

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL**
held on 11 April 2018 at County Hall, Matlock

PRESENT

Councillor Mrs L M Chilton (In the Chair)

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

20/18 **APPOINTMENT OF CHAIRMAN** On the motion of Councillor P Makin, duly seconded,

RESOLVED that Councillor G Wharmby be appointed Chairman of the County Council for 2018-19.

Councillor G Wharmby (In the Chair)

21/18 **APPOINTMENT OF VICE-CHAIRMAN** On the motion of Councillor S Bull, duly seconded,

RESOLVED that Councillor Mrs J A Twigg be appointed Vice-Chairman of the County Council for 2018-19.

22/18 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors K S Athwal, J Atkin and Mrs I Ratcliffe.

23/18 **DECLARATIONS OF INTEREST** There were no declarations of interest.

24/18 **CHAIRMAN'S ANNOUNCEMENTS** The following announcements were made:-

The Chairman:-

- (a) delivered his speech after his appointment as Chairman of the Council;

- (b) announced the forthcoming retirement of Mr John McElvaney, Director of Legal Services and invited members to respond;
- (c) congratulated Mrs Emma Crapper on her recent appointment as Director of Organisation, Development and Policy.

25/18 MINUTES OF THE ORDINARY COUNCIL MEETING On
the motion of Councillor G Wharmby, duly seconded,

RESOLVED that the minutes of the ordinary meeting of the Council held on 7 February 2018 be confirmed as a correct record.

26/18 MINUTES OF THE SPECIAL COUNCIL MEETING On
the motion of Councillor G Wharmby, duly seconded,

RESOLVED that the minutes of the special meeting of the Council held on 7 February 2018 be confirmed as a correct record.

27/18 REPORT OF THE LEADER Councillor B Lewis, Leader of the Council referred to the Public Library Service Strategy and the forthcoming consultation exercise which would commence in May. He informed the Council that a report would be presented to the next Council meeting which would be open for full debate.

Councillor Ms A Western asked for clarification from officers about what the purpose and remit of the debate would be, who would be entitled to speak and how the debate would be managed.

Mr McElvaney replied and clarified that a report on the future of the Library Service would be presented to the next meeting of Full Council for information. Decision-making would be a matter for Cabinet, however, the Council could have an open debate on the matter which would then serve to inform the consultation process.

28/18 PUBLIC QUESTIONS

**(1) Question from John Geddes to Councillor S A Spencer,
Cabinet Member for Highways, Transport and Infrastructure**

As the council looks at different ways of providing rural public transport, can Councillor Spencer offer the promise that where Derbyshire County Council funded transport will no longer offer plentiful capacity on a fixed timetable, the replacement services will be designed to allow users to make advance plans weeks or months ahead in the certainty that there will be transport available?

This requirement is NOT met by Derbyshire Connect and other “demand-responsive” transport services that book their places on a first-come-first-served basis, usually a week ahead. That sort of system is useless if you are being asked to pick a time to see a consultant who is booking appointments eight weeks ahead or book a job interview a fortnight ahead, because you won’t know until seven days ahead at what times you can travel on the chosen day, or even whether you will find all slots taken by the time your call gets answered.

I am asking for promise of a system that allows users, when appropriate, to get a firm promise of journeys many weeks ahead of their travel date.

Councillor Spencer responded to the question as follows:

Good afternoon, Mr Geddes, how are you?

We had a long conversation on the phone, as I am sure you remember and I covered all of this, but I am happy to cover it again in public.

There are two types of service that are relevant to this question, both of which come under the Derbyshire Connect grant. This scheme is designed to provide a bespoke service for people needing to get to medical appointments such as doctors, hospitals and trips that can be booked well ahead of the intended date. That is called the Active Travel Programme, as I am sure you are aware.

The other side to the coin is the Total Transport Pilot Project and I reiterate “pilot project” because this project has changed and been noted through its inception and will continue to be so and cater for the needs of the public as we move forward. This is a demand responsive service that operates on flexible routes between Ashbourne and Wirksworth. It has proven to be very successful in meeting different types of journey to school, work, leisure etc. During the first year of operation this new service has carried more than twice the passengers using the conventional bus service that it replaced.

The seven day rule is used to ensure that the service is open to everybody, although we understand that operators may look sympathetically on specific requests such as those outlined by Mr Geddes in his question. They will not, however, accept block bookings for an extended period of time as this would remove some of the flexibility that the service offers to passengers. Indeed, the feedback from passengers is that the ability to book at short notice is a priority, which this Authority supports and will continue to do so.

