject to the inclusion of Councillor P Smith in the attendance list.

**32/14                      PROPOSAL FOR THE CONSTRUCTION OF A SAFE LINK BETWEEN THE PROPOSED PHASE THREE OF THE HIPPER VALLEY GREENWAY AND THE EXISTING FOOTPATH AT SOMERSALL LANE, WALTON, CHESTERFIELD APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD2/0114/152)** The application was for a safe crossing point and access link at Somersall Lane, Walton between the proposed phase three of the Hipper Valley Greenway and the existing footpath C2/87/1, located in Somersall Park. Details of the proposal were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Chesterfield Borough Council had objected to the proposal because of the impact the proposed operational development would potentially have on the character, appearance and heritage significance of the Somersall Hall and Avenue Conservation Area and also on visual amenity and biodiversity, which was addressed in the report. One letter from Chesterfield Cycle Campaign had been received in support of the application and was detailed in the report. The Strategic Director for Economy, Transport and Environment addressed the issues raised in his report.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and other material considerations set out in the National Planning Policy Framework had been taken in to account. It was considered that the key planning considerations for the application were Need for the Development; Highways Safety; Landscape and Other Visual Impacts; and Ecological Impacts. These issues were examined in the Strategic Director's report.

It was concluded that the proposal would provide a safe crossing point for local people, in particular school children who used the point to cross Somersall Lane. It also had the potential to cater for increased numbers of non-motorised users that would be associated with further greenway development in the Hipper Valley. He was satisfied that with the imposition of the recommended planning conditions there would be minimal impacts on the setting of the Somersall Conservation Area. He further recommended that the link should be a 2.5 metres wide track rather than 2.0 metres wide as proposed in the report. He confirmed that the proposal accorded with both national and Local Plan policies.

**RESOLVED** that planning permission be granted, subject to the conditions set out in the report of the Strategic Director for Economy, Transport and Environment, subject to the track being a 2.5 metres standard width.

**33/14                      PROPOSED CONSTRUCTION OF 1.1 KILOMETRES GREENWAY BETWEEN SOMERSALL LANE, CHESTERFIELD AND GREENDALE AVENUE, HOLYMOORSIDE APPLICANT: DERBYSHIRE COUNTY COUNCIL (CODE NO: CD4/0413/3 AND CD2/0413/3)**

The application proposed the construction of a 1.1 km greenway located on the existing Public Rights of Way linking Somersall Lane to Holymoorside. The upgrading of the existing footpaths would form part of a wider initiative to create a multi-user trail linking Chesterfield Railway Station with Holymoorside. Details of the proposals were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees and following publicity. Concerns had been raised by North East Derbyshire District Council regarding the provision of a tarmac area at Greendale Avenue, Holymoorside as being an intrusion in to the Green Belt; comments received from Holymoorside and Walton Parish Council related to the safety of the boundary stone at the junction of footpaths 31 and 32, concerns of potential future urbanisation and building adjacent to the path, and confirmation that no access for motorised vehicles would be allowed.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and other material considerations set out in the National Planning Policy Framework had been taken in to account. It was considered that the key planning considerations for the application were Need for the Development, Impact of the development on the Green Belt, Impact of the development on the Historic Environment, Ecology, Flood Risk, Highway Safety, and Landscape and Other Visual Impacts. These issues were examined in the Strategic Director's report.

The Strategic Director concluded that the proposed upgrade of the existing footpaths would provide improvements to the local PROW network and form part of a wider initiative to create a trail linking Chesterfield to the Peak District. The development would be considered appropriate development within the Green Belt and would, therefore, not be harmful to its open character. However, he had concerns regarding the potential impacts that the development could have on the wider landscape and visual character of the area and the character and appearance of the wider Somersall Lane Conservation Area, but considered that these impacts could be adequately controlled by condition. Similarly the potential impacts of the development on the ecology of the brook were capable of mitigation if secured by condition. Regrettably, however, because of unresolved concerns relating to the potential impact of the development on highway safety he concluded that the development would be unacceptable.

The Strategic Director's representative reported that subsequently the applicant had agreed to remove the equestrian access from the proposal. On this basis, he recommended that the proposal be approved, subject to conditions.

Members were concerned that the British Horse Society had supported the original proposals and queried whether they should be re-consulted on the change. Members asked how horse riders would be prevented from using the route. It was suggested that this could initially be by signage or gates with access for wheelchair users being maintained. Members also asked that use by motor cycles should be prevented.

**RESOLVED** that planning permission be granted, subject to a set of conditions being presented and approved at the next Planning Committee meeting.

**34/14                    PROPOSED        DRILLING        OF        EXPLORATORY  
BOREHOLES, ERECTION OF CONTAINERISED UNITS, ASSOCIATED  
PLANT AND EQUIPMENT, EXTRACTION OF        NATURAL        GAS,  
ELECTRICITY GENERATION AND ANCILLARY OPERATIONS AT LAND  
OFF DARK LANE, CALOW, CHESTERFIELD APPLICANT: SEVERN STAR  
NATURAL GAS LIMITED (CODE NO: CM4/0114/156)** Consideration of the application was deferred until the next meeting because of a delay in some residents receiving notification of the meeting. A brief visit to the site was undertaken as planned but it was agreed that a full inspection of the site would be carried out when the application was considered.

**35/14                    CURRENT ENFORCEMENT ACTION        RESOLVED** to receive the report on Current Enforcement Action.

**36/14                    OUTSTANDING APPLICATIONS        RESOLVED** to receive the list on decisions outstanding on 12 May 2014 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.

**37/14                    CURRENT        APPEALS/CALLED-IN        APPLICATIONS  
RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

**38/14                    DEVELOPMENT        MANAGEMENT        PERFORMANCE  
MONITORING        RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for April 2014.



**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:-

1 Proposed Section 73 Application Not to Comply with Condition 14  
(Hours of Operation) of Planning Permission Code Number  
CW2/0313/156 at Hall Plant Hire, Sheepbridge Lane, Chesterfield  
Applicant: Hall Plant Hire  
Planning Application Code No: CW2/0214/165

- (b) 17 April 2014**

- (c) 24 April 2014**

- 1 Proposed Installation of Air Cooled Chiller Units to the Roof at  
Chesterfield Library and Information Centre, New Beetwell Street,  
Chesterfield  
Applicant: Derbyshire County Council  
Planning Application Code No: CD2/0314/170

**(d) 1 May 2014**

- 1 Proposed Roof Refurbishment of a School Wing incorporating the Removal and Replacement Roof Windows at William Rhodes Primary School, Hunloke Avenue, Chesterfield  
Applicant: Derbyshire County Council  
Planning Application Code No: CD2/0314/171
- 2 Application Not to Comply with and Existing Planning Condition Number 1 of Planning Permission CM3/0313/153 at Overfields Barn, Pasture Lane, Brassington  
Applicant: Spencer Bros (1903) Brassington Ltd  
Planning Application Code No: CM3/0114/155
- 3 Proposed Extension to Provide Additional Toilet Provision at Deer Park Primary School, New Road, Wingerworth  
Applicant: Derbyshire County Council  
Planning Application Code No: CD4/0214/167
- 4 Retrospective Planning Application for a Trim Trail at Ladywood County School, Ladywood Road, Ilkeston  
Applicant: Derbyshire County Council  
Planning Application Code No: CD8/0314/172

**(e) 8 May 2014**

- 1 Proposal to Install Security Fencing at Howitt Primary Community School, Holmes Street, Heanor  
Applicant: Derbyshire County Council  
Planning Application Code No: CD6/0314/175
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
  - SM2567
  - SM2568
  - SD2565

**MINUTES** of a meeting of the **PENSION AND INVESTMENT COMMITTEE**  
held on 19 May 2014 at County Hall, Matlock

**PRESENT**

Councillor W Burrows (in the Chair)

**Derbyshire County Council**

Councillors D Collins, R Davison, P Dunn (substitute member), S J Ellis, S Freeborn, M Longden and S Marshall-Clarke

**Trade Union Representatives**

N Read – Derbyshire County Unison

Apologies for absence were submitted on behalf of P Berrisford and Councillors D Roberts, M Tittley and D J Wilcox

**30/14**      **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 report of the Director of Finance on Fund Discretions in the Local Government Pension Scheme Regulations 2013 – Applicable from 1 April 2014 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
2. To consider, as an Employing Authority, the exempt report of the Director of Finance on Employer Discretions in the Local Government Pension Scheme Regulations 2013 – Applicable from 1 April 2014 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

**MINUTES** of a meeting of the **AUDIT COMMITTEE** held on 25 March 2014 at County Hall, Matlock

**PRESENT**

Councillor R Mihaly (in the Chair)

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

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

**13/14      MINUTES RESOLVED** that the minutes of the meeting held on 14 January 2014 be confirmed as a correct record and signed by the Chair.

**14/14      FINANCIAL REGULATIONS** The Director of Finance presented the final version of the proposed revision to Financial Regulations for Members' information.

