

MINUTES of a meeting of **the REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 9 December 2013 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

Councillors W Burrows (substitute member) P Dunn, J Frudd, Ms Julie Hill, A I Lewer, Mrs M Stockdale (substitute member), R A Parkinson (substitute member), and Mrs J S Street.

Apologies for absence were submitted on behalf of Councillors Mrs D Charles Mrs Janet Hill, D McGregor and M Tomlinson.

72/13 DECLARATIONS OF INTEREST RESOLVED to note the following declarations of interest:-

Councillor A I Lewer declared a personal interest with regard to Agenda Item 10, as a member of the Governing Body for The University of Derby who owned part of the land in question.

73/13 MINUTES RESOLVED that the minutes of the meeting of the Committee held on 21 October 2013 be confirmed as a correct record and signed by the Chair.

74/13 PROPOSAL TO RESCIND AN ORDER MADE UNDER SECTION 119 OF THE HIGHWAYS ACT 1980 – PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 4 (PART) – PARISH OF ILKESTON Members were informed that the County Council had made an Order on 1 March 2012 to divert part of Public Footpath No. 4, in the Parish of Ilkeston, in the interests of the landowner. Following the making of the Order, the landowner has decided that he no longer wanted to continue with the application and therefore the Council was unable to confirm the Order and bring it into effect.

RESOLVED to approve that the Public Path Order made to divert Public Footpath No. 4 (part) in the Parish of Ilkeston under Section 119 of the Highways Act 1980, be formally rescinded.

75/13 SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990 – PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 39 (PART) PARISH OF STAVELEY Members were informed that the County Council had received an application for the permanent diversion of part of Public Footpath No. 39 in the Parish of Staveley.

The purpose of this diversion was to enable Viridor Waste Exeter Limited to carry out land fill activities in accordance with the planning permission granted by the County Council. In order to facilitate these works it was necessary to permanently divert the footpath on to an alternative route to the east of the current line following the new boundary of the mining site.

If the Order came into effect it would divert approximately 530 metres of Public Footpath No 39, shown as a bold solid line between points A-E on the plan appended to the report. The alternative route would be approximately 960 metres long and was shown on the appended plan as a bold dashed line between points A-B-C-D-E.

No objections were received to the proposed diversion when informal consultation was carried out in April 2013. The Peak and Northern Footpath Society whilst having no objection to the proposal did raise a few comments and details of the Authority's response were detailed in the report.

The local Elected Member, Staveley Town Council and Chesterfield Borough Council had been consulted and also had no objections to the proposal.

Viridor Waste, Exeter Limited proposed to enter into a Creation Agreement with the County Council to dedicate a public footpath along a similar line to that which was now proposed to extinguish. The precise line of this footpath could not be determined until the site was restored and, as a result, it was not possible for them to dedicate the route at this stage. The commitment to dedicate a route was to be secured by a separate agreement between the company and the County Council.

RESOLVED (1) that the Director of Legal Services be authorised to make the necessary Diversion Order for the permanent diversion of Public Footpath No 39 (Part) in the Parish of Staveley;

(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; and

(3) that the Director of Legal Services be authorised to enter into an agreement to secure the dedication of a public right of way as a footpath upon completion of the development.

76/13 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO'S 11 (PART) AND 12 (PART) – PARISH OF HATTON Members were informed

that the County Council had received an application for the permanent diversion of part of Public Footpath No 11 in the Parish of Hatton to improve safety and security to the site. The footpath currently passed through an industrial estate where there were a large number of heavy vehicular movements. The proposed diversion would remove the public from the industrial site. The applicant had also applied to divert part of Public Footpath No 12 to improve the management of the land.

If the Diversion Order took effect, then it would divert approximately 138 metres of part of Public Footpath No 11 shown on the plan appended to the report as a solid bold line, between points D-E to a line shown as a bold broken line between points F-G-E. The new path would be approximately 143 metres long with a recorded width of 2 metres and a natural grass surface.

It would also divert approximately 241 metres of that part of Public Footpath No 12 shown as a solid bold line on the plan appended to the report between points A-B to a line shown as a bold broken line between points C-B. The new path would be approximately 273 metres long with a recorded width of 2 metres and a natural grass surface.

No objections were received to the proposed diversion when informal consultation was carried out in August 2013. The local Elected Member, Hatton Parish Council and South Derbyshire District Council had been consulted and 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 11 (part) and Public Footpath No 12 (part) in the Parish of Hatton, under Section 119 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.

77/13 PROPOSED PUBLIC PATH CREATION AGREEMENT ON LAND KNOWN AS THE INTAKES TO THE EAST OF GLOSSOP ROAD, (A624) – PARISH OF HAYFIELD Members were informed that the County Council was being consulted by the Peak District National Park Authority on its proposal to enter into a Public Path Creation Agreement with the owner of land known as The Intakes to the East of Glossop Road, (A624) near Little Hayfield. The 2 routes to be dedicated were very popular with walkers and had been available on a concessionary basis for a number of years.

The Authority was keen for this arrangement to be formalised by the dedication of the routes as public footpaths so they would be legally protected in perpetuity. They were of considerable benefit to the public and would provide valuable additions to the rights of way network. The footpaths to be dedicated were shown on the plan appended to the report as bold broken lines. The routes between points A-B-C were approximately 785 metres long and formed part of a strategic East/West link between 2 National Trails; The Pennine Way at Mill Hill and the Pennine Bridleway at Matley Moor. It entered open access land at point C where the public had a right of access on foot and could walk freely without having to keep to paths.

The route between points B-D-E was approximately 915 metres long and provided a safe North/South link on to Hayfield Public Bridleway No 47, avoiding having to walk along the busy A624 Glossop Road, which had no suitable footway.

Both routes would have a dedicated width of between 2.5 metres and 3 metres and retain their existing stone and natural surface. The footpaths would be dedicated with pedestrian gates at points C and D. It was recommended that an existing wooden stepover stile at point A was replaced with a suitable stock proof kissing gate, set back a safe distance from the road in order to facilitate easier access and that this was also included in the creation agreement. The Landowner would be responsible for the future maintenance of all 3 gates.

The Local Member had been consulted and had no objections to the proposal.

RESOLVED (1) that the County Council was supportive of the proposal and did not wish to raise any objections to the Peak District National Park Authority entering into a Public Path Creation Agreement with the Landowner on land known as the Intakes, Parish of Hayfield subject to the conditions set out in the report; and

(2) that the Creation Agreement should not be brought into effect until the necessary funding had been secured and the works had been satisfactorily completed on the ground.

78/13 PROPOSED BRIDLEWAY AND FOOTPATH ALONG THE NON-CLASSIFIED HIGHWAY KNOWN AS BRUSHFIELD LANE – PARISHES OF BRUSHFIELD AND LITTLE LONGSTONE Members were asked to consider the available evidence relating to the non-classified highway known as Brushfield Lane and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add the route to the

Definitive Map and Statement. A plan showing the route was appended to the report.

A DMMO claim dated 19 April 2004 was received by the County Council the effect of which if such an Order was confirmed would be to add Brushfield Lane to the Definitive Map and Statement of public rights of way as a Byway Open to All Traffic (BOAT).

However, the claim did not satisfy in full the requirements contained in the Wildlife and Countryside Act regarding the form of DMMO applications in that it was not accompanied by copies of the several items of documentary evidence cited by the Claimant in support of his claim.

Despite attempts by officers to persuade the original BOAT Claimant to provide copies of those missing items of documentation referred to above no copies had been forthcoming.

The County Council had decided not to adopt a general practice of waiving the requirements of Schedule 14 to the 1981 Act regarding the form of DMMO applications. Where the County Council was in receipt of claims which did not meet these statutory requirements they would not be treated as if they were duly made DMMO applications unless the Claimant concerned took the necessary steps to ensure that his or her claim met those requirements.

Consultation was carried out in September 2013 with a number of responses being received which were detailed in the Director of Legal Services report.

The Local Elected Member had contacted the office during the consultation period stating that he fully supported the views of local people on this matter and raised his objection to any proposal to give the route BOAT status.

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 authorise the making of an Order under Section 53 of the Wildlife and Countryside Act 1981 to add a Brushfield Lane, shown between points A and C on the plan appended to the report to the Definitive Map and Statement for the area as a public bridleway and to add the route between points C and D on the appended plan to the Definitive Map and Statement as a public footpath.

79/13 CLAIM TO ADD A BYWAY OPEN TO ALL TRAFFIC(BOAT) ALONG SOUGH LANE – PARISH OF TADDINGTON Members were asked to consider the available evidence relating to the non-classified highway known as Sough Lane and to determine whether to authorise the making of a Definitive Map Modification Order (DMMO) to add the route to the Definitive Map and Statement. A plan showing the route was appended to the report.

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

Consultation was carried out in September 2013 with a number of responses being received which were detailed in the Director of Legal Services report. The local member had been consulted and had no comments to add.

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 authorise the making of an Order under Section 53 of the Wildlife and Countryside Act 1981 to add Sough Lane, shown between points A and B on the plan appended to the report to the Definitive Map and Statement for the area as a Byway Open to All Traffic.