The pilot scheme is providing a very helpful tool for the Council to get a better understanding of how we can meet the needs of rural transport in Derbyshire and we have already made changes to the scheme to make it more attractive to passengers on a financial basis. The Council will continue to monitor the scheme and make further adjustments to try and help improve the service.

I hope that answers your question, Mr Geddes.

The following supplementary question was asked by Mr Geddes:

My question is what evidence the Council has, or expects to develop, to show that their new provisions will meet their statutory duty on public transport?

The Active Travel to Health Service is indeed a bespoke service booked well ahead. I rang them this week to ask them how much it will cost me to get to hospital. I live in Winster, which is not very far from here. It is fifteen miles to Calow. The answer is £42. That covers up to three hours. If you are there more than three hours it will be £84, so it is not quite the universal response that I think the Councillor is suggesting we might relax about.

Looking at the other service, of course people want to book at short notice. I wasn't saying they shouldn't. I am saying they need to be able to book at long notice and, if the only alternative to guessing when I might get a bus, is to sign up for £84 or £42, I think there will be a number of people who find themselves not able to get to hospital. Just saying that you take a lottery is not acceptable and I want to know how you think this is going to solve it? You said when you did your consultation two years ago, that you thought demand responsive transport might provide 5% of the capacity currently on subsidised services. If that is your chances of getting a ride, how can you book an appointment with a consultant eight to twelve weeks ahead without a very large chance that come the day you have to say "I can't come because I couldn't get a slot"?

Councillor Spencer responded to the supplementary question as follows:

Can I point out to you, you have raised the issue in your discussions about the statutory duties of this Authority on public transport. Some Authorities in the country have chosen to remove subsidised bus transport altogether and one would have to question how that fulfils your vision of the statutory requirements of the Authority to deliver services.

I will refer you to a document that was published at the same time as a document with regard to the removal of services. It was a Derbyshire Bus Partnership consultation. That Derbyshire Bus Partnership consultation, which I know you are fully aware of, refers to all the partners who deliver bus services across the County. It also talks about the 26 million bus journeys that are taken in this County on a regular basis by users. It also talks about the way in which this Authority subsidises 4.2 million of them through its subsidised bus network. I would say that was a pretty comprehensive service and I would say it was a pretty comprehensive consultation when the consultation document has been drawn up by all partners, not just the County Council, but user groups, education organisations, many facilities across the County who have public transport issues and are dealing with those issues on a regular basis.

I would also go on to say, Mr Geddes, that we are endeavouring to do the best we can with the resources we have available to us and I can assure you that the Derbyshire Connect model I believe will be a success in the long run. It was an idea brought about by the inception of the previous administration, I acknowledge that, and I supported it at the time. I think it is an opportunity to shape the future delivery of public transport in rural areas in particular.

I do not believe that we can continue to look backwards at how we delivered services. We cannot continue to expect exactly what it was before, which is I think what you were suggesting in your question, but I will say this to you, Mr Geddes: you and I have healthy debates on a regular basis about public transport and I understand you are concerned about your service, your community, as you would be anywhere else in the County. What I would also go on to say is this: the service changes that were put forward in that document at the same time as the consultation document were considered in detail at length. We considered the impact on the communities that we are here to represent and, out of the twenty six changes that were proposed in the document, thirteen of those services have been picked up by commercial operators which poses a question, Mr Geddes: were we doing the right thing in subsidising them in the first place? Were we doing the right thing in providing them in the way we were? The other thirteen are, in general, and I say "in general" in the vast proportion of cases, out of our service at weekends and the evenings which really do not affect a huge number of people and are directly related to the cost per head per passenger journey, which I am sure you are fully aware of. One would have to question, I don't know where the price came from on the service to the hospital, but you know better that many people in the County, that the Volunteer Drivers' Scheme delivers a superb service in Derbyshire at this moment in time. We are going to be having discussions about that moving forward as part of this consultation

process and that may be an option if you have a long-term appointment at a hospital. Thank you for your time.

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

On 21 March, six residents of Newton met with HS2 at their offices in Birmingham. We had submitted several questions in advance and the HS2 engagement team attempted to answer them. One answer given which may interest Derbyshire County Council, was that although lengthening of platforms in existing stations to meet the requirements of HS2 trains is covered by the HS2 budget, any new platform required at Chesterfield Station would not be funded by HS2.