The introduction of SAP as the Council's core financial system had resulted in significant changes to financial procedures and processes. The current financial regulations did not reflect these changes; it was felt, therefore, that a detailed review and update of the regulations was needed to bring them into line with current working practices. There had been wide ranging consultation with Cabinet Members, Audit Committee, Strategic Directors, Audit Services, finance colleagues and other interested parties.

It was also felt that the regulations needed to be updated to reflect the way in which the Council worked, particularly with the level of delegation afforded to officers by Members, albeit through defined limits and parameters. The revised Financial Regulations were attached as Appendix 1 to the report and the Director of Finance highlighted the key features of the revised regulations.

**RESOLVED** that the revised Financial Regulations be noted.

**15/14      PROVISION OF AUDIT SERVICES** There were a number of organisational challenges facing the Audit Services Unit over the coming months and it was important that the Committee were made aware of them and understood the actions being taken to preserve the assurance given by the Unit on the activities of the Council. The key challenges were:

- (a) Reducing budgets putting a squeeze on resources available for internal audit activities;

- (b) Maintaining the strength of management overview and audit knowledge from the retirement of Chrys Wallage;
- (c) Respond to the review undertaken by PwC to further enhance the Unit's work.

The role of the Head of Internal Audit (HIA) was key as they provided one of the main sources of objective assurance that Chief Executives had for their annual governance report. This opinion must reflect the work done during the year and it must summarise the main findings and conclusions together with any specific concerns the HIA had. The audit work should address key risk areas and draw attention to significant concerns and what needed to be done. The HIA must express concerns where they existed.

In the short term it was proposed to fill the Assistant Director of Finance (Audit) role on a temporary basis whilst these issues were dealt with. In particular the Unit has been working towards the development of a shared service approach to internal audit alongside a number of district/borough councils in Derbyshire. As this work progressed it would become necessary to develop a completely new structure to respond to the needs of a bigger unit with a wider remit. If this work did not progress satisfactorily then decisions would be made at a later date on a revised structure for the Unit.

The report of the Assistant Director of Finance (Audit), to this meeting, on the Audit Plan for 2014/15 explained how the Unit would deliver the required level of coverage of Council activities with the reduced resource available.

The Chair gave a special mention to Chrys Wallage who was retiring from the Authority at the end of the month. On behalf of the Committee, the Chair thanked Ms Wallage for her contribution and assistance over the years and wished her a long and happy retirement.

**RESOLVED** that (1) the Committee thanked Chrys Wallage for her service with the Council; and

(2) Members note the report.

**16/14**      **BUDGET MONITORING 2013-14** Members were provided with current budget monitoring arrangements and an update of the latest budget monitoring positions showing an overall departmental overspend of £4.914m, which after consideration of centrally held budgets and expenditure, and use of carry forward balances from 2012-13, would lead to an underspend of £8.5m for the Council.

The report summarised the controllable budget position by department. Monitoring reflected the position as at 31 December 2013, however officers had provided additional updates to the Director of Finance to take the position through to the period ending 31 January 2014. Where departments had asked for carry forward of budget, it required final approval from the appropriate Cabinet Member. The Director of Finance highlighted the budget position for each department.

**RESOLVED** that the 2013-14 budget monitoring position as at 31 December 2013 be noted.

**17/14      STRATEGIC RISK REVIEW** The Council undertook regular reviews of risks and the latest detailed assessment of the highest ranking risks was attached to the report. The risks were brought forward from the previous assessments with updated comments, these were shown in Appendix One, but generally little had changed since the last update; this was to be expected as the Risk Register was designed to capture strategic risk which by its nature had a long time span.

**RESOLVED** that the report be noted.

**18/14      GRANT CERTIFICATION REPORT FOR 2012-13** Trudy Enticott from KPMG presented an annual report on the claims it certified for each client. In 2012-13 they carried out certification work on the Teachers' Pension Return. The certification work did not identify any issues with the claim and the auditor certified the claim unqualified, however a minor amendment was made and the value of the return was increased by £3,507 to a total of £42,788,886.

Consequently there were no recommendations to the Council to improve its claims completion process. There were no recommendations made last year and there were no further matters to report regarding the certification work.

The Audit Commission changed the basis of the certification fee in 2012-13 and set an indicative fee of £3,950. The actual fee was slightly higher than the indicative fee. The final fee was £4,500 and this compared to the 2011-12 fee for this claim of £6,235. The reason for the increase on the indicative fee was the additional testing required in 2012-13 because of a major change in the underlying basis of the Teachers' Pension Return with effect from 1 April 2012 with the introduction of 7 tiered contribution rates for all teachers nationally.

**RESOLVED** to note the report.

**19/14      EXTERNAL AUDIT PLAN 2013-14** Members were presented with the External Audit Plan for 2013-14. This document supplemented the

Audit Fee Letter 2013-14 and described how KPMG would deliver their audit work for the Authority. The report also set out the approach to value for money work for 2013-14.

The auditors had to be satisfied that the Authority's accounts complied with statutory requirements and that proper practices had been observed in compiling them. The audit planning process and risk assessment was an on-going process and the assessment and fees in the plan would be kept under review and updated if necessary.

**RESOLVED** that the report be noted.

**20/14      EXTERNAL AUDIT PROGRESS REPORT** Trudy Enticott provided the Committee with a progress report on the audit work that had been undertaken since the last meeting in January 2014. Since the last meeting:

- The detailed Audit Plan for 2013-14 had been issued;
- Update meetings had been held with the Director of Finance and Deputy Chief Executive; and
- The interim audit visit had commenced

The proposed timing of the audit work was highlighted particularly relating to the audit of the financial statements and the Annual Governance Statement. Detailed work would commence on 16 June 2014, with the on site visit commencing on 23 June 2014. The work would be completed before 30 September 2014, in line with statutory deadlines.

The Chair thanked Trudy Enticott for her presentations.

**RESOLVED** to (1) note the progress to date; and

(2) note that there had been no significant audit findings to date.

**21/14      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 14 January 2014.
2. To consider the exempt report of the Director of Finance, Director of Legal Services and Assistant Director of Finance (Audit) and RIPA

Monitoring Officer on the National Fraud Initiative (contains information relating to the prevention and detection of crime)

3. To consider the exempt reports of the Assistant Director of Finance (Audit) and RIPA Monitoring Officer on:-
  - (a) Internal Audit Plan 2014-15 (contains information relating to the prevention and detection of crime)
  - (b) Audit Services Unit – Inspection by staff of the Interception of Communications Commissioner’s Office (contains information relating to the prevention and detection of crime)
4. To consider the exempt report of the Director of Finance and Assistant Director of Finance (Audit) and RIPA Monitoring Officer on the Review of the Operations of the Audit Services Unit by PwC (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 **COUNTY COUNCIL'S STANDARDS COMMITTEE** held on 7 May 2014 at County Hall, Matlock

**PRESENT**

Councillor C M Cox (in the Chair)

Councillors G Birkin, K Buttery, S Freeborn, J A Frudd (substitute Member), C A Hart, T A Kemp and I Ratcliffe.

Also in attendance – Messrs L Newby MBE and P Smith (Independent Persons)

Councillors A Botham, Janet Hill and Julie Hill

Apologies for absence were submitted on behalf of Councillor C R Moesby and Mr K Jackson - Horner

Declarations of Interest – Councillor Cox declared a personal interest in Agenda Item 5 (Minute No.2/14) as a Member of the Magistrates' Association and Citizens Advice Bureau Board.

**1/14** **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 11 December 2013 be confirmed as a correct record and signed by the Chair.

**2/14** **JOINT REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN AND THE PARLIAMENTARY AND HEALTH SERVICE OMBUDSMAN ON AN INVESTIGATION INTO COMPLAINT NO 94049/11020887 AND 11020888 AGAINST DERBYSHIRE COUNTY COUNCIL** Members were informed of a recent case investigated jointly by the Local Government Ombudsman and the Parliamentary and Health Services Ombudsman who had made a finding of maladministration by the Council causing injustice to the complainant.

Roger Miller, Assistant Director of Adult Care attended the meeting and provided the Committee with the detailed background to the case.

The findings of the Local Government Ombudsman and the Parliamentary and Health Ombudsman in their report of February 2014 were attached as Appendix 1 to the report.

The Committee was advised of the steps that had been taken in light of the report and the mechanisms that had been put in place to ensure that

problems would be avoided in the future. Members were satisfied that lessons had been learnt and new processes had been established. The Chair thanked Roger Miller for attending the meeting.

**RESOLVED** that the Standards Committee noted the findings of the Local Government Ombudsman and the Parliamentary and Health Ombudsman and the action which had been taken by the Council in response to their report.

**3/14                      CODE OF CONDUCT FOR MEMBERS –  
DECLARATIONS OF INTEREST** At its meeting on 9 April 2014, the full Council had considered a Notice of Motion which had been received from Councillor Andy Botham. The Motion proposed that the Members' Register of interests be amended to include the requirement to declare membership of pressure groups, trade unions, the Freemasons or other influential bodies.