80/13 WILDLIFE AND COUNTRYSIDE ACT 1981 – CLAIM TO UPGRADE FOOTPATH 5 (HARLESTHORPE LANE) TO BRIDLEWAY AND TO ADD A BRIDLEWAY FROM FOOTPATH 5 TO HICKINGWOOD LANE, PARISH OF CLOWNE This report was withdrawn at the meeting.

81/13 COMMONS ACT 2006 APPLICATION TO REGISTER THE RECREATION FIELD, BRAMLEY PARK, AT MARSH LANE AS A TOWN OR VILLAGE GREEN (VG127) Members were asked to determine the application made under the Commons Act 2006 to register land known as The Recreation Field, situated at Bramley Park (a mobile or park home site near to the village of Marsh Lane) as a Town or Village Green.

At its meeting in October 2012 the Regulatory Licensing and Appeals Committee authorised the appointment of an Independent Inspector to advise the Council, if necessary to convene a Public Inquiry and to make recommendations to the Council as to the determination of the application. The Inspector had advised the Council in November 2012 that the matter could be determined on the papers and without an oral hearing.

Both parties had confirmed their agreement to the determination of the application on the papers and both made final submissions.

At this point the matter was referred to another Inspector who issued his advice on 13 August 2013 which was forwarded to the parties for comment. As a result of comments received the Inspector had amended his advice, issuing his second advice on 6 November 2012, which was appended to the report of the Director of Legal Services.

The Director of Legal Services summarised the findings of the Inspector in his report.

RESOLVED to accept the recommendation of the Inspector in relation to the application to register land at Bramley Park, Marsh Lane (VG127) as a Town or Village Green and to refuse the application.

82/13 COMMONS ACT 2006 APPLICATION TO REGISTER LAND KNOWN AS LOCKTON AVENUE PLAYING FIELDS, HEANOR, AS A TOWN OR VILLAGE GREEN (VG121) Members were informed that an application had been validly made in November 2010 under the Commons Act 2006 to register land known as Lockton Avenue Playing Fields, Heanor, as a Town or Village Green (VG121).

Following the submission of the application the Applicant submitted further information in support and, on 12 January 2011, an amendment to the application by way of a further statutory declaration.

Objections were made to the application by both Amber Valley Borough Council and Amber Valley Housing Limited (part of Future Housings Group).

There being no relevant planning application or planning permission affecting any part of the land the application for registration as a Town or Village Green was accorded priority 5 in the registration authority's scheme of prioritisation.

The registration authority was informed on 13 September 2013 that an application for planning consent had been made to Amber Valley Borough Council in respect of a site known as Delves Court, part of which was included in the amended Town or Village Green application. The application now fell within priority 2 of the current scheme of prioritisation.

The land included a narrow strip of land along its southern boundary, owned by Derbyshire County Council and lying adjacent to Shipley Bridleway No 1. Very recently it had come to the registration authority's attention that a

strip of land running from northeast to southwest, along the boundary of Coppice Primary School was also in the ownership of the County Council. A plan showing all of the land affected was appended to the report.

In the circumstances it was usual for the County Council to seek initial advice from an Inspector as to whether it was appropriate to determine an application on the basis of the application, statements in objection and further written comments received from the parties. Where there were disputes of fact it was usually recommended that an inquiry be held to test the conflicting evidence.

RESOLVED that the Director of Legal Services be authorised to appoint an Inspector to advise the Council, if necessary hold a Public Inquiry, and make recommendations to the committee as to the determination of the application to register land at Lockton Avenue, Heanor, (VG121) as a Town or Village Green.

83/13 APPLCIATION TO REGISTER LAND AT GREEN LANE, BUXTON AS A TOWN OR VILLAGE GREEN (VG102) Members were informed that an application had been made in June 2007 to register land at Green Lane, Buxton as a Town or Village Green under the Commons Act 2006.

A large number of objections were received to the application including objections by Derbyshire County Council, High Peak Borough Council, Buxton Hockey Club and Ms D Bennett and Ms M Oldfield all landowners of part of the land. A plan of the land affected by the application was appended to the report.

There being no grounds on which to give the application a higher priority it was accorded priority 5. On 31 October 2013 the Council received information that the land affected by the application VG102 had been included in the draft High Peak Local Plan. As the outcome of the Town or Village Green application may impact on the designation of the land officers considered whether the TVG application should be re-prioritised.

In this case the land was proposed for secondary school improvements, potentially for a relocation of some current outdoor sports pitches on the Buxton Community School site, on the northern side of Green Lane. Such use could conflict with TVG status and it was considered appropriate to reprioritise the TVG application for this reason.

Members were provided with a copy of a letter received from Green Holm Community Group stating that it was prepared to withdraw that part of

the application site designated in High Peak Borough Council's draft Local Plan for educational use from its application. The Assistant Director of Legal Services explained to members that whilst noting the group's comments the proposal they made did not alter the officer recommendation contained within the report.

In these circumstances it was usual to seek initial advice from an Inspector as to whether it was appropriate to determine the application on the basis of the application, statements in objection and further written comments received from the parties. Where there were disputes of fact it was usually recommended that an inquiry be held to test the conflicting evidence.

RESOLVED to authorise the Director of Legal Services to appoint an Inspector to advise the Council, if necessary hold a Public Inquiry, and make recommendations to the committee as to the determination of the application to register land at Green Lane, Buxton (VG102) as a Town or Village Green.

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 2 December 2013.

PRESENT

Councillor J Innes (in the Chair)

Councillors S Ellis (substitute Member), Julie Hill, R L Hosker, R Mihaly, P Smith (not site visits), J Twigg (not site visits), D Walton (substitute Member) and B Wright.

Apologies for absence were received from Councillors M Ford, R A Parkinson and T Southerd.

No Declarations of Interest were received.

No Significant Lobbying had been received.

89/13 **SITE VISITS** In accordance with the Code of Practice the Committee visited the sites at Belfield Street, Ilkeston (Minute No 91/13) and Manners Avenue Industrial Estate, Ilkeston (Minute No 92/13).

90/13 **MINUTES RESOLVED** to confirm the non-exempt Minutes of 11 November 2013.

91/13 **PROPOSED CHANGE OF USE OF AN INDUSTRIAL BUILDING (FROM USE CLASS B1 AND B8) TO AN END OF LIFE VEHICLE DE-POLLUTING UNIT ON LAND AT UNIT 6, BELFIELD STREET, ILKESTON (CODE NO: CW8/0813/86)** Details of the application were contained within the report of the Acting Strategic Director - Environmental Services, together with comments received from consultees and following publicity, which had resulted in a petition containing 27 signatures objecting to the proposal on the grounds of it having a detrimental effect on the nearby residential area, increase in noise and air pollution, harmful fumes and impact on future house prices.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations had also been taken in to account, including the National Planning Policy Framework, Planning Policy Statement 10 and End of Life Vehicle Directives and End of Life Vehicle Regulations. The key issues relevant to the proposal were considered to be the impact of the proposed works on the amenity of the area and the appropriateness of the facility and its

compatibility within the industrial estate and these issues were addressed in the Acting Strategic Director's report.

The Acting Strategic Director considered that the proposal achieved the identified key policy objectives and was an acceptable use of land in the location. However, following comments raised during the earlier site visit regarding potential noise as a result of the proposal, he recommended that if the application was approved then an additional condition be included requiring the applicant to submit a Noise Management Scheme for approval.

Mr Eaton attended the meeting and stated that he was extremely worried about the potential noise level at the site, that a precedent would be set for any future users of the site, and that there were better sites in the Ilkeston area more suited for heavy industry.

The Acting Strategic Director commented that a set of modern conditions would be attached to the planning permission if approved.

Councillor Walton commented that the Committee needed to consider the application presented, and whilst being sympathetic about concerns relating to noise, he was unsure whether this would increase.

Councillor Ellis also commented that 75% of the building would be used for storage and that this part of the building was the closest to residential properties and would lessen the potential for noise.

RESOLVED that planning permission be granted, subject to the imposition of conditions contained within the report of the Acting Strategic Director - Environmental Services together with an additional condition requiring the applicant to submit a Noise Management Scheme for approval.

92/13 APPLICATION FOR A CERTIFICATE OF LAWFUL USE FOR AN EXISTING USE FOR A PLASTIC RECYCLING FACILITY ON LAND AT WINSTER BUILDINGS, MANNERS AVENUE INDUSTRIAL ESTATE, ILKESTON (CODE NO: CL8/0713/73) An application had been received for a Certificate of Lawfulness of an Existing Use relating to a site for plastic recycling which the applicant claimed was a lawful use for the purposes of planning legislation. The Committee was reminded that, unlike a conventional planning application each application for a Certificate of Lawful Use was assessed entirely on its available factual evidence about planning history, the interpretation of any relevant planning law or judicial authority and judged on the "balance of probability".

The report contained details of supporting information and comments received following consultation with the Local Member, Erewash Borough Council and the Environment Agency.

The case analysis suggested that the two key elements to consider were the quality of the supportive evidence and proof of the continuity of the works on the site during the ten year period from submission of the application, which were examined in the report.

It was concluded that there was sufficient and precise evidence submitted by the applicant to support the lawful use of the site for the plastic processing and recycling uses.