Will the platforms at Chesterfield require to be extended bearing in mind that the HS2 trains travelling on the Midland line will be only 500m in length, and will the current number of platforms accommodate the current traffic and the proposed HS2 traffic?

Councillor Spencer responded as follows:

Good afternoon, Mr Mellors. How are you? Specifics - we have lots of conversations don't we - but specifics on this. I was somewhat surprised by the question I have to say, because we have usually been talking about other issues, but this is of interest.

The HS2 current plans envisage a standard 400 metre train, I understand. My understanding is that when the train reaches Toton Station, those trains will be split into two 200 metre trains. Some of the existing trains using Chesterfield Station are 230 metres long at this moment in time so it should not present a significant problem with regard to them stopping at the present station under that particular format.

I am aware that the funding issues you articulate in your question are correct and we will need to look if there are any major changes and how we are going to fund those changes, either through Network Rail or the Department for Transport.

However, we need to consider very carefully how that investment can be sought and how it can be best used, as I am sure you are fully aware, but I don't envisage having the train split at Toton down to 200 metres in length should pose a significant problem at Chesterfield Station.

The following supplementary question was asked by Mr Mellors:

On Monday this week, Sheffield City Region published a HS2 growth strategy report in which it states “There continues to be differing public perceptions about HS2 within parts of the City Region. As such the focus has been on the impact on some communities and how these can be mitigated.” Can you confirm if this “focus” has as yet produced any movement on impact mitigation for Blackwell Parish? Thank you.

Councillor Spencer responded to the supplementary question as follows:

Thank you, Mr Mellors, I knew we would get to the point eventually. Yes, it has I think it would be fair to say, and I am probably answering the question I am going to answer to your colleague in a moment because he refers to that particular issue, so I will deal with it now and if we need to tweak it we can do.

As you are fully aware, the HS2 Strategic Board meets on a regular basis and, as at the last meeting, I was appointed the Chairman of the newly formed Mitigation Board which is yet to meet and yet to be formed. I can assure you that when that Board is formed, we will be looking at mechanisms where groups such as yourself and other areas of the County across the East Midlands, will be given an opportunity to make representations to that Group so we can do our best to mitigate the impact of HS2 here in Derbyshire and further afield. I suspect it will involve the District Councils, but that has yet to be decided by all the bodies who will undoubtedly be involved, the County Councils, the District Councils, the Groups who wish to make representations etc.

As you know, we have already employed the professional skills of Lavalins to carry out a study. That study is yet to report back. You already know, Mr Mellors, that, Lavalins are looking at Blackwell as part of that study. I think you are one of the fifteen items that were recorded within that study brief in the initial outset, so when I have that report and I am able to share the feedback from Lavalins, I will be more than happy to do so.

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

I note that this Council has representation on the East Midlands Councils HS2 Strategic Board, a body which lists amongst its stated purposes ‘to bring economic benefits to the region whilst seeking to remove or mitigate any adverse impacts’

As the weeks pass towards the Hybrid Bill being presented in Parliament, residents and homeowners, some of whom are threatened by compulsory purchase due to the HS2 ‘spur’ dissecting Newton

village and Old Blackwell, are anxious to know what removal or mitigation of adverse impacts are being pursued on their behalf.

Can our Council representative(s) on the East Midlands Councils HS2 Strategic Board, give examples of how they have, or intend to, ensure that this Board is actively 'seeking to remove and mitigate any adverse impacts' on their homeowners and residents in the County affected by the proposed HS2b route?

Councillor Spencer responded as follows:

Good afternoon, Mr Heaseman, well this Council, specifically myself as Cabinet Member, has been very proactive in raising the profile of mitigation issues and ensuring that relevant authorities, the District Councils such as your own and Erewash, for example, are well positioned to influence the design of the scheme, and also provide a well-informed report to HS2 Ltd on the issues that they are putting forward.

Derbyshire County Council, as you already know, has a Mitigation Group which is chaired by a senior officer of this Authority. I believe that was appropriate and still is appropriate, that we should chair that Group as Derbyshire residents are probably the greater volume of impacted residents within the HS2 proposals here within the East Midlands. As I have already said, SNC Lavalin are in the process of producing a document that will articulate in particular, Blackwell's concerns and no doubt put forward some suggestions on how we can move forward on mitigation.