The Motion was approved by the Council and in keeping with the Constitution the Standards Committee was now invited to consider the proposed amendment to the Code of Conduct. The proposal would be considered further by the Council in the light of any recommendations agreed by the Committee.

The appropriate way in which the Code may be amended to reflect the Motion relating to Freemasons would be to add to paragraph 2(1) (iii) of the Code the relevant wording of the Motion so that it would read as follows (with the additional wording highlighted in italics):-

*“Any trade union of which you are a member and membership of pressure groups, the Freemasons or other influential bodies of which you are member.”*

However, Councillor Buttery proposed an amendment to the proposal and suggested that the word *Freemasons* be removed from the paragraph. The amendment to the wording was not carried.

A recorded vote was held for the resolution as follows:-

Councillor G Birkin (for)  
Councillor K Buttery (against)  
Councillor C M Cox (for)  
Councillor S Freeborn (for)  
Councillor J Frudd (for)  
Councillor C A Hart (against)  
Councillor T Kemp (against)  
Councillor I Ratcliffe (for)

**RESOLVED** that the Standards Committee agrees to the amendment of paragraph 2(a) (iii) of the Code of Conduct for Members to reflect the Motion approved by the Council on 9 April 2014.

## **PUBLIC**

**MINUTES** of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE** held at County Hall, Matlock on 14 May 2014.

### **PRESENT**

Councillor Mrs D Charles (in the Chair)

Councillors Mrs G Birkin, S Freeborn, B Lewis, R Mihaly, D Walton and B Wright.

Ms C Tattersfield.

Apologies for absence were submitted on behalf of Councillor J Frudd and Mr D Channon.

**13/14**      **MINUTES**      **RESOLVED** that the minutes of the meeting of the Committee held on 5 March 2014 be confirmed as a correct record and signed by the Chair.

**14/14**      **UPDATE ON OFSTED REPORT ON INSPECTION OF SERVICES FOR CHILDREN IN NEED OF HELP AND PROTECTION, CHILDREN LOOKED AFTER AND CARE LEAVERS**      Councillor K Gillott, Cabinet member for Children and Young People, and Mr I Johnson and Ms J Brooks, Children and Younger Adults Department gave an oral update on the progress that had been made in response to the November/December 2013 Ofsted report.

The Committee was reminded of the outcome of the report, which found the services to be “Good”. There were some areas for improvement and an action plan had been developed which would be submitted to Ofsted shortly.

An assessment of the effectiveness of the Local Safeguarding Children Board had found that there was need for improvement and an action plan for this was being prepared.

The Committee’s Safeguarding Sub Group had been established to monitor progress and the Action Plans would be reviewed by the Sub Group. Mr Johnson welcomed and encouraged the front line visits undertaken by Members.

**15/14**      **SAFEGUARDING PERFORMANCE AND SERVICE PRIORITIES**      Statistics were presented on safeguarding services within the Children and Younger Adults Department as at April 2014 for the 10 Service Priorities in respect of Safeguarding and Disability Services.

Mr Johnson referred particularly to the number of children on Child Protection Plans which caused concern and where steps were being taken to address the situation.

**RESOLVED** to receive performance report.

**16/14      HEALTHWATCH DERBYSHIRE**      Ms      T      Wright  
presented a progress report on the work of Healthwatch Derbyshire.

The report provided information on information sharing, an analysis of topics and themes, Care Home Enter and View visits, and domiciliary care engagement.

**RESOLVED** that the update be noted.

**17/14      UPDATE FROM SUB GROUPS**      The Vice Chair      gave an update on the work undertaken by the Equality and Diversity/Recruitment and Selection Sub Group. Draft reports were anticipated for the July meeting of the Committee.

The Safeguarding Sub Group's progress was outlined by the Chair and meetings were now monthly. All members of the Committee were encouraged to undertake basic training that was provided by the Safeguarding Board. Member visits to front line staff/children homes/Children's Centres and MATs were on-going.

**RESOLVED** that the update be noted.

**18/14      TERMS OF REFERENCE AND WORK PROGRAMME OF THE SAFEGUARDING SUB GROUP**      Terms of Reference for the safeguarding Sub Group were set out in order to ensure that lines of enquiry were structured around the business plans of the Council's work on safeguarding and wider priorities of the Council Plan.

The proposed work programme for the Sub Group had been drafted to ensure that the Authority was delivering against the following priorities as set out in the Council Plan –

- Thriving children, young people and families
- Independent and supported older people
- Adults with physical and learning disabilities leading independent and fulfilled lives.

The work programme would focus on the key action plan of the Derbyshire Safeguarding Children Board and the developing priorities of the Derbyshire

Safeguarding Adult Board. Additional items may also be included in the safeguarding working groups' work programme as they arise.

**RESOLVED** that the terms of reference and proposed work programme be noted.

#### **19/14      REVIEW PROPOSALS FOR THE WORK PROGRAMME**

The Committee was asked to consider the proposed scrutiny reviews as allocated by the Scrutiny Management Committee.

The reviews proposed took account of realistic outcomes and to ensure that duplication of work (between service departments and the scrutiny function) was avoided.

The report detailed those review proposals which had been allocated to this Committee for further consideration and prioritisation in the work programme.

In submitting suggestions for scrutiny reviews, Members and Officers were asked to indicate how they considered each review would contribute to the Council Plan. This information was shown for each review in the report.

Those review proposals which had not been included in the current list were retained for further consideration in the future as appropriate. Additional reviews may also be included in the work programme as they arose.

The proposed reviews were –

	<b>Title/Subject</b>
1	How prepared are our school leavers in readiness for joining an apprenticeship scheme? What are the educational attainments of children in care in Derbyshire and what is the Council doing to improve their outcomes and transition to adult life?
2	Adaptations for Elderly/Disabled people – how does the process in Derbyshire compare to other Authorities around the country? Can we streamline our own processes – with local Districts/Boroughs?
3	Monitoring the impact of changes to the thresholds which will affect people moving from High-Moderate to Substantial Category for Adult Care services. I & S People Committee would keep an overview of the process by which the Adult Social Care Department manages the process and how people can be supported alternatively.
4	Scrutinise the Assessment Process in Social Care and Health to review the opportunity to do joint assessments between professionals from DCC and partner service providers. Investigate the Sheffield Model, as well as others.  Include the financial assessment process (assessing people's ability to

	pay for services)
5	How is the School Improvement Service supporting schools in Derbyshire? What is their impact on outcomes for children? What are the costs associated with the service and its impact on school take up?

**RESOLVED** that the proposed reviews be included in the work programme and, at the next meeting, a scoping report for the review monitoring the impact of changes to the thresholds which will affect people moving from High-Moderate to Substantial Category for Adult Care services be presented with a view to this review commencing in September.

## **PUBLIC**

**MINUTES** of a meeting of the **IMPROVEMENT AND SCRUTINY MANAGEMENT COMMITTEE** held at County Hall, Matlock on 23 April 2014.

### **P R E S E N T**

Councillor Mrs D Charles (In the Chair)

Councillors S A Bambrick, P Dunn (substitute member), Mrs K D Lauro, B Lewis, K P Morgan, S A Spencer and Mrs M Stockdale.

Apologies for absence were submitted on behalf of Councillor C R Moesby.

**04/14**      **MINUTES**    **RESOLVED** that the minutes of the meeting of the Committee held on 11 February 2014 be confirmed as a correct record and signed by the Chair.

**05/14**      **UPDATE ON WORK OF THE IMPROVEMENT AND SCRUTINY COMMITTEES**    The Chairs gave an update on the work of their Committees since the last meeting of the Management Committee.

Arising from discussion on the review of non-operational property which had been undertaken by the Resources Committee, reference was made to the recent decision to dispose of part of a former school site and how this had been considered in the light of the recommendations made in the review report. The Improvement and Scrutiny Officer would seek clarification on this from the Director of Property.

**06/14**      **WORK PROGRAMMES**      The Chair of the Management Committee had recently contacted all Council Members and Chief Officers to gather suggestions for Scrutiny review areas. A total of 36 potential reviews had been suggested which cut across all four Committees and all Cabinet Member portfolio responsibilities.

The Chair and the Improvement and Scrutiny Officers subsequently met with individual Cabinet Members to consider the potential of each suggested review taking account of realistic outcomes and to ensure that duplication of work between service departments and the scrutiny function was avoided. The report detailed those review proposals which had been selected for allocation to the relevant Improvement and Scrutiny Committees. If accepted, it would be for each Committee to prioritise its own work programme, taking these reviews forward over the coming months.



Those review proposals which had not been included in the current list would be retained for further consideration in the future, as appropriate.