RESOLVED to approve the grant of a Certificate of Lawful Use of the land identified in the application details for the importation, cleaning processing, sorting, shredding, separating and recycling of waste plastics.

93/13 PROPOSED SECTION 73 APPLICATION TO NOT COMPLY WITH CONDITION 3 OF PLANNING PERMISSION CW9/1097/69 TO AMEND THE RESTORATION MASTERPLAN AT BRETBY LANDFILL SITE, MAIN STREET, NEWHALL, SWADLINCOTE (CODE NO: CW9/0913/93) The Section 73 application sought permission not to comply with Condition 3 (for restoration) of planning permission CW9/1097/69 relating to Bretby landfill site and included plans to amend the site restoration by not re-forming the two water management lagoons at the site into a single naturalistic pond.

Details of the proposal were contained in the report of the Acting Strategic Director - Environmental Services, together with comments received from consultees and following publicity, resulting in one letter of objection which was summarised in the report and addressed in the Planning Considerations section.

The application had been considered in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; other material considerations had been taken in to account, including the National Planning Policy Framework. The key development plan policies relating to the application were considered to be the need for the development, ecology, landscape and public footpaths and highways and these were examined in the report.

The Acting Strategic Director showed slides of the site location, the approved lagoon design and the proposed restoration. He commented on the responses received from Natural England and Derbyshire Wildlife Trust and

that they had raised no objections to the proposal. They had commented on the strong newt population at the site and that any engineering works could disturb their habitat. He was satisfied that the proposal would not adversely affect the existing landscape character and would not have an adverse impact on local amenity. He confirmed that the proposal conformed to national and local planning policies.

Mr Brooks' property overlooked the site and was a member of the Local Liaison Committee. He addressed the Committee with his concerns. He considered the report to be incomplete and contained inaccuracies; the lagoons were dangerous (polluted) and deep, footpaths 90 and 89 were affected by the works on site and should have been re-routed, there were 3 schools adjacent to the site. He did not feel that the presence of the newt population should affect the lives of the community.

The Acting Strategic Director commented that restoration of the site was still incomplete and the County Council's Rights of Way Team would consider the safety and re-alignment of the footpaths. The original restoration scheme had covered the issue of contamination of the lagoons, and no reference or concerns about their pollution had been received from the Environmental Agency following consultation on the current issue. The Acting Strategic Director advised that the nature of the evidence on European Protected Species on this site was a significant issue and that Members should place weight on this consideration accordingly.

RESOLVED that planning permission be granted, subject to the inclusion of a set of conditions substantially based on the draft conditions contained within the report of the Acting Strategic Director - Environmental Services.

94/13 APPLICATION TO UNDERTAKE TREE WORKS AT MONTPELIER, QUARNDON The three sycamores which were the subject of the application were listed in Group 1 of Tree Preservation Order 81. The trees were growing in the footpath adjacent to 7 and 8 Montpelier. Individually the trees had limited amenity value but as a group were very prominent within the street scene. The reasons for felling the trees were that the size and proximity of the trees were causing overshadowing to both properties and moss to build up on roofs, the roots were lifting garden paving, leaf fall was blocking gutters and the cost of on-going maintenance was a real concern. Previous pruning had been undertaken in an attempt to control the height and spread of the trees but this had only been partially successful.

The applicants proposed to replant three Alder trees, which were more aesthetically pleasing to the location and in size.

Seven formal responses had been received following consultation. Four responses were from local residents in support of the application, two from local residents opposed to the application. The response from Quarndon Parish Council raised no objection, subject to replacement planting. The local Member also supported the proposal.

RESOLVED to approve the grant of a consent to the cutting down of three sycamore trees protected by TPO 81 in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, as sought by the application referred to in the report of the Acting Strategic Director - Environmental Services, subject to such conditions as the Acting Strategic Director - Environmental Services shall consider as appropriate for the purpose of securing a replacement planting of three new large standard trees within the first winter planting season after felling.

95/13 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

96/13 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 2 December 2013 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.

97/13 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

98/13 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for November 2013.

99/13 **MATTERS DETERMINED BY THE ACTING STRATEGIC DIRECTOR – ENVIRONMENTAL SERVICES UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Acting Strategic Director - Environmental Services under the Delegated Powers on:-

(a) 14 November 2013

- 1 Proposed Erection of a Single Classroom Extension and Installation of Steel Framed Canopy at The Green Infant School, New Street, South Normanton

Applicant: Derbyshire County Council
Planning Application Code No: CD5/0713/74

- 2 Proposal to Improve the Flood Prevention Measures at Manners Balancing Ponds, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0913/96

- 3 Proposed Redevelopment of the Trim Trail Area at Firfield Primary School, Breaston, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0913/101

- 4 Proposal to Build a Classroom Extension at Melbourne Junior School, Pack Horse Road, Derby
Applicant: Derbyshire County Council
Planning Application No: CD9/0913/99

- 5 Delegation Decisions on Schemes Required by Planning Conditions:

- SD2479

(b) 24 November 2013

- 1 Proposed Infilling of a Veranda and Installation of a Fire Exit and Access Ramp at Pinxton Youth Centre, Kirkstead Road, Pinxton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/0913/97

- 2 Proposal to Install a Metal Shed in the School Grounds at Kilburn Infant and Nursery School, The Flat, Kilburn
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1013/105

- 3 Proposed Installation of a Kiosk to Support the Existing Sewage Pumping Station at 93 Scropton Road, Hatton
Applicant: Severn Trent Water Limited
Planning Application Code No: CW9/1013/107

- 4 Proposed Installation Kiosk to Support the Existing Sewage Pumping Station at Applegarth, Sutton Lane, Etwall
Applicant: Derbyshire County Council
Planning Application Code No: CW9/1013/108

- 5 Delegation Decisions on Schemes Required by Planning Conditions:

- SW2465
- SW2484
- SD2478
- SD2491

(c) 28 November 2013

- 1 Proposed Installation of a Timber Gazebo at Hunloke Park Primary School, Lodge Drive, Wingerworth
Applicant: Derbyshire County Council
Planning Application Code No: CD4/1013/110
- 2 Proposal to Develop a Classroom Extension at Woodville Junior School, High Street, Woodville, Swadlincote
Applicant: Derbyshire County Council
Planning Application Code No: CD9/1013/113
- 3 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2494
 - SD2495
 - SD2496

100/13 **EXCLUSION OF THE PUBLIC RESOLVED** that the public, including the press, 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 exempt information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

1 To consider the Exempt Report of the Acting Strategic Director - Environmental Services on Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as Amended), Matlock Sewage Treatment Works, Lea Road, Cromford (contains information which reveals that the Authority proposes to give under any enactment a Notice under or by virtue of which requirements are imposed on a person).

MINUTES of a meeting of the **COUNTY COUNCIL'S STANDARDS COMMITTEE** held on 11 December 2013 at County Hall, Matlock

PRESENT

Councillor C M Cox (in the Chair)

Councillors G Birkin, K Buttery, D Greenhalgh (substitute Member), C A Hart, T A Kemp, C R Moesby and I Ratcliffe.

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

Apologies for absence were submitted on behalf of Councillor S Freeborn and Mr P Smith

15/13 **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 9 October 2013 be confirmed as a correct record and signed by the Chair.

16/13 **MATTERS ARISING – Complaints and Compliments Overview 2012-13 (Minute No.13/13)** At the previous meeting Members had raised a number of queries relating to the Complaints and Compliments Overview 2013-14 report and it had been agreed that that they would be forwarded to the Complaints Group for consideration.

The Director of Legal Services informed Members that the Complaints Group had not met since the last meeting of the Standards Committee but it was due to meet early in the New Year. Responses to the queries would be reported back to the Standards Committee in due course.

17/13 **REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN ON AN INVESTIGATION INTO COMPLAINT NO 13/001/686 AGAINST DERBYSHIRE COUNTY COUNCIL** Members were informed of a recent case investigated by the Local Government Ombudsman who had made a finding of maladministration by the Council causing injustice to the complainant.

Ian Johnson, Deputy Director and Mandy Stafford-Wood, Head of Information from the Children and Younger Adults Department attended the meeting and provided the Committee with the detailed background to the case.

The findings of the Local Government Ombudsman in her report dated 9 July 2013 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 complimented the officers on the new processes that had been established. The Chair thanked Ian Johnson and Mandy Stafford-Wood for attending the meeting.

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

18/13 COMPLAINTS TO THE LOCAL GOVERNMENT OMBUDSMAN AGAINST DERBYSHIRE COUNTY COUNCIL FOR THE PERIOD 1 APRIL 2012 TO MARCH 2013

At its meeting on 9 October 2013 the Standards Committee had considered a report on complaints and compliments made to the County Council. The report also referred to the annual letter from the Local Government Ombudsman on complaints and the Committee requested a departmental breakdown of complaints for the period 1 April 2012 to 31 March 2013. These were presented for Members' information.

For the purposes of comparison, the letter from the Ombudsman dated 22 June 2012, showing figures for the number of complaints received from 1 April 2011 to 31 March 2012, was attached as Appendix A to the report.

RESOLVED that the Standards Committee noted the number of complaints made to the Local Government Ombudsman against the County Council for the period 1 April 2012 to 31 March 2013.