I think it is also important that the County Council liaises with its District Council colleagues, which we are doing, and as you know we have a dialogue with those District Councils over mitigation impacts. We have two models in the process that are taking place at the moment. We have a Staveley and Chesterfield Delivery Board and a shadow Joint Venture Group which is becoming prevalent moving forward. We are looking at ways in which we can take the public sector, the landowners with us to get the economic benefit to our communities, but of course, also we are having discussions with them on how we can best mitigate the impacts on the local communities that we represent.

Toton is going through exactly the same process at this moment in time. We are in the process of trying to come up with a Delivery Board and some form of JV arrangement with business communities in that particular area, but you will know, like I know, that residents, some residents within our County are going to feel the impact of HS2 far more greatly than others, and you live in one of those communities. I understand, take note and, as I say, respect your position on that

particular issue.

I can give you an assurance today that moving forward, we will do our best to share that information as best we can. We will do our best to make sure that you and the other groups within the County have an opportunity to raise those issues at a strategic level with the Mitigation Board, which will then feed into the East Midlands' Strategic Board and hopefully feed into HS2 Ltd and the Department for Transport moving forward, but I will give you that assurance today.

The following supplementary question was asked by Mr Heaseman:

The supplementary question is following on from my question some of the Council Members present may well have seen on East Midlands Breakfast News this morning, an item concerning one of our homeowners in Old Blackwell whose house sits in what they call the "rural support zone", in other words right next to the proposed track. He applied to HS2 for them to buy his property, to which they agreed months ago, but due to either their tardiness or incompetence in completing the purchase, the homeowner has lost out on two other properties upon which he had an agreed purchase. This is not the first instance of this incompetence by HS2 for our residents and homeowners. Incidentally HS2 always arrogantly blame the homeowner for the delays. Would the Council agree that HS2 should not be conducting themselves in this way when dealing with people and families' lives who after all, did not choose to have to sell their homes or move, and will the Council agree to discuss with us a way in which they will take this issue up with HS2 on behalf of their Council taxpayers in Derbyshire?

Councillor Spencer responded to the supplementary question as follows:

Thank you, I did not see the article on television this morning, I was probably in my office here. I apologise for that and I will do my best to pick up on what you have said.

I have continually, and I am on the record as saying, it is incredibly important that the residents who are directly affected by the introduction of HS2, the provision of HS2, are rightly and properly compensated for the inconvenience, loss of their homes, whatever the case may be. In this particular case, it is a home involved. I am on the record as saying a home should be replaced with a home. I mean that in a respectful way and I stand by that statement as well, because we all know the challenges and difficulties people will face in valuations and trying to find a like-for-like. Obviously, there is a massive difference in

value of properties from one area to another.

I have already said, Mr Heaseman, that I intend giving the Mitigation Group the opportunity to listen to concerns that residents or campaign groups or local authorities may have and feed them back into HS2. I don't believe it is necessarily purely the issue of Derbyshire County Council, I think it is the issue of the HS2 Strategic Board, so I will come back to my original answer to the original question: we need to find a mechanism to allow issues such as the one you have just articulated, to be heard at the right place by the right people. I genuinely believe the best place for that to happen is through the Mitigation Board that we are in the process of setting up with our District Council colleagues. We need to find a mechanism of allowing you, or other people for that matter as residents of Erewash, as residents of different areas of the County, all over the place, who may wish to raise issues of a similar nature. I need to find a mechanism that allows you to raise those issues in an articulate way and allows us to present those issues to HS2 for a proper, detailed response. It is my job to build a relationship with HS2 Ltd that they understand we are there speaking on behalf of the residents of the East Midlands who expect a qualified, detailed and satisfactory answer. I will pledge that I will do my best to achieve that. I will do my best to deliver that as I told you in my office only a few days ago. That continues to be the case and as that Board develops and as we come forward with proposals which will come about in due course when the Strategic Board sorts itself out, we will be in touch with you and explain to you the processes we are suggesting.

29/18 PETITIONS There were no petitions to report.

30/18 THE COUNCIL'S SENIOR MANAGEMENT MODEL

The Director of Legal Services and Monitoring Officer presented a report which sought approval to designate a permanent Head of Paid Service and to amend the Constitution to provide for urgent decision-making by Strategic Directors.

In July 2017, the Council had adopted a new senior management model which had deleted the post of Chief Executive. This required the designation of one of the four Strategic Directors to the statutory role of Head of Paid Service and provided for the payment of a supplement of £10,000 to the designated officer. Interim arrangements had been implemented in September 2017 and the Strategic Director of Adult Care was currently fulfilling the role of Head of Paid Service.