Arising from discussion on the proposals, the following points were made:-

- Members should be provided, at the next meeting, with a full list of all the suggestions that had been received.
- Consideration should be given to simplifying the process for submitting suggestions, including the form that was required to be completed.
- A common theme that should form part of Health reviews should be “improving communications”.
- Some of the reviews that were to be undertaken could be linked together.

**RESOLVED** to agree the allocation of proposed reviews (as set out in the appendix to the report) for inclusion in the work programmes of the four Improvement and Scrutiny Committees.

**MINUTES** of a meeting of the **DERBYSHIRE HEALTH AND WELLBEING BOARD** held on 3 April 2014 at County Hall, Matlock

**PRESENT**

Councillor D Allen (in the Chair)

T Allen	Derbyshire Community Health Services
D Bailey	HealthWatch Derbyshire
Councillor C Bisknell	High Peak Borough Council
G Boyle	Chesterfield Royal Hospital
A Gregory	Hardwick CCG
R Gregory	Chesterfield Royal Hospital
M Hussain	Derby Hospitals NHS Foundation Trust
A Layzell	Southern Derbyshire CCG
D Lowe	Derbyshire County Council
M McElvaney	Derbyshire County Council
E Michel	Derbyshire County Council
Councillor C Neill	Derbyshire County Council
J Pendleton	North Derbyshire CCG
E Richardson	NHS Tameside and Glossop
J Smith	South Derbyshire CVS
Councillor S Spencer	Derbyshire County Council
I Thomas	Derbyshire County Council
M Todd	Derbyshire Healthcare Foundation Trust
A Waldie	Derbyshire Fire and Rescue Service
M Whittle	NHS England
L Wilmott-Shepherd	Erewash CCG

Also in Attendance – S Hobbs (Derbyshire County Council), J Ilott (Derbyshire County Council) and L Tomes (Derbyshire County Council)

Apologies for absence were submitted on behalf of S Allinson, A Charles, Dr D Collins, Dr A Dow, Councillor K Gillott, Councillor C Hart, S James, R Marwaha, Dr A Mott, J Rivers, P Singh, S Trenchard, Councillor A Western, and J Willis

**14/14      DECLARATIONS OF INTEREST** At the last meeting of the Board, agreement had been given for new members to join the Board. These members had been sent a copy of the Code of Conduct, and had been asked to complete a declaration of interest form. The key responsibilities were that a disclosable pecuniary interest had to be registered and also declared, and withdrawal had to take place (for example where there was a discussion around the award of a contract to a provider member); and that new members had to register any interests by 18 April 2014.

**15/14**        **MINUTES RESOLVED** that the minutes of the meeting of the Board held on 6 February 2014 be confirmed as a correct record.

**16/14**        **BETTER CARE FUND PLAN** At the last meeting, the Health and Wellbeing Board had agreed to the submission of the draft Better Care Fund (BCF) Plan to NHS England. Since the submission, work had been taking place to improve the plan, and had focussed on a range of issues. Feedback had been received from NHS England and from local authority representatives on the draft plan. This had focussed particularly on the need to be clearer about the detail of what was being proposed. The concerns had been addressed, and the latest version of the plan was presented.

On 10 March, NHS England had issued revised BCF allocations, and the impact of this had been to reduce the BCF for Derbyshire from £57.509m in 2015/16 to £57.363m. The plans for use of the BCF had been reduced accordingly. In addition, on 14 March, further clarification on the use of the BCF for implementing the Care Bill had been received from NHS England, and this involved £2.802m of the BCF and had been reflected in the funding proposals.

The Plan outlined the locally agreed vision for integration of health and social care services, planned action to improve integration, and also included information about the proposed use of the budgets for 2014/15 and 2015/16. Integral to the proposals for 2015/16 was further work to review the effectiveness of the current integrated services, and this would include a range of work. The output from the reviews would drive action plans to increase the scale of delivering improved integrated care and support.

The BCF Plan had to be submitted to NHS England by 4 April 2014, and the proposed work would be completed and improvements delivered. In undertaking the work, the views of clients/patients would be sought and service providers would be engaged with. Updates would be provided to the Board.

The BCF Plan was supported, subject to a minor change to the risk rating from medium to high in relation to future funding for Disabled Facilities Grants. Additionally, officers were asked to further consider the governance arrangements and resources required to manage and monitor the Plan and report back to a future meeting.

**RESOLVED** to (1) approve the BCF Plan and to agree to its submission to NHS England; and

(2) ask officers to further consider the governance arrangements and resources required to manage and monitor the Plan and report back to a future meeting.

**17/14      REVIEW OF VCS INVESTMENT** The Board was updated on progress to map the totality of public sector investment in the voluntary and community sector in relation to health and social care. A project group had been established to steer the mapping process and to develop an approach to phase two of the project. Each representative on the group had collated information on their own VCS investment, which had then been analysed by Adult Care. The County Council had also liaised with the Police and Crime Commissioner and Derbyshire Fire and Rescue Service to enable the inclusion of their investment in the VCS. Tameside CCG information had not been included currently.

The information being collected related to discretionary funding to the VCS in the financial year 2013/14, and each funding organisation had been asked to provide a range of information. The data had been analysed by the criteria, and by voluntary sector organisation, as a number received funding from a number of providers. Further detail about the level of funding in the VCS to meet statutory obligations of the funding partners was being identified separately.

The key findings from the mapping exercise were detailed, and from the current information received, funding to VCS organisations of £15,566,905 had been identified. The County Council provided 65% of the funding, and advice and information, transport, substance misuse and preventative activities were the biggest areas of spend. The information included investment which was not solely focused on health and social care outcomes, and it would need to be agreed whether, or how, the investment was included in any future prioritisation process. Much of the funding was generally intended to support people with less complex needs and many of the funded services had been supported for a number of years. Many of the funding partners had additional expenditure with the VCS to meet statutory obligations.

In order to maximise the value that partners could achieve through the collective investment in the VCS, there was an opportunity for greater alignment, or for greater or less investment in particular areas of activity. The decisions had to be based on a robust process of prioritisation and take into account the substantial reduction in budgets for 2015-18.

It was proposed to hold a workshop at which members would seek to agree a set of principles and priority outcomes for future investment in the VCS for health and social care outcomes. Following the workshop, it was proposed that a task and finish group be established to refine the outputs of the workshop and develop a set of commissioning priorities and approach for a joint VCS investment budget for Derbyshire. The commissioning priorities and approach developed would then be used as a basis for consultation with

the VCS. The workshop and work of the task and finish group would be completed by the beginning of August, when consultation was due to commence.

**RESOLVED** to (1) note the analysis of the mapping of VCS investment;

(2) agree to undertake a process of prioritisation for VCS investment as outlined; and

(3) invite Board members to express an interest in taking part in the proposed workshop and/or task and finish group.

**18/14      JOINT COMMISSIONING PLANS UPDATE** Joint Commissioning Strategies had been produced across Adult Care in 2010, and were in the process of being updated and refreshed. In addition, a number of extra joint commissioning plan and activities were taking place.

In July 2013, the Adult Care Board had approved a refresh of the Derbyshire Joint Vision and Strategic Direction for Adult Mental Health. The strategy related to the mental health needs of people aged 18 and above. The Adult Care Board had endorsed a refresh of the Derbyshire Dementia Strategy, based on a jointly agreed 'direction of travel' which covered four main themes, and had also approved the Carers' Joint Memorandum of Understanding to safeguard the spend on carers support, and to establish a work plan and a work programme for the Carers Joint Commissioning Board for the period to April 2015. The key themes identified to date for all the strategies were highlighted.

In addition to the joint commissioning strategies detailed, a number of other joint plans were under development, and included Response to Transforming Care/Winterbourne View Review, Integration Programme and Better Care Fund, Learning Disability and Autism Self-Assessment Frameworks and Action Plans, and Developing an Autism Strategy.

**RESOLVED** to note the update report on Joint Commissioning Plans.

**19/14      FUTURE COMMISSIONING ARRANGEMENTS FOR CHILDREN AND YOUNG PEOPLE'S PROVISION** There was an historic difference in approach to the commissioning of children's health services across the County, City and Clinical Commissioning Groups. However, there was an opportunity to refresh the approach and make it fit for purpose. A new integrated commissioning approach had been developed across the Southern Derbyshire CCG and Derby City Council which mirrored aspects of the current County approach. Due to public health functions being located in local authorities working with both the City and County Councils, some arrangements needed simplification.

It was felt important to build upon previous approaches as to the best way of developing an integrated commissioning approach that would be fit to respond to the challenges of reduced funding, increased demand and the need to refocus on improving quality and outcomes. A longer term commitment from all key partners would be a benefit to developing a shared integrated arrangement. There was also an opportunity to bring together wider commissioning capacity to build a shared commissioning function across all partners and to ensure all services worked together better within one 'whole system'.

A number of stakeholder meetings had taken place, and three options had been identified. These had been designed to take into account existing arrangements but also to put forward new options which would improve commissioning arrangements. The three options were presented, and it was stated that all stakeholders had agreed Option 3 as the preferred one – an integrated commissioning function working across the two Local Authorities, five CCGs and two Public Health functions.