19/13 NEW GOVERNMENT GUIDANCE REGARDING THE DECLARATION OF PERSONAL INTERESTS

In September 2013, the Department of Communities and Local Government (DCLG) issued further guidance regarding the declaration of personal interests. A copy of the guidance 'Openness and transparency on personal interests – A guide for councillors' - was attached at Appendix A to the report.

The Guidance stipulated that a councillor's registration of personal interests 'should be guided by your conformity with the seven principles of public life. You should ensure that you register all personal interests that conformity with the seven principles requires. These interests will necessarily include your membership of any Trade Union.'

In light of this guidance, it was proposed that the relevant section of the Council's Code of Conduct for Members would be amended. The Director of Legal Services would write to all Members inviting them to provide details of their trade union membership following approval of the amendment by full Council.

RESOLVED to (1) note the Guidance provided by the DCLG; and
(2) commend the proposed amendment to the Council's Code of Conduct for Members to the Council.

MINUTES of a meeting of the **PENSION AND INVESTMENT COMMITTEE**
held at County Hall, Matlock on 11 December 2013

PRESENT

Councillor W Burrows (in the Chair)

Derbyshire County Council

Councillors D Collins, R Davison, S J Ellis, S Freeborn, M V Longden S
Marshall-Clarke and D J Wilcox

Derby City Council

Councillor D Roberts and M Tittley

Investment Advisers

Mr J Somers – Aviva
Mr P J Williams

An apology for absence was submitted on behalf of P Berrisford

38/13 **MINUTES** **RESOLVED** that the minutes of the meeting held on
25 September 2013 be confirmed as a correct record and signed by the Chair.

39/13 **ECONOMIC BACKGROUND AND RECENT INVESTMENT
MARKET RETURNS** The consensus Global GDP growth forecast for 2013
was 2.4% and 3.1% for 2014. The 2014 growth outlook for Western
economies remained mixed, the US was forecast to grow at 2.6%, the UK by
2.3% and the Eurozone was forecast to grow by 0.9%. Elsewhere, 2014 GDP
growth forecasts ranged from 4.7% for Asia Pacific, 3.0% for Latin America
and 1.6% for Japan.

Within the UK, the third quarter 2013 GDP had grown at 0.8%, driven by
the services sector. Low interest rates and the Government's Help to Buy
scheme had strengthened consumer confidence and increased demand for
residential property. The November meeting of the Bank of England's
Monetary Policy Committee had left interest rates unchanged at 0.5%, and it
had also kept the level of Quantitative Easing unchanged at £375bn. The new
Governor of the Bank of England had continued to emphasise under what
circumstances interest rates could change, and had noted that unemployment
could fall faster than anticipated. The consensus forecast for UK GDP growth

was 1.4% for 2013 and 2.3% for 2014, and the consensus forecast for CPI inflation was 2.7% in 2013 and 2.6% in 2014.

With regard to the USA, third quarter GDP had grown 2.8%, which seemed to be in large part driven by increasing inventories. Domestic demand appeared to be waning at the same time as businesses were reducing investment spending due to uncertainty, although employment had grown between August- October. Unemployment had also grown, although this had been attributed to government employees being 'unemployed' during the Federal government shutdown. Stocks had fallen as investors had sold on the basis that the good employment figures would lead the Federal Reserve to cut quantitative easing sooner. Markets continued to speculate about the likelihood, timing and pace of the withdrawal of quantitative easing, although some uncertainty had been removed as the next Chairman of the Federal Reserve Open Market Committee had been nominated, and was someone who preferred low interest rates as a means of encouraging growth within the economy. Consensus estimates for GDP growth for 2013 and 2014 were 1.7% and 2.6% respectively, and CPI inflation was forecast at 1.5% for 2013 and 1.8% for 2014.

In Europe, Eurozone GDP had risen 0.1% in the third quarter of 2013, making the annual growth rate -0.3%. The recent slowdown had been caused mainly by weaker performances in Germany and France. The European Commission had revised its economic forecasts in November to reflect its expectations of slower growth in Europe in 2014 and falling inflation over the next two years. High unemployment and high taxes continued to hold back consumer spending and economic growth, so the outlook remained fragile. The European Central Bank had cut the base rate to a new low of 0.25% in November 2013. The forecast for 2013 GDP growth for the Eurozone as a whole was -0.4%, whilst it was 0.9% for 2014. CPI inflation was forecast at 1.4% and 1.3% respectively.

In Germany, Q3 GDP had grown by 0.3%, which had been a slowdown from the second quarter. However, the unemployment rate of 6.9% was close to its record low and considerably better than other Eurozone countries. The ECB rate cut had significantly weakened the Euro, and would give German exporters further cause for optimism, and surveys had showed growing business confidence and an expectation of sustained investment into 2014. Longer term, domestic led growth was expected to support the German economy, as consumer confidence was supported by low unemployment, strong wage growth and low inflation. GDP forecasts for 2013 and 2014 were 0.5% and 1.7%, with CPI inflation forecast at 1.6% and 1.8% respectively.

Q3 GDP in France had grown 0.1%, which had been an expected slowdown from the Q2 outturn. The European Commission had downgraded its 2014 GDP forecast to 0.9%, whereas consensus estimates were lower at 0.8%. In November, S&P had downgraded France's credit rating by one notch to AA. Consensus estimates were for GDP growth of 0.1% in 2013 and 0.8% in 2014. CPI inflation was expected to be 1.0% for 2013 and 1.4% for 2014.

In Italy, Q3 2013 GDP had contracted by 0.1%, which meant that the country had remained in recession, although this had been an improvement on the second quarter. There were signs that things were starting to improve, although unemployment remained very high, with youth unemployment reaching 40.4%. GDP growth for 2013 was forecast at -1.8% and at 0.5% for 2014. CPI inflation of 1.3% and 1.4% were forecast for 2013 and 2014 respectively.

Third quarter GDP in Japan had grown by 2.6%, and industrial production had risen. The new Government now controlled both houses and was pushing ahead with reforms, although companies seemed cautious about investment spending. However, CPI had been 0.9% in Q3, which was encouraging. Over the past year, the Yen had weakened against both the US Dollar and Sterling and the Euro, boosting Japanese competitiveness and providing more grounds for optimism. In the short term, growth looked set to accelerate, but this could largely be due to spending brought forward to beat the tax rise. GDP growth was forecast at 1.9% for 2013 and at 1.6% for 2014. For the time being, inflation was low and was forecast at 0.2% for 2013 and at 2.3% for 2014.

Over the past three months, the FT Asia-Pacific ex-Japan Index had risen a modest 0.7%. Asian growth expectations remained robust and continued to outstrip other areas. Q3 GDP growth figures had shown mixed results, with China and Singapore picking up whilst Indonesia and Taiwan were facing slower growth. An important factor which would serve to partially insulate Asia from events in the USA and Eurozone was the continuing increase in intra-regional trade. For 2014, the consensus forecast GDP growth for China was 7.5%, Philippines 6.3% and Indonesia 5.6%. Consensus forecasts for 2014 CPI inflation were for China 3.1%, Philippines 3.6% and Indonesia 6.3%.

It appeared that emerging market growth was no longer slowing and the external picture also looked more encouraging. In Latin America, although Brazil had the better long term outlook, Mexico had better short term prospects. In Brazil, inflation remained the immediate concern, and the Brazilian Central Bank had continued to tighten monetary policy. There

remained concern over the exposure of countries such as Poland, Hungary and the Czech Republic in emerging Europe to the weak Eurozone. Markets were expected to remain volatile, although valuations were not excessive. 'Frontier' markets remained interesting, with low correlation with other markets and low price:earnings ratings exacerbated by Middle East tensions.

The returns for the major asset classes for the period 1 April 2013 – 31 October 2013 were reported. There had been a wide dispersion of returns during the period, the biggest contrast being a positive 14.3% return from European Equities compared to minus 4.4% from Index Linked Bonds.

Volatility remained a feature as investor risk appetite continued to wax and wane with the changing outlook on the Eurozone crisis, sovereign debt levels, US monetary policy and global economic growth. Political instability, Middle East tensions and widespread elections had exacerbated policy indecisiveness, heightening uncertainty.

RESOLVED that the report be noted.

40/13 ASSET ALLOCATION AND RECENT TRANSACTIONS The Director of Finance reported on the current asset allocation, and the proportion of the Fund held in each sector at 31 October 2013 was highlighted and compared with the asset allocation ranges previously approved by the Committee. Relative to its benchmark, the Fund was overweight in equities (all markets) and cash but underweight in bonds, property and alternative investments.

It was stated that there were still issues relating to investment in property, and a decision would need to be made as to what to do with this. There were instances where the weighting was not appropriate, although it was felt that the Fund was heading in the right direction generally. The External Fund Managers advised the Authority on Property investment, and opportunities were being presented. It was also noted that further work would be undertaken around alternative investments.

Investment activity since the last meeting was reported. The Fund's investment assets were currently valued at £3,272.7m. A list of transactions since the last meeting and a copy of the latest portfolio were presented.

RESOLVED that the report be noted.