**RESOLVED** to note the work being undertaken on behalf of the local authorities and CCGs in considering the options in relation to an integrated commissioning approach.

**20/14      GREATER MANCHESTER HEALTHIER TOGETHER**  
**PROGRAMME** The Board received a presentation from Leila Williams, Director of Service Transformation, on Health and Social Care Reform in Greater Manchester. The review was known as Healthier Together, and this set out the intention to provide the best health and care in the country. Service users had been involved in the consultation process to help understand what the service meant to different people.

Details were provided around the idea of a single programme with multiple governance, and the core components of three programmes were all linked. Further information was also given relating to the work around community based care, primary care, and in hospital.

In terms of what had been undertaken so far, a case for change had been developed, and this had led to a vision. This would inform a future model of care and workforce modelling. The National Clinical Assessment Team had strongly supported the programme, and it was stated that there would be formal consultation about the proposed changes later in the year.

The Board questioned the potential boundaries, and how these were managed. Travel and access was an issue for the population, and it was noted that a single service would allow as many services as possible to be provided locally. A number of options would be presented in the consultation,

and these would be evaluated. There was a commitment to work together, and it was asked that notification of the consultation period be given as soon as possible so that the Board could give it full consideration.

**21/14      PRIMARY CARE STRATEGY** The Board was presented with the draft Strategy for Derbyshire and Nottinghamshire Directly Commissioned Services. 'A Call to Action' required each CCG and NHS England to engage with the public, Health and Wellbeing Boards and other stakeholders to explain the challenges ahead, and develop a five year commissioning plan.

The building blocks of the strategy were described and at the centre were patients. The mission was high quality care for all, and the aim was to provide the right care, in the right place, at the right time. Details were provided of what was meant by high quality care, and how it was going to be delivered. Also highlighted were the vision and objectives for public health services, armed forces health and health and justice.

In terms of next steps, the draft strategy, with 1-2 year operational plans, had to be submitted by 4 April, and the final strategy with the five year operational plan had to be submitted by 20 June. Between February and June 2014, there would be input into the wider health economy/footprint strategy, and communication and engagement with patients, the public and all stakeholders. From June 2014 onwards, there would be continued engagement and transparent reporting on progress.

**22/14      CCG FIVE YEAR PLANS** NHS England required CCGs to produce a detailed 1-2 year operational plan, and then a 3-5 year strategy. Derbyshire CCGs had agreed 'units of planning' on which to base the plans – Glossop (with Tameside) submitting to North region; North Derbyshire and Hardwick CCGs; and Erewash and Southern Derbyshire (including Derby City). The 1-2 year plans had to be submitted to the Better Care Fund on 4 April, with the 3-5 year plans needing to be finalised by June 2014. The strategic vision for each of the units of planning was being captured on a 'plan on a page', and these had been circulated. The Board sought assurance that inequalities were fully addressed and that the Children's Trust was referenced.

**RESOLVED** to note progress in the production of CCG Five Year Plans.

**23/14      SCREENING AND IMMUNISATION PROGRAMME UPDATE** NHS England was responsible for the commissioning of national screening and immunisation programmes, and this was undertaken locally through Area Teams. The Area Team commissioned screening and immunisation services from a range of providers, and a list of the commissioned screening and immunisations programmes was presented.

A number of new national immunisation programmes had been introduced during 2013-14, and each of these had been successfully implemented. Preliminary data had shown a good uptake of the vaccines. The pre-existing NHS immunisation schedule had continued to be delivered, and the uptake of the childhood immunisation programme in Derbyshire remained high. However, there were local variations, and work continued to be undertaken. It was also stated that, although immunisation uptake for children in care in Derbyshire was high, it was not close to the target of 95%, and work was taking place to improve this.

It was the intention to extend the seasonal flu vaccination programme during 2014-15 to all children aged up to 17 years, and there were indications that it would be extended to all four year olds along with pilots in secondary schools. Work was taking place with regard to discussing potential future delivery models. It was the intention to establish an Oversight Group to consider the best way of making this work.

The Screening and Immunisation Team would be initiating an inequalities project to investigate the number of hospital admissions locally for vaccine preventable diseases so that the team could understand more fully the reasons for these and any targeted actions that could be undertaken to improve uptake in any identified groups.

NHS England commissioned programmes that had been recommended by the National Screening Committee. Background information was given on a number of screening programmes, along with key issues relating to them. This included specific initiatives to address identified inequalities of access and to improve the overall uptake.

**RESOLVED** to note the report.

#### **24/14      REVIEW OF DERBYSHIRE SEXUAL HEALTH SERVICES**

**2013/14** The Board received a presentation from Mary Hague on the progress of the Derbyshire Sexual Health Services Review and the next steps towards procurement of a new Derbyshire Integrated Sexual Health Services, which would be delivered across Derbyshire from April 2015.

Derbyshire's sexual health was good compared to peer local authorities and England as a whole, although poor sexual health was associated with populations that were at high risk. Derbyshire had lower rates of STIs compared to England, and lower teenage conceptions.

Since April 2013, the County Council had had a mandatory responsibility to commission and ensure provision of open access sexual health services. The current service cost was £7,793,574, and current services were commissioned through multiple providers across individual



contracting arrangements. It was noted that Tameside Metropolitan Borough Council commissioned similar sexual health services for the Glossopdale area, and this would continue until 31 March 2015 when Derbyshire County Council would include Glossopdale within its commissioning.

The local strategic context was detailed, and the vision for Derbyshire was to work together to achieve good sexual health. In terms of the Derbyshire Sexual Health Services review, a Health Needs Assessment had been undertaken in March 2013, and the findings had informed the Review and the development of a strategic framework. Between December 2013 – February 2014, a provider event had taken place, along with consultation and commissioner meetings. This had led to Stage 1 findings, which had concluded the need for Derbyshire to develop an integrated sexual health service. The findings had been considered by Cabinet in March 2014, along with a recommendation to move to Review Stage 2, which would be to consult and develop a new service model. This was currently underway, and would involve online consultation, a provider market event, targeted consultations, and commissioner meetings. The Stage 2 findings would be presented to Cabinet in June 2014, after which the procurement process would commence for the new service.

**RESOLVED** to consider and approve the Review findings and accept additional progress reports as required.

**25/14      HEALTH AND WELLBEING ROUND UP REPORT** A round up of key progress in relation to health and wellbeing issues and projects was given.

The Task and Finish Group for falls and bone health had met on a number of occasions, and since the last update report to the Board, there had been a number of improvements achieved, and these were detailed. The next meeting of the Group was due to be held on 4 April.

An update was given from the Derbyshire Health Protection Board in relation to the shingles vaccine, the extended seasonal influenza vaccination programme 2014-15 to all children aged 2-17 years, an uptake of the seasonal influenza vaccination by health care workers, addressing immunisation uptake inequalities in Derby City, Hardwick CCG – learning disabilities and cancer screening health needs assessment, a prison equity audit, a joint proposal on infection control by Derby City/Derbyshire County Public Health, and annual update reports to the Health and Wellbeing Boards.

The 2014 national child health profiles had been published, and the key points were summarised, along with a table detailing the indicators in the Derbyshire Child Health Profile 2014 compared with indicators shown in the 2013 profile. The indicators showing good levels of health and wellbeing, along with those of concern, were also presented.

The L:GA and HSJ were holding the first integration summit on 12-13 June 2014, and this would be for Health and Wellbeing Board members from across the country. It would focus on the role of Health and Wellbeing Boards in transforming and integrating health and social care. To attend, please contact [Juliet.cavanagh-eyre@EMAP.com](mailto:Juliet.cavanagh-eyre@EMAP.com) or call 020 30332651.

**RESOLVED** to note the information.

**26/14      DATE OF NEXT MEETING RESOLVED** to note that the next meeting of the Health and Wellbeing Board would be held on **Thursday 3 July 2014** at **10.00am** in **Committee Room 1, County Hall, Matlock**

**MINUTES** of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 27 March 2014 at County Hall, Matlock.

**PRESENT**

Councillor P Smith (in the Chair)

Councillors N Atkin (South Derbyshire District Council) (Substitute Member), S Blank (Chesterfield Borough Council) Mrs C Hart (Erewash Borough Council), L Rose (Derbyshire Dales District Council) B Murray-Carr (Bolsover District Council), T Norton (High Peak Borough Council), P Pegg (Derby City Council), C Short (Amber Valley Borough Council), T Southerd (Derbyshire County Council), and N Hodges and V Newbury (Independent Members)

Also in attendance: Mr R Appleby (Deputy Director of Finance), Mr J McElvaney (Director of Legal Services), Mr D Rose (Improvement and Scrutiny Officer) and I Walters (Democratic Services Officer).

H Dhindsa, Deputy Police and Crime Commissioner, M Creedon, Chief Constable and David Peet, Chief Executive of the Police and Crime Commissioner's Office, were also present.