41/13 INVESTMENT STRATEGY The strategy reports of the Investment Advisors were presented, and Mr J Somers from Aviva and Mr P Williams attended the meeting. The Fund's latest asset allocation and the

recommendations in relation to the Pension Fund's benchmark were highlighted.

Mr Williams had not changed any of his recommendations since the last meeting. Aviva had made an increase of 0.1% in its allocation to Equities and had decreased its allocation to Bonds by the same amount. Both advisors' recommendations for Property and Alternative Assets remained unchanged, Aviva being neutral across the board, whilst Mr Williams' recommendations were 4% overweight for Property, neutral for infrastructure and zero in private equity.

The recommendations had taken the views of the Investment Advisors into account, and these were detailed. The Committee discussed the recommendations that had been put forward, particularly where there were differing opinions from the external advisors.

Concern was expressed around the disappointing performance in Europe by UBS over the last three months, and it was queried whether a proportion of the European Fund should be placed into a passive management fund portfolio. It was felt that this could be a temporary solution whilst a decision was taken on how to proceed. At the last meeting, it had been asked that a report be presented to this meeting regarding the options for UBS. It was agreed that the current situation should not be left with UBS, and that action should be taken, and a discussion could take place with UBS around this. A more detailed report would be presented to the next meeting with some proposals around allocations. UBS would be a key issue for discussion at the next meeting, and the report would also include an explanation of tracking funds and passive management. Consideration would also be given to divesting direct property, and this would be undertaken over a period of time.

With regard to property, it was suggested that a global real estate manager could be sought who would take on the responsibility for all existing property.

RESOLVED that the strategy outlined in the report be approved.

42/13 INVESTMENT PERFORMANCE The Fund's results for the second quarter of the fiscal year were compared with the benchmark index returns and WM Local Authority Average Fund. In Equities, the Fund had outperformed the benchmark in the UK, North America, Japan and Emerging Markets, but had underperformed in Europe and Pacific ex Japan. In Bonds, the Fund had underperformed the benchmark in UK Gilts, Corporate Bonds and UK Index Linked. The Fund had also underperformed its Property

benchmark. Overall, the Fund had underperformed its benchmark by 0.1% over the quarter. The Fund cash return of minus 0.3% had been entirely due to losses on foreign currency with the two external managers, and this had also been a factor for the Average Local Authority Fund.

In comparison to the WM Local Authority Average Fund, apart from UK equities, the under or over performance areas had been the same as those against the benchmark, although the Fund had outperformed the WM Local Authority Average overall by 0.3%.

Details were given of the performance of the Fund over 3, 5 and 10 years to 31 March 2013. The Fund had marginally underperformed against its benchmark for the three year period, but had outperformed for the five and ten year periods. The Fund had outperformed against the Local Authority Average Fund over all periods under review. Its performance was ranked at the 44th, 21st and 19th percentile of local authority pension fund returns over 3, 5 and 10 years respectively.

RESOLVED that the performance be noted.

43/13 **LAPFF** The minutes of the LAPFF Business meeting, held on 19 June 2013, were presented for information.

RESOLVED that the minutes be noted.

44/13 **VOTING ACTIVITY** Details of the Fund's voting activity for the period 1 September 2013 – 31 October 2013 were given, along with a summary of votes against management proposals. The ISS report for the period 1 January 2013 – 31 July 2013 was also presented.

RESOLVED that the report be noted.

45/13 **RISK MANAGEMENT SCHEDULE** As prescribed in the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2008 and the Myners' Principles, the Committee was obliged to regularly review the risks associated with managing the Fund. The Risk Management Schedule was presented. In relation to performance, there had been performance relative to the benchmark index of more than +/-2% in an asset category, absolute performance of any asset category of more than +/-3%, and outperformance by bonds over equities during the previous quarter. It was also stated that there were still three Fund Manager posts to fill following previous unsuccessful recruitment exercises.

RESOLVED that the report be noted.

46/13 **EXCLUSION OF THE PUBLIC RESOLVED** that the public be excluded from the meeting during the Committee's consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

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

1. To confirm the exempt minutes of the meeting held on 25 September 2013
2. To consider, as an Administering Authority, the exempt report of the Director of Finance on Request for Admission Body Status (contains information relating to the financial or business affairs of any particular person)
3. To consider, as an Administering Authority, the exempt report of the Director of Human Resources on Overpayment of Pensioner (contains information relating to an individual)
4. To consider the exempt report of the Director of Finance on Staffing Update (contains information relating to the financial or business affairs of any particular person including the Authority holding that information)
5. To confirm the exempt minutes of the meeting, as an Employing Authority, held on 25 September 2013
6. To consider, as an Employing Authority, the exempt report of the Strategic Director – Children and Younger Adults on Local Government Pension Scheme – Early Release of Pension Benefits on Compassionate Grounds (contains information relating to an individual)
7. To consider, as an Employing Authority, the exempt report of the Director of Finance on Management Restructuring Pension Section VER Request (contains information relating to an individual)

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES** held at County Hall, Matlock on 22 January 2014.

PRESENT

Councillor Mrs K D Lauro (in the Chair)

Councillors Mrs E Atkins, Mrs Janet A Hill, Mrs C A Hart, R L Hosker, T Southerd and S A Spencer.

Apologies for absence were submitted on behalf of Councillor D Williams.

In attendance – Councillor D Collins.

01/14 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Committee held on 6 November 2013 be confirmed as a correct record and signed by the Chair.

02/14 **FLOODING ISSUES** Mr S Mead, Economy, Transport and Environment Department, gave a presentation on flooding occurrences during the recent inclement weather and progress on the preparation of the Flood Risk management strategy.

Recent flooding in Derbyshire had not been as severe as in other places in the country and the majority of incidents were related to flooded road. The cost to the Council to date had been approximately £30,000. Members were reminded that any local flooding incidents that they became aware of should be notified to the relevant officers in the Economy, transport and Environment Department.

03/14 **PROPOSED CHANGES TO THE MOBILE LIBRARY SERVICE**

Mr D Gibbs, Health and Communities Department, outlined the options proposed for achieving cost reductions from the Mobile Library Service. Four options for achieving cost reductions had been approved by Cabinet:

Option 1: Withdraw all 10 mobile library vehicles and cease to provide a mobile service

Option 2: Withdraw 8 standard mobile library vehicles, and maintain 2 MCVs (Maximum Capacity Vehicles) to provide a limited mobile service.

Option 3: Withdraw 8 mobile library vehicles, maintaining one MCV and one standard mobile library. The MCV would be used to serve larger communities whilst the standard vehicle would be used to deliver to housebound clients and to maintain the service to as many schools as possible.

There were a number of permutations between options 2 and 3 which would be explored through initial engagement and consultation with the public.

Option 4: In areas of Derbyshire changes to the mobile library service would mean that many individual stops would no longer be provided. However, should a community group or organisation wish to provide a more local service, e.g. in smaller rural villages, then the County Council may be able to offer appropriate support. An example of such provision might be working with communities to develop a network of drop-off points in accessible premises and other locations e.g. Children's Centres.

The financial implications of the various options were reported. Consultation was on-going and a final decision would be taken by Cabinet in September 2014.

Members made a number of comments on the proposals that Mr Gibbs would feed-in to the consultation.

RESOLVED that the proposals and the consultation be noted.

04/14 PART-NIGHT LIGHTING Mr P Booth, Economy, Transport and Environment Department, made a presentation on the progress on the part-night lighting scheme. The presentation referred to the on-going challenges for street lighting such as the required budget cuts, energy cost rises, managing the asset risk and contributing to the carbon reduction targets. The background to the part-night lighting scheme was outlined and experience in 120 parishes since its July 2012 introduction was reported. Monitoring of the impact of schemes continued and would inform future decisions.

Comment was made about the means of consulting on proposed schemes and the Cabinet member would be reviewing the arrangements that were in place. The scheme had been a success to date and consideration would be given to extending and this Committee would be consulted on proposals for the future.

RESOLVED that the update be noted.

05/14 WORK PROGRAMME **RESOLVED** to note progress on the Committee's work programme.

MINUTES of a meeting of the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE held at County Hall, Matlock on 20 November 2013.

PRESENT

Councillor Mrs D Charles (in the Chair)

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

Apologies for absence were submitted on behalf of Councillor B Wright, Mrs M Outram, Ms C Tattersfield and Mr D Channon.

29/13 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 25 September 2013 be confirmed as a correct record and signed by the Chair.

30/13 **CORPORATE PARENTING** Mr I Johnson, Deputy Strategic Director Children and Younger Adults, gave a presentation on the range of services provided as Corporate Parent. Information was also provided on the numbers of young people presently in care and the accommodation, care and staffing resources available. The promotion of education and learning and the participation and involvement of children in care was also highlighted.

Key issues for the future were Member involvement, the Council and its partners as employers, fostering and adoption, and ownership across the Council.

Members also viewed a short film that had been produced by young people in care in response to the DfE's Charter for Care Leavers. The film represented what was important to young people leaving care.

Mr Johnson invited the Committee to consider how it would wish to take forward its involvement with the Corporate Parent role, possibly by establishing a programme of visits to front line services for children in care including social work teams, foster carers and children's homes and challenging Mr Johnson's assumptions about the services we provide.

A review of progress would be reported to the Committee in March 2014 and Mr Johnson would also provide information to the Committee on child protection issues in the County.

31/13 HEALTHWATCH DERBYSHIRE A progress report was provided by Healthwatch Derbyshire which outlined the way in which it was intended that they would work with the Improvement and Scrutiny Committees.

RESOLVED that the update be noted.

32/13 WORK PROGRAMME The Chair and Vice Chair gave an update on the progress that had been made on the reviews of equality and diversity in decision making and the Council's recruitment and selection processes.

Initial discussions had taken place with relevant officers and it was anticipated that progress reports would be submitted to the January meeting of the Committee. Meetings of the working groups would be held before the end of the year to make further progress on both reviews and dates for these meetings were set.

Members discussed the scope of the reviews and areas that they would wish to investigate. In particular, the members on the recruitment and selection working group were asked to read the Council's recruitment and selection procedures document which would be forwarded to them. Other possible areas for review would be in respect of procedures within the Shared Service Centre, advertising of vacancies, a survey of people who had been through the recruitment and selection process, and possible improvements in processes that could lead to financial savings.

The Committee had established its Safeguarding Sub Group and it was noted that, where appropriate, 2 members of the Improvement and Scrutiny Committee – Places would also be involved where the subject area concerned matters within that Committee's remit. It was proposed that this Sub Group meet bi-monthly and the focus of its work would be set following discussions with the relevant officers. Members of the Sub Group would be provided with information on the local service points and they were asked to carry out a number of familiarisation visits. Other areas of work that the Sub Group would wish to consider were a comparison with other County Councils' services, looking at the outcome of Serious Case Reviews, and the thoroughness of checks undertaken on people working with children and vulnerable adults.

RESOLVED to note progress on the Committee's work programme.

MINUTES of a meeting of the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE held at County Hall, Matlock on 15 January 2014.

PRESENT

Councillor S Freeborn (in the Chair)

Councillors Mrs G Birkin, J Frudd, B Lewis, R Mihaly and D Walton and B Wright

Apologies for absence were submitted on behalf of Councillor Mrs D Charles and Mr D Channon.

01/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 20 November 2013 be confirmed as a correct record and signed by the Chair.

02/14 **DISCUSSION WITH CABINET MEMBER** Councillor K Gillott, Cabinet member for Children and Young People, attended the meeting to give an update on current issues within his portfolio. He gave an overview of the portfolio responsibilities and how these were overseen by his Deputies, Councillors J Coyle and D Greenhalgh.

Councillor Gillott focussed on the ways in which the LA was addressing schools' performance, especially those in the secondary sector. The Schools Improvement Service was being re-shaped and a new lead, Kathryn Walton, had recently been appointed. She would be supported by Russ Barr, recent Head of a Derbyshire secondary school.

The outcome of the recent Ofsted inspection of the LA would be formally announced on 11 February 2014.

03/14 **SECURITY CHECKS ON VOLUNTEERS WITHIN SCHOOLS**

A briefing note was provided on the checks that were undertaken on people who volunteered within schools. The Council has a Criminal Background Checks Policy in place which Derbyshire schools adopt and a copy of this was circulated. This set out the approach to criminal background checks.

The Strategic Director assured Members that that the Department treated its safeguarding responsibilities with the upmost priority and it complied with the relevant statutory guidance. Safeguarding remained high on

the agenda and would continue to do so to ensure that children accessing our services, in schools or otherwise, were kept safe.

RESOLVED that the briefing note be received.

04/14 HEALTHWATCH DERBYSHIRE A progress report was provided by Healthwatch Derbyshire which outlined the progress made to date including comments logged from the public.

Information sharing protocols had now been developed and this important development meant that Healthwatch would then be in a position to compile and present a summary report to other significant groups, such as this Committee, the Quality Surveillance Group, and the Health and Wellbeing Board. This report would highlight any themes and trends and outline any planned action by Healthwatch. This report would give a good feel for what Healthwatch was hearing and what it was doing as a result.

RESOLVED that the update be noted.

05/14 UPDATE FROM SUB GROUPS Members gave an update on the work undertaken by the Safeguarding Sub Group and the Equality and Diversity Sub Group.

The Safeguarding Sub Group had met officers from the Children and Younger Adults Department and had discussed the effect of domestic violence on children and further information on this was to be compiled. Sub Group members would, in future, observe Child Protection Conferences, Multi Agency Risk Assessment Conferences and local care settings. Councillors Frudd and Birkin reported back on their visit to a Children's Home which they had found to be a very positive experience. Councillor Wright would be carrying out a similar visit shortly. It was noted that Ofsted were keen to see challenge by Improvement and Scrutiny Committee members involved in overseeing safeguarding issues. Meetings of the Sub Group would be on-going.

The Equality and Diversity and the Recruitment and Selection Process Sub Groups had met to discuss the decision making process and how equality issues were addressed. The adequacy of the Equality Impact Assessment process was being considered.

06/14 **CORPORATE PARENTING** Mr I Johnson, Deputy Strategic Director Children and Younger Adults, presented a performance monitoring report in connection with services for children in the care of the Council.

Members sought clarification of a number of issues that Mr Johnson responded to, namely:-

- The numbers of children in care in Derbyshire were lower than comparable LAs – Was this because we were not picking up cases?
- Domestic Violence had fallen out of the top 5 issues for admission to care – What were the reasons for this?
- When children were discharged from care, were there set criteria that must be met in each case?
- What processes were in place if our staff were refused access to a home?
- What procedures were in place to ensure that children subject to private fostering arrangements were protected?

RESOLVED that the report be noted.

07/14 **WORK PROGRAMME** A report was presented on the progress on the Committee's work programme for 2013/14. The main focus of the Committee's work over the coming months would be on safeguarding children and corporate parenting.

RESOLVED that the report be noted.

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE - RESOURCES** held on 16 January 2014 at County Hall, Matlock.

PRESENT

Councillor C R Moesby (in the Chair)

Councillors C Bisknell, P Dunn, S Freeborn, T A Kemp, M V Longden and S Marshall-Clarke.

In attendance – Councillor B Ridgway.

Apologies for absence were submitted on behalf of Councillor D Lomax.

01/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 14 November 2013 be confirmed as a correct record and signed by the Chair.

02/14 **DISCUSSION WITH LEADER OF THE COUNCIL**

Councillor Ms A Western, Leader of the Council attended the meeting to give an update on some of the current issues that were being addressed, principally the Council's finances and the structures to ensure service delivery. These actions included:-

- A new Strategic Director – Corporate Resources had been appointed and would take up duties in April.
- The rebuilding and strengthening of relations with partners where there had been a very positive response to working together.
- Derbyshire Partnership Forum was now meeting more regularly with a focus on joint working and anti-poverty.
- The Health and Wellbeing Board was looking at the integration of services.
- Changes had been made to communications with Your Derbyshire being introduced. Also, e-newsletters were being introduced and Members' feedback on this was invited.
- Progress on equalities issues where Stonewall had placed the Council 15th of the Top 100 employers.
- Work on the D2N2 LEP/Sheffield City Regions to ensure that we compete with other parts of the country. Work was progressing towards the establishment of the Economic Prosperity Board.
- Preparation of the 2014/15 budget to meet the required cuts.

03/14 NON-OPERATIONAL PROPERTY HOLDINGS The final report on the review of the Council's non-operational property holdings had been agreed at the last meeting and accepted by Cabinet at its meeting on 3 December 2013. The Director of Property now reported on the work being undertaken by the Corporate Property Services Division to assess the performance of the Council's operational properties.

Recommendation 9.5 in the final report stated that:

"The Director of Property, in consultation with the Director of Finance, develops a structured assessment system to assess each individual property (above an appropriate agreed value) against 25 year projections in order to measure best-value options for its future use or disposal."

Recommendation 9.6 in the final report stated that:

"The Asset Management system should also be used to assess operational property on a regular basis to give a continual appraisal to its usage/requirement."

The Director of Property now reported that work was currently underway to develop a structured assessment system to assess each individual non-operational property (above an appropriate agreed value) against 25 year projections in order to measure best-value options for its future use or disposal and progress on this would be reported back to a future meeting of this committee. However, the system, once devised, would not be used to assess operational property on a regular basis to give a continual appraisal to its usage/requirement because the Corporate Property Services Division already had robust mechanisms in place to assess the performance of the Council's operational property.

RESOLVED to note the work currently being undertaken in the Corporate Property Services Division to assess the performance of and requirement for the Council's operational properties.

04/14 REVIEW OF THE POTENTIAL OF SUSTAINABLE ENERGY FOR DCC PROPERTY Councillor Dunn presented a report on the progress made by the working group set up to investigate the potential of the use of sustainable energy for DCC property. Initial meetings had taken place and further discussions would take place with a view to a final report being presented to the Committee in May.

RESOLVED that the report on progress to date and further investigations which the working group proposes to undertake in order to finalise the review, be noted.

05/14 **WORK PROGRAMME** The Committee's draft work programme up to May 2014 was presented. This would form the basis of work over the coming year and would be developed.

RESOLVED that the report be noted.

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – HEALTH** held at County Hall, Matlock on 20 January 2014.