Apologies for absence were submitted on behalf of Councillors D Hawksworth (Chesterfield Borough Council) P Hickson (Derby City Council) Ms A Plenderleith (South Derbyshire District Council) and Mrs L Robinson (North East Derbyshire District Council)

**11/14      MINUTES RESOLVED** that the Minutes of the meeting of the Derbyshire Police and Crime Panel held on 30 January 2014 be confirmed as a correct record and signed by the Chair.

**12/14      QUESTIONS RELATING TO THE ROLE OF THE POLICE AND CRIME COMMISSIONER** Members of the Panel were given the opportunity to ask questions of the Deputy Police and Crime Commissioner as follows:-

Please can you comment on what progress has been made in readiness for the transfer of responsibility to the PCC for the Commissioning of Victim Services in October 2014, including what victim services will be commissioned and what evidence was being used to prioritise such victim services?

In response the Deputy Police and Crime Commissioner explained that the PCC's office were currently looking at the whole process of victim support services in readiness for October and were investigating what funding sources

were available to support this. Central government had identified new funding through the Victim Surcharge, which was £23m nationally and would be allocated across the regions. Panel members could rest assured that all aspects of victim support services would be commissioned through the PCC's Office.

In light of a number of comments made by members present and at the recent Community Safety Partnership Meeting, the Deputy Commissioner was asked if the Office could look at trying to make the application process/form less bureaucratic given the lengthy nature of the document that needed to be completed to support applications?.

The Deputy Commissioner agreed that the Chief Executive would consult with the Treasurer to see if amendments could be made to the form to make it less bureaucratic.

In the "Have your Say" May-August 2013 publication, just over half (57%) of respondents answered the question regarding "what number would you use to contact the police in a non-emergency"?, therefore one could assume that only 57% of people knew about 101 or 111 numbers. In the same report, nearly two thirds (62%) of respondents did not know how to contact their Safer Neighbourhood Policing Team. Therefore, could the Deputy Commissioner update the Panel on whether he felt that this was a true picture and had it been considered by the Chief Constable?

The Deputy Commissioner confirmed that this matter had been discussed with the Chief Constable. A number of surveys were being carried out including the 'Over to You' campaign of engagement that had recently commenced.

Discussion had also taken place at the Strategic Governance Board to promote the 101 number which should not be confused with the 111 number. It was reiterated that this was a national problem and that in Derbyshire work would continue to get the message out. It was felt, that as in the past, it may be worth re-visiting the issuing of leaflets through the Safer Neighbourhood Schemes, as this had been seen as an effective way of local communication.

Following a recent visit by the Police and Crime Commissioner to South Derbyshire to give a presentation on cyber-crime could the Deputy Commissioner comment on how people are informed of this and how the force intend to counter it ?

The Deputy Commissioner commented that this was a massive area of crime and reassured members that there was a national drive to counter it with a number of schemes in place, including the creation of a National Fraud Agency last year. Derbyshire had a good record in relation to internet and

cyber- crime and already had established methods in place to help to continue the good work in this area.

It was agreed that a full briefing on cyber-crime would be presented to a future meeting of the Panel.

Following the recent HMIC report on domestic violence/abuse has the Deputy Commissioner got any initial views on the report?

The Deputy Commissioner commented that he fully welcomed the report and it was something that the Police and Crime Commissioner was very interested in and proactive about. He accepted that the report that had looked at all 43 Police Forces had stated that Derbyshire was doing well overall but that officers sometimes took too long to assess the risk in certain cases and also accepted that more training needed to be carried out with police officers when dealing with domestic violence. Plans were therefore in place around general training awareness and speed of response.

Following the report an Action Plan would be produced as a means of moving forward.

At a recent regional conference it had been suggested amongst delegates that Derbyshire were not collaborating fully with their neighbours. The Deputy Commissioner was asked to comment.

The Deputy Commissioner found these comments surprising as Derbyshire was at the forefront of regional collaboration. He reiterated that Derbyshire would only involve itself in collaborative schemes if there was a value to them. For example, they had recently not taken part in the IT collaboration after assessing the business case. Collaboration did not just rest with Derbyshire's direct neighbours and work already took place with the West Midlands and North West Constabularies. Anywhere there was seen to be an advantage, the Force would consider it.

The Deputy Commissioner was asked what other events, other than those published on the PCC's website had been looked at for the "Over to You" campaign of engagement? Would there be any events held in smaller rural market towns and would there be any events at night? Would there be any focused on schools?

The Deputy Commissioner responded by saying that the Commissioner had written to every school in Derbyshire offering to attend the school if they so wished and that a Youth Conference was to be held in September. A lot of youth engagement work had already been done with the Community

Engagement Officer carrying out a number of mini surveys with a youth survey event being held at Derby University next week.

Schools had been invited to apply for a £1000 grant to come up with ideas for crime reduction initiatives in their neighbourhood.

The Commissioner was keen to get out into smaller communities and the 'Over To You' campaign had already started to achieve this. The Commissioner also wanted to involve employers and a number of firms such as Rolls Royce and Bombardier had already allowed the 'Over To You' campaign of engagement into their premises.

Could the Deputy Commissioner bring forward any information on successful outcomes from the Community Grants issued since 2012?

The Deputy Commissioner agreed that a paper would be brought to the next meeting of the Police and Crime Panel.

**13/14      PROPOSED CHANGES TO THE POLICE AND CRIME PLAN FOR DERBYSHIRE** The Police and Crime Commissioner (PCC) informed the Panel of a proposed change to the Police and Crime plan for Derbyshire to reflect the emerging issue of human trafficking and modern day slavery. Details of the proposed change was set out in the report.

**RESOLVED** to recommend to the Police and Crime Commissioner that the proposed change to the Police and Crime plan be made as set out in the report

**14/14      POLICE AND CRIME PLAN OBJECTIVE 3** The Police and Crime Commissioner (PCC) provided the Panel with a detailed overview of how he planned to deliver on the strategic objective "to work to keep the people, particularly the most vulnerable in our communities, safe from harm, anti-social behaviour and criminal activities".

Within the Police and Crime Plan 2012-17 the Commissioner set out:-

- Supporting the Chief Constable where he provided front line professionals more freedom, so that they could use their discretion and common sense, including using informal measures such as restorative or reparative approaches or acceptable behaviour contracts where appropriate;
- Co-ordinating Stakeholders engaged with prevention and reduction of domestic violence and any proven intervention programmes;

- Making it easier to demonstrate the harm caused to victims and communities as a result of anti-social behaviour, examining the impact of the introduction of community harm statements, which would ensure that terrorised community voices were heard and would inform agencies' decisions on what action to take;
- Improving information sharing across agencies in relation to a number of priority areas, and examining the on-going work regarding anti-social behaviour, multi-agency computerised case management system, funded by the Constabulary for the first year;
- Examining work underway to identify a cost saving in relation to the success of Integrated Offender Management with a view to sustaining the commitment to Offender Management and identifying any further developments in enhancing the approach;
- Supporting the work under way to tackle child sexual exploitation across the County with regard to the action plan being developed under the governance of the Children's Trust;
- Increasing, sustaining and simplifying services and interventions in anti-social behaviour;
- Providing a more targeted and more responsive service and tackling long-term issues such as troubled/ problem families alongside short term neighbourhood issues;
- Monitoring the impact of Derby City Neighbourhood Partnership successfully joining the Home Office's Ending Gang and Youth Violence Programme. This was a programme designed to provide targeted intervention routes out of gangs and criminal activity for offenders and further build resilience in the community; and
- Working with partners and communities to tackle issues of environmental anti-social behaviour in order to improve the quality of life for local people.

It was also noted that the Commissioner was seeking to have an additional piece of narrative around human trafficking and modern day slavery included and this was the subject of a further report to the meeting.

Details were given of the work currently being undertaken to support the actions detailed above to support this objective.

Panel Members raised a number of points and asked questions which were noted and answered by the Deputy Police and Crime Commissioner.

**RESOLVED** (1) to note the report and gain assurance that the PCC for Derbyshire was actively working to meet Objective 3 of the Police and Crime Plan for Derbyshire; and

(2) to receive a further report on anti-social behaviour once the full impact of the new legislation had been understood and plans had been put in place to comply with the new duties.

**15/14      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 Performance Scorecard submitted to the SGB meeting on 17<sup>th</sup> February 2014 was appended to the report to assist the Panel in understanding the management/performance data that the Commissioner received.

Panel Members made a number of points and asked questions with particular reference to staff absence and road traffic accidents, which were noted or answered by the Deputy Police and Crime Commissioner.

**RESOLVED** to note the update performance report

**16/14      FORTHCOMING EVENTS** The Panel noted the forthcoming events that may be of interest :-

- Better Policing Collaborative Fair – to be held on 4 April 2014. It was confirmed that a representative of the PCC's Office was attending this event and would report back to a future meeting of the Panel.
- The PCC's Office was to hold a Mental Health Summit on 25 June 2014, jointly supported by colleagues in Mental Health and the NHS with all Members of the Police and Crime Panel being invited.
- Derbyshire would be hosting a national conference on Criminalisation of Forced Marriage on the 6 May 2014 with further details to follow.
- The 'Over to You' Campaign consultation process had already started and had visited Buxton and Chesterfield with an event at Derby University taking place on the day of the meeting..

**17/14      WORK PROGRAMME 2014** The Director of Legal Services provided Members with a suggested work programme which would provide the Commissioner's Office and the Panel's secretariat with the opportunity to enter into a degree of structured forward planning and with the understanding



that any agreed timetable was indicative and could be amended according to the Panel's wishes and to reflect emerging themes and priorities.

**RESOLVED** to approve the continuing Work Programme for the Derbyshire Police and Crime Panel 2014.

**18/14**      **DATE OF NEXT MEETING** **RESOLVED** to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 5 June 2014 at 11am at County Hall, Matlock.

**MINUTES** of a meeting of the **D2 JOINT COMMITTEE FOR ECONOMIC PROSPERITY** held on 18 March 2014 at Derbyshire Dales District Council Offices, Matlock

**PRESENT**

<b><u>Amber Valley Borough Council</u></b>	<b><u>Derbyshire Dales District Council</u></b>
Councillor S Bradford	Councillor L Rose
<b><u>Bolsover District Council</u></b>	<b><u>Erewash Borough Council</u></b>
Councillor E Watts	Councillor C Corbett
<b><u>Chesterfield Borough Council</u></b>	<b><u>High Peak Borough Council</u></b>
Councillor J Burrows	Councillor C Bisknell
<b><u>Derby City Council</u></b>	<b><u>North East Derbyshire District Council</u></b>
Councillor P Bayliss	Councillor G Baxter
<b><u>Derbyshire County Council</u></b>	<b><u>South Derbyshire District Council</u></b>
Councillor A Western	Councillor R J Wheeler

Also in Attendance –

Amber Valley Borough Council – J Townsend  
 Bolsover District Council – W Lumley  
 Chesterfield Borough Council – H Bowen  
 Derbyshire County Council - M Ashworth, J Battye, Councillor J E Dixon, F Horsley, P Peat, G Pickford and I Stephenson.  
 Derbyshire Dales District Council – D Bunton  
 Derby City Council – A Wilkinson  
 Erewash Borough Council – J Jaroszek  
 High Peak Borough Council – S Baker  
 D2N2 LEP - D Ralph

Apologies for absence were submitted on behalf of F McArdle

**1/14      APPOINTMENT OF CHAIR RESOLVED** that Councillor A Western be appointed as Chair for the ensuing year.

Councillor A Western (in the Chair)

**2/14            APPOINTMENT OF VICE CHAIR RESOLVED** that Councillor E Watts be appointed as Vice Chair for the ensuing year.

**3/14            D2 JOINT COMMITTEE AND PROGRESS UPDATE OF GOVERNANCE REVIEW** At the Strategic Leadership Forum in September 2013, the leaders of D2 local authorities had given approval to establish a Joint Committee and to conduct a governance review to determine whether the existing arrangements for economic development, regeneration and transport in the D2 region were effective. Each local authority had now individually and formally approved the establishment of the Joint Committee, and its roles and powers were stated in the report. It was noted that the key benefit of the Joint Committee was to maximise the opportunities, funding, freedoms and flexibilities that Government was offering as part of the Local Growth Deal.

The governance review would explore the full range of options determined by government but at this stage, it was anticipated the conclusion would recommend the establishment of an Economic Prosperity Board (EPB). In the meantime, the report confirmed the intention that the Joint Committee acted as a shadow D2 EPB and pursued an economic regeneration strategy across Derbyshire that supported the priorities and actions outlined in the D2N2 Strategic Economic Plan (SEP). Consequently, the D2 Joint Committee had agreed to undertake a range of activities, and these responsibilities were fully in line with those set out in the Terms of Reference, with the exception of “to be the accountable body for decision making on Single Local Growth Fund and EU funding streams allocated to the Committee by D2N2 LEP”.

At the same time, it was noted that N2 local authorities had also established an Economic Prosperity Committee which would act as a Joint Committee. Officer working groups had been established for both D2 and N2 to support the work programme of the Joint Committees and in the case of D2, to undertake the additional tasks that needed to be completed to ensure a D2 EPB was in place by April 2015. It was noted that Orders for the Sheffield City Region Combined Authority had been laid by Government and would be confirmed on 1 April 2014. The Legislative Reform Orders for consideration of the overlapping districts within the D2N2 area would start to progress from mid-2014 with a view to concluding late Spring 2015.

An overview of the proposed LEP governance was provided.. The D2N2 Board would take overall responsibility for the LEP’s activities in developing and managing delivery of the SEP. A lean governance structure was proposed, drawing on the support of the D2 and N2 Joint Committees, other Panels and Boards and the advice of the Accountable Body to ensure decision making was informed by local priorities and compliance with relevant regulations.

The two Joint Committees were recognised as a key part of the draft LEP governance and delivery framework. The LEP was proposing to identify indicative, notional funding allocations for each of the Joint Committees and based on the current understanding of advice from BIS, the LEP's proposed arrangements for the Joint Committees were highlighted. The LEP was also proposing that the Local Transport Board (LTB) continued as a sub-committee within the overall governance arrangements to agree local infrastructure priorities for the Growth Deal. In relation to other SEP activity, the LEP was proposing the Innovation Programme be cross-region, along with the FE Capital Programme. It was noted that advice from DCLG on the broader principles of governance were, at times, contrary to the advice from BIS and this needed to be resolved.

There was a requirement for an identified, single accountable body (account holding body) for the purpose of receiving and managing the Single Local Growth Fund that would be made available to the D2N2 area from 2015. The LEP intended to identify one local authority as the account holding body, who would hold the funding, receive and 'appraise' applications and sign off the technical compliance of any projects or programmes endorsed by the LEP. The Department for Communities and Local Government would remain the managing body for the European Structural and Investment Fund. The D2N2 LEP would be notified of its funding allocation which was approximately £218m.

The D2N2 LEP proposed to work closely with the accountable body to ensure delivery of the SEP was compliant with all relevant regulations. The division of responsibilities between D2N2 and the Accountable Body was summarised.

In terms of the Strategic Economic Plan, it was noted this would need to incorporate the LEP's confirmed governance arrangements prior to its submission to Government on 31 March 2014. The arrangements would need to demonstrate the LEP had the capability and capacity to deliver the priorities, planned actions and 'asks' set out in the SEP document to ensure access to available funding was maximised. The SEP would be endorsed by the LEP Board at its meeting on 25 March 2014.

The governance review to progress an EPB had commenced in January 2014. Although there was considerable scope for local determination, the premise for the creation of an EPB was set out in statute. The main benefit for moving to an EPB or Combined Authority (CA) over a Joint Committee was that the EPB or CA would become the accountable body for D2 funds, investment and delivery.

It was confirmed that the geographical area covered by the D2 Joint Committee is that administered by Derbyshire County, the Derbyshire districts and Derby City councils. This met the statutory condition that any proposed EPB area had to consist of the whole of two or more local government areas. Other statutory conditions were noted: specifically, that no part of the area was separated from the rest of it by one or more local government area that were not within the area; no local government area was surrounded by local government areas that were within the EPB but was not itself within the EPB; and no part of the area formed part of another EPB or combined authority area. In considering the scheme for any future EPB, Government would need to be satisfied that wide stakeholder consultation had taken place, that views and feedback had been considered, that the identities and interests of local communities were reflected, and that 'effective and convenient local government' had been secured.

It was noted that good progress was being made on the initial stages of the governance review. Baseline mapping of existing economic development functions across all D2 authorities was in the process of being finalised and would be used to inform the initial development of a proposed EPB scheme. Mapping of opportunities for improvement had also been undertaken, with key areas of focus being around existing barriers, opportunities for value for money, and avoiding duplication. Headline analysis of the results of the mapping exercise was being collated, and more detailed analysis would be undertaken through the D2 Officer Working Group. Further work would then need to be undertaken to pull together evidence to support the assessment of governance options and to develop the business case for the preferred option. Further to discussion with DCLG, it was understood that if the D2 Joint Committee wanted to have an EPB in place by 1 April 2015, the latest date for submission to Government would be mid July 2014.

It was currently understood that Government was now more focused on ensuring that local governance arrangements were capable of identifying and delivering LEP-wide projects, rather than specific funding streams, and in particular, on projects that could be reliably brought forward in 2015/16. It was likely that in the short term, money would be forthcoming on the basis of sound project appraisal with clarity on how local stakeholders had been involved in shaping the projects. The Business, Innovation and Skills Department (BIS) was looking for LEPs not to be parochial or geographical but objective about where there were opportunities for growth. BIS also expected to see the private and third sectors on the LEP with representatives attending the Joint Committee, although this was still being considered. It was clear there were many complexities for D2 which remained to be resolved if progress towards an EPB was to continue, and these were stated.