PRESENT

Councillor S A Bambrick (in the Chair)

Councillors Mrs E Atkins, Ms S L Blank, W Major, D McGregor, Mrs J E Patten, Mrs I Ratcliffe and Mrs M Stockdale.

01/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Health held on 4 November 2013 be confirmed as a correct record and signed by the Chair.

02/14 **DISCUSSION WITH CABINET MEMBER** Councillor C Neill, Cabinet member for Adult Social Care, attended the meeting and gave an update on the progress made on a number of issues, including the Integration Transformation Fund where a draft pooled budget proposal was to be presented to the Health and Wellbeing Board on 6 February. Final proposals were to be submitted to NHS England by 4 April.

Reference was made to the reports that were to be considered by Cabinet on 21 January to seek approval to consult on proposals to make Adult Care budget cuts.

03/14 **ESTABLISHMENT OF COMMUNITY MIDWIFERY BASES AT QUEENS PARK LEISURE CENTRE, CHESTERFIELD AND CLAY CROSS HEALTH CENTRE** Ms L Gustard, Head of Midwifery, Chesterfield Royal Hospital NHS Foundation Trust, attended the meeting to explain a proposal to establish new community midwifery bases in Chesterfield. The proposal was to establish bases within Queens Park Sports Centre and Clay Cross Clinic, following its refurbishment.

Chesterfield Borough Council had recently undertaken a public consultation related to a new build on Queens Park Annexe to replace Queens Park Sports Centre. Within the draft plan, ground floor space had been identified to accommodate a community midwifery base. The new build was scheduled to be completed during 2015. In the interim, ground floor space has been identified in the existing sports centre which could be easily adapted for use as a base. Clay Cross Clinic was currently a vacant building. It was anticipated that a number of health services would be co-located within the refurbished building. A self-contained area had been identified for a

midwifery base that would support secure out of hours access.

The 'midwifery base' model of community care had enabled the Trust to modernise the midwifery service and achieve national recommendations related to maternity care for a proportion of women who access the maternity service in North Derbyshire. The evaluations of this model of care by service users and staff were positive, and midwife time was more effectively utilised. There was potential for co-locating other services within the bases in the future to achieve public health initiatives and facilitate partnership working with other agencies. The Trust recognised that the community midwifery services in some GP practices in these areas may need to be retained and examples may be Stonebroom, South Normanton and Pinxton, because the base in Clay Cross was not easily accessed. The Trust would undertake a thorough assessment of the transport links to the proposed bases and retain service provision in areas where transport links were identified as inadequate.

RESOLVED (1) that the proposals be welcomed and an update on the development be submitted to the Committee in the future; (2) that the Committee record its concern that the Trust had been unsuccessful in its attempts to secure feedback from GP surgeries in the area, even though a number of approaches had been made by the Trust, and (2) that information be presented to the Committee on the arrangements for midwifery services that were in place in other parts of the County.

04/14 HEANOR MEMORIAL HOSPITAL ASBESTOS REMOVAL

Derbyshire Community Health Services NHS Trust had provided a further update about Heanor Memorial Hospital's asbestos removal, following a detailed specialist survey of the site. The Trust called in qualified specialists to remove asbestos from the hospital's boiler room in September and, during the course of the work, uncovered further repairs required to the boiler control system and pipework, which were on-going. There had never been any risk to our patients' safety from the asbestos, which was safely contained. In order for the removal work to go ahead the Trust had closed the main hospital building temporarily and had been looking after patients at nearby Ilkeston Community Hospital while the work went ahead.

In view of these findings and the age of the hospital building, the Trust asked for a specialist Asbestos Refurbishment Survey of the whole hospital site to get a clear picture of the likelihood of any further asbestos being present. That survey had identified the presence of asbestos in numerous parts of the building. The extensive presence of asbestos, which compounded the defects previously identified, made the necessary upgrading of the hospital's infrastructure more complex and expensive. Talks were on-going between

Derbyshire Community Health Services NHS Trust and NHS Southern Derbyshire CCG to find the best way forward.

A public meeting was to be held on 30 January to consider this matter and an update would be reported to the next meeting of the Committee.

RESOLVED to note the current position.

05/14 DERBYSHIRE INTEGRATED WELLBEING APPROACH

Cabinet had approved a new Derbyshire integrated approach to health and wellbeing and the proposed associated budget allocation. Approval had also been given to a period of consultation on the proposed new approach, prior to further consideration by Cabinet in the New Year.

Following review and evaluation, the proposal was to re-engineer three existing services into a new well-being approach that was affordable, accessible and effective in supporting health and well-being improvement and addressing health inequalities. This new development would contribute to the achievement of the health and well-being priority on lifestyle and behaviour change. The proposed overall budget for this new service was £4.1m representing a saving to the Authority of £720,000.

RESOLVED to note the proposals.

06/14 PUBLIC HEALTH PROCUREMENT PROGRAMME

A report was presented on the services being re-procured by Public Health and of those new services which were to be procured to commence from April 2014 and which were not included in the report to the last meeting of the Committee.

An explanation summarising each service was included in the appendices. Additional reports would be submitted to future meetings where services had been reviewed and were to be commissioned differently in future.

RESOLVED (1) that the report be noted and a further update be presented in 12 months on the impact of these services; and (2) that information be provided for Members on the towns that were to be involved in the foot care investment.

07/14 HEALTHWATCH DERBYSHIRE

Jas Dosanjh and Helen Hart attended the meeting and provided an update on the establishment of Healthwatch. The report outlined the progress made to date including the number of comments now logged from the public.

Information sharing protocols had now been developed and this important development meant that Healthwatch would then be in a position to compile and present a summary report to other significant groups, such as this Committee, the Quality Surveillance Group, and the Health and Wellbeing Board. This report would highlight any themes and trends and outline any planned action by Healthwatch. This report would give a good feel for what Healthwatch was hearing and what it was doing as a result.

RESOLVED that the update be noted.

08/14 VISITS TO WALTON AND BOLSOVER HOSPITALS

Councillors Bambrick and Stockdale gave an update on their recent visits to the Walton and Bolsover Hospitals following the invitation extended at the last meeting of the Committee. They planned to visit Clay Cross Community Hospital in the near future.

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY MANAGEMENT COMMITTEE** held at County Hall, Matlock on 3 December 2013.

P R E S E N T

Councillor C R Moesby (In the Chair)

Councillors S A Bambrick, Mrs D Charles, Mrs K D Lauro, B Lewis, S A Spencer and Mrs M Stockdale.

08/13 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 20 September 2013 be confirmed as a correct record and signed by the Chair.

09/13 **WORK PROGRAMMES** The Committee was informed of progress on the on-going and planned work of the four Improvement and Scrutiny Committees. Councillor Charles referred to presentations made to the People Committee on the County Council's Corporate Parenting role. The members of the People Committee had all been invited to visit homes and other venues where the Council's Looked After Children receive care services.

Councillor Moesby referred to the proposed procurement of Performance Management and Business Intelligence software for the County Council and confirmed that the Authority would be formally procuring a new system, subject to Cabinet approval, in the new year.

Other recent and current work of the 4 Improvement and Scrutiny Committees included;

- Final report of the Review of Non-Operational Property had been submitted to Cabinet by the Resources Committee
- A response from the Council on proposals by the HM Courts and Tribunals Service had been developed by the Places Committee
- The Health Committee had been included in plans to transfer services currently provided at the Derwent Ward at Walton Hospital to Bolsover Hospital, which involved site visits by the Committee Chair and Vice Chair.

RESOLVED to note the work programmes of the four Improvement and Scrutiny Committees.

10/13 ARRANGEMENTS FOR VISIT TO SELECT COMMITTEE

Arrangements were being made for Members to visit Westminster on a rearranged date, the proposed visit on 28 October having being cancelled.

RESOLVED to note the revised arrangements for the visit to the Parliamentary Select Committee.

11/13 STAFFING RERSOURCES It was reported that Jackie Wardle had been appointed to the full-time Improvement and Scrutiny Officer post. Interviews were to be held on 10 December to fill the vacant part-time post.

RESOLVED to note the current position in respect of staffing to support the Council's Improvement and Scrutiny function.

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 28 November 2013 at County Hall, Matlock.

PRESENT

Councillor P Smith (in the Chair)

Councillors S Blank (Chesterfield Borough Council), Mrs C Hart (Erewash Borough Council) Mrs D Hawsworth (Chesterfield Borough Council), P Hickson (Derby City Council), B Murray-Carr (Bolsover District Council), T Norton (High Peak Borough Council), Ms A Plenderleith (South Derbyshire District Council), Mrs L Robinson (North East Derbyshire District Council), T Southerd (Derbyshire County Council), J Stanton (Derby City Council), G Stevens (Derbyshire Dales District Council, (Substitute Member) 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), Mrs R Taylor (Improvement and Scrutiny Officer) and I Walters (Democratic Services Officer).

A Charles, Police and Crime Commissioner and D Peet, Chief Executive of the Police and Crime Commissioner's Office.

Apologies for absence were submitted on behalf of Councillors P Pegg (Derby City Council) and L Rose (Derbyshire Dales District Council).

49/13 **MINUTES** **RESOLVED** that the Minutes of the meeting of the Derbyshire Police and Crime Panel held on 19 September 2013 be confirmed as a correct record and signed by the Chair.

50/13 **QUESTIONS RELATING TO THE ROLE OF THE POLICE AND CRIME COMMISSIONER** Members of the Panel were given the opportunity to ask questions of the Police and Crime Commissioner as follows:-

- Please can you comment on the initial view of the recommendations contained within Lord Steven's Review of Policing, with particular reference to the discontinuation of PCCs to be replaced by a Policing Board comprising of the leaders of each local authority within the police force area?

In response the Commissioner felt that it was very difficult to form a proper judgement at this stage since PCCs had only been in post for 9 months. He felt that many of the negative comments made in the report were based on isolated incidents in specific areas and did not reflect the picture across the 41

forces. He believed that an accurate reflection could only be made after a full term in office for Police and Crime Commissioners.

With regard to a directly elected Chair and Board he felt that this would be returning to a similar arrangement to that previously in place.

- Following on from the Chief Constable's comments at last week's ACPO Conference could the Commissioner comment on the reliability of crime data for Derbyshire; the impact on PCC resource deployment decisions and domestic and sexual violence being on the increase but not reflected in data?

The Commissioner confirmed that the Chief Constable's comments were made in response to a speech made at the conference by the Minister, Damien Green MP.

The Commissioner clarified that all recorded crimes did not necessarily show in the statistics, but in relation to Derbyshire he confirmed that an HMIC audit inspection of the force last year showed that only 4 crimes had not been recorded properly, which was a very low percentage.

The force took a rounded approach to performance and was continually looking for performance improvement. In relation to domestic abuse and sexual crimes, people were strongly encouraged to report these incidents and this was an area where it was hoped recorded numbers would actually increase.

- The Commissioner was asked what his view was with regard to bringing politics into the role of PCCs?

He explained that since being appointed, he had written to every political group leader within the County inviting them to undertake community walks within their area, which involved the local safer neighbourhood policing teams with a request that the local Councillor arrange for officers and appropriate persons from their own authorities to attend. He reiterated that he was happy to accept invitations to any such community events.

- The Commissioner was asked for an overview of the format of the budget consultation that he would be undertaking in advance of the Panels precept meeting in January?

The Commissioner explained that it was always very difficult to gauge how best to talk to people to get their views. Throughout his term in office the Commissioner had been holding 'Have Your Say' events across the County.

A business ratepayers' consultation meeting was also scheduled for 8 January 2014 at Police Headquarters, Ripley and a formal on-line consultation process would also take place as this was felt to be the most cost effective way of engaging with as many people as possible.

- Was the PCC planning to bid into the Police Innovation Fund 2014/15, which had a sum of money available to incentivise collaboration, support improved digital working and enable PCC's to deliver innovatively and what areas would this funding be directed to?

The Commissioner explained that he did not believe that there were many more areas where efficiencies could be made within the East Midlands because of the successful collaborative working that had been in place for some time. The East Midlands had been hailed as one of the best examples of collaborative working in the country. Despite this, if any efficiencies could be made, appropriate bids to the innovation fund would be made.

Tentative discussion had recently taken place with the Derbyshire Fire and Rescue Service in relation to the possibility of shared services.

- The Commissioner was asked to comment on last week's BBC poll which concluded that after a year since the introduction of Police and Crime Commissioners very few people knew that the role existed and were unaware of the name of their Commissioner?

The Commissioner confirmed that he believed this poll was carried out 7 or 8 weeks after the election and that recent statistics showed that 23% of people knew who their Commissioner was, which was considerably greater than the BBC poll reflected. In Derbyshire, he had strived to let people know about the role and work of the Police and Crime Commissioner by attending over 120 public events with a continued commitment to do so moving forward.

A number of Panel Members congratulated the Commissioner on the efforts he had made in trying to raise awareness of the post within Derbyshire.

- In relation to the recording of crime data, the Panel sought clarification around the difference between recorded and actual crime and were keen to see what proportion of all reported crime was investigated and what was detected?

The Commissioner accepted that there were many ways and different methods in which crime data was collected including the independent survey carried out by The England and Wales Crime Survey. There were many parallels between this and locally recorded data. He agreed that this

information would be collated and distributed to members of the Police and Crime Panel.

- The Commissioner was asked to comment on the fitness of the officers in Derbyshire and had he taken the recently introduced fitness test himself?

The Commissioner confirmed that he had not taken the fitness test himself but that officers within Derbyshire would all take the test as appropriate

51/13 POLICE AND CRIME PLAN – OBJECTIVE 5 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 drive continual improvement in performance through a robust performance framework that identified key risks and manifesto priorities”.

Within the Police and Crime Plan 2012/17 the Commissioner set out how he aimed to meet this objective through:

- Regular analysis of performance data;
- Holding the Chief Constable to account on issues of performance, receiving explanations on a regular basis to determine progress, efficiency and value for money considerations including effective partnership working; and
- Considering new ways of reducing and preventing domestic burglary, particularly in the city of Derby and rural crime particularly agricultural plant, metal and diesel thefts.

In order to keep the PCP informed of the Force’s performance and how the Commissioner was discharging his responsibilities within the Police and Crime Panel, he intended to provide a report at each meeting to share the latest scorecards and associated challenge by the PCC. Members also received a copy of the Strategic Governance Board papers in advance of every meeting to enable them to understand what areas of business and police and crime objectives the Commissioner was looking at, at each Board meeting.

RESOLVED to note the report.

52/13 POLICE AND CRIME COMMISSIONER (PCC) PERFORMANCE
The Police and Crime Commissioner’s Office sought guidance from the Panel on how they would like to discharge their responsibilities for providing the checks and balances for the performance of the PCC.

At previous meetings the Panel had agreed a forward plan to look at specific areas of the Police and Crime Plan to understand how the PCC was progressing against the 6 objectives contained within them. Appended to the report was the Business Plan for the Office of the PCC which was included as a suggested starting point for the development of a performance framework. The PCC invited the members of the Panel to work with his officers and in particular the Chief Executive, to develop a performance framework that would enable the PCP to better understand and measure his performance.

The Chair suggested that the best way forward would be to form a working/task group to work with the PCC's Chief Executive and officers to look at performance areas in greater detail. As a starting point it was suggested that the group should comprise of 3 Labour Group Members, 1 Independent Member and 1 from the other political parties, with a caveat that this may be amended dependent on workloads and specific topic areas in which people may have a particular interest.

It was confirmed that the Panel's rules and procedures allowed for such a group and as it was effectively a task group it did not have delegated powers and the full rigours of political balance did not apply.

It was suggested that the group report back to the Police and Crime Panel once it had defined its own role in draft form for approval by the Panel

Nominations to the group were made as follows:-

Labour Group – Councillors Murray-Carr and Blank (1 more to be confirmed)

Independent members – V Newbury (Vice-Chair) to lead the group; N Hodges to act as substitute in absence

Other political parties – (to be confirmed)

In relation to a question asked by a Member of the Panel in relation to anti-social behaviour covered in Objective 3, it was confirmed that the Strategic Governance Board would be looking at this specific area of policing performance at its meeting in October 2014, as different areas of policing were looked at in depth at each Board meeting.

In relation to Objective 6, reference was made to the recent Alcohol Conference and Strategic Risk meeting where mention was made of the Ipswich model and its potential launch across the County.

The Commissioner confirmed that discussions had been on-going since June and that local authorities were now required to come forward and pledge their support to the scheme. It was understood that Derby City Council and Chesterfield Borough Council had confirmed their interest and Councillor Murray-Carr agreed that Bolsover would now also like to be involved.

RESOLVED (1) to note the report; and

(2) to agree that a working group be established on the terms detailed above, to work with the Police and Crime Commissioner's Office in order to develop a performance framework.

53/13 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 scorecard from the SGB on 11 November 2013 was appended to the report to assist the Panel in understanding the management/performance data that the Commissioner received.

Further discussion took place around some general concerns with the 101 non-emergency contact number with the Police and Crime Commissioner confirming that he was aware of the issues and that efforts were currently being made to improve the service.

Reference was made to shop-lifting becoming more of a problem than in recent years and figures seemed to suggest that it was particularly prevalent in areas of social deprivation and that efforts were being made to address the situation.

It was queried if access was available to the British Transport Police (BTP) statistics. The Commissioner confirmed that these were not something that he had had sight of as the BTP had their own authority to whom they were responsible. It was agreed however that the Chief Executive would investigate further to see if any statistics were available as these would be useful when looking at the holistic picture.

RESOLVED to note the update performance report.

54/13 FORTHCOMING EVENTS It was noted that arrangements had been made for the Panel to have the opportunity to take part in a full day visit to Derbyshire Constabulary Headquarters, Ripley, on Wednesday 29 January 2014. The Chief Executive outlined the programme for the day and further details would follow in due course.

55/13 **WORK PROGRAMME 2013/14** The Director of Legal Services provided Members with a suggested work programme which would provide the Commissioner's office and the Panel secretariat the opportunity to enter into a degree of structured forward planning 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 work programme for the Derbyshire Police and Crime Panel 2013/14.

56/13 **DATE OF NEXT MEETING - RESOLVED** to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 30 January 2014 at 11.00 am at County Hall, Matlock.