The Joint Committee considered the progress made to date and how to continue. There were a number of existing complex relationships due to

overlapping local authorities and consideration therefore needed to be given as to what was best for the D2 area. It was agreed there needed to be something in place to ensure work could progress and to ensure there was an appropriate vehicle to receive funding.

There was concern as to who would be responsible for holding the funding and who would decide how the money would be allocated; the potential issues of one local authority holding the funding across D2 and N2 were noted. .

The DCLG had offered to attend a future meeting of the Board as appropriate and it was agreed this should be arranged. It was generally agreed that work on the review needed to continue and a further update brought to the next meeting. .

**RESOLVED** (1) to agree the D2 Officer Working Group continue to pursue the governance review over the period March – 30 June, with a view to submitting a Scheme to Government in early July 2014; and (2) to agree the Chair and Vice Chair visit the DCLG to discuss issues relating to the development of the EPB.

#### **4/14      OVERVIEW OF THE STRATEGIC ECONOMIC PLAN**

Consideration was given to the latest draft Strategic Economic Plan for D2N2, prior to its submission to the LEP Board and Government. In December 2013, D2N2 LEP had submitted the first draft of its plan to deliver a £2bn business investment programme across Derby, Derbyshire, Nottingham and Nottinghamshire to create 55,000 jobs by 2023. As part of the SEP development, representatives had met with Cabinet Office Minister Greg Clark MP and following the meeting, the D2N2 Chairman had received a formal response to the draft SEP.

The SEP provided a case for investment and would form the basis for agreeing a 'Growth Deal' and funding allocations for the D2N2 LEP. D2N2 had initially been allocated £219m through the European Structural and Investment Strategy. Since the consultation draft had been launched, additional content had been added, including recognition of two extra sectors – logistics and creative industries. The SEP would be accompanied by an Implementation Plan which would highlight projects for delivery in 2015/16 using the Local Single Growth Fund. Local authorities and other partners had been invited to make final representations on the draft document and the responses received were circulated. A number of general issues had emerged from the responses but it was noted there was overall support for the ambitions of the SEP.

The document needed to be finalised for approval by the D2N2 Board on 25 March 2014. Therefore, any amendments proposed by the Joint Committee would need to be submitted urgently following the meeting.

It was generally agreed the priorities set out in the SEP were appropriate but it was felt important to ensure that progress with the priorities was reported.

**RESOLVED** to consider the draft SEP and to provide any final comments and amendments prior to endorsement by the D2N2 Board and submission to Government by 31 March 2014.

**5/14      STRATEGIC ECONOMIC PLAN – INFRASTRUCTURE PROJECTS** The Committee was advised of infrastructure proposals being submitted for potential inclusion in the D2N2 Strategic Economic Plan. There was an expectation that SEPs would provide detailed investment plans for 2015-16, the first year for which Growth Deal resources would be available, and would describe longer term programmes of activity.

Work had been underway on assembling an infrastructure investment plan for the D2N2 area and this would supplement a programme already approved to make use of devolved funding for major transport schemes, including Derby City Council's A52 Wyvern/Pride Park Congestion Management Scheme, Derbyshire County Council's improvement of the A61 Whittington Moor roundabout and a contribution to the Seymour Link at Markham Vale. It was noted that Sheffield City Region Investment Fund programme had included a further contribution to the Seymour Link, Chesterfield Northern Gateway and Chesterfield Waterside in its list of priorities.

Atkins had been engaged on behalf of D2N2 to produce an appraisal process and to review schemes through a series of 'gateway' reviews and progressive business case development. The selection of a programme involved a process of evaluating the business case for each project and establishing its value for money and deliverability. A combination of these was being used to determine the relative merits of each individual project in order to make a recommendation to the D2N2 Board on an overall infrastructure plan.

Projects for the D2 area was presented and it was noted the list had been submitted to the LEP for consideration; the proposals reflected existing infrastructure plans and priorities. Some of the projects were well placed to take advantage of funding available in 2015-16 and 2016-17 whilst others could only be regarded as long term projects. The importance of identifying

those projects for which preparation work should be initiated or accelerated ready to draw down funding from 2017-18 onwards was noted

For the 15/16 projects, it was noted that further work would be required both on refining business cases and on demonstrating that an appropriate local contribution to project costs could be secured.

The final decision on the infrastructure projects to be included in the SEP would be made by the D2N2 Board on 25 March 2014.

**RESOLVED** that the Joint Committee considers both the long list and early starts for potential inclusion in the D2N2 Strategic Economic Plan and provides comments and views on priorities to be taken into account by the D2N2 Board.

**6/14      UPDATE ON THE DERBYSHIRE ECONOMIC STRATEGY STATEMENT** The Derbyshire Economic Strategy Statement (DESS) formed an integral part of the strategic planning framework for the county, linking closely with the proposals and priorities contained in the D2N2 SEP. Representatives from the Derbyshire Economic Partnership (DEP) had been working with consultants (EKOPSGEN) on the preparation of the DESS.

Extensive consultation with key stakeholders had taken place in December 2013/January 2014, and the findings and suggested strategic content emerging from the work had been used to inform the early development of the Strategy and had been presented to the DEP Board in February.

Headline feedback had included agreement on the three proposed strategic themes, spatial context, as well as consideration of Derbyshire's opportunities for growth. In addition to the consultation process, Councillor Burrows (in his role as District representative on the D2N2 Board) had completed a report on identifying and confirming district regeneration and transport priorities. The report would be used to inform the next iteration of the DESS.

As part of the process to finalise the DESS, two focus groups had been held in early March to consider key findings and to check the overall focus of the document. The workshops had considered the objectives and related priority actions linked to the three strategic themes. Strong support had been given to the three themes and suggestions/additions and amendments had been made to the priority actions, particularly in relation to ensuring that the DESS was a document which represented the specific challenges and opportunities within Derbyshire. Consideration had also been given to the proposed spatial context that had been presented to the DEP Board, and it



was noted that there needed to be consistency of narrative between the DESS and the SEP documents.

Once the information from the workshops had been analysed and incorporated as appropriate, a final draft DESS would be prepared. The timescales for securing final sign off of the document were stated. A period of public and partner consultation was planned for mid-April, with a view to presenting a final draft to the Joint Committee at the next meeting and to the DEP Board in May for endorsement. It was also proposed the DESS be endorsed by individual local authorities.

The Joint Committee thanked Councillor Burrows for the work he had undertaken.

**RESOLVED** to note progress in developing the DESS and to agree to consider the final draft document at the next meeting of the Joint Committee, prior to formal sign off by the Derbyshire Economic Partnership.

**7/14      DIGITAL DERBYSHIRE** The Joint Committee received a presentation on Digital Derbyshire programme and noted the good progress being made.

**8/14      CONSULTATION ON THE LOCATION OF A HIGH SPEED RAIL COLLEGE** In January 2014, Government announced its intention to provide a new college to develop the skills in high speed rail engineering needed to deliver HS2 and other rail infrastructure projects. This had been followed by a BIS consultation paper seeking information to help to identify the location of the main site for a High Speed Rail College. It was anticipated the college would open in 2017.

Derby's strength in the rail supply industry made it a natural choice for the location of the proposed college. Whilst it was envisaged the main site would be in Derby, HS2 Limited's proposals for an infrastructure maintenance depot at Staveley further supported the case for the college to be located in the Derby/Derbyshire area. It was also felt that Staveley could provide a suitable location for the provision of a satellite facility and it was agreed that any bid should include this.

The Leaders of Derby City and Derbyshire County Councils had previously written to the Secretary of State for Transport to outline the case for locating the college in Derby. It was recommended that the best chance of securing the college in the Derby/Derbyshire area would be a joint bid from the two authorities – supported by Chesterfield Borough Council and backed up by strong support from the local rail industry, the education sector and regional partners.

In responding to the consultation, it would be necessary to present convincing evidence, and the likely criteria to be used by the Government in reaching a decision were stated. Responses had to be submitted by 30 April 2014, and these would be assessed on how strongly they met the criteria set out in the Government's documentation. A final decision on the preferred location would be made in June 2014.

**RESOLVED** that (1) officers of Derbyshire County Derby City and Chesterfield Councils collaborate as a matter of urgency to prepare a joint response for submission to Government as part of the consultation process on the high speed rail college, recommending a location in the Derby area; and

(2) any bid should highlight the potential for a satellite facility to be provided in the Chesterfield area.

**9/14      DATE OF NEXT MEETING**      A schedule of future meeting dates was circulated and agreed, noting the links with the planned Strategic Leaders' meeting.

**RESOLVED** (1) that the next meeting of the Joint Committee be held on Tuesday 13 May at 2.00pm at Erewash Borough; and (2) that Erewash host the Strategic Leaders meeting immediately beforehand at 1.00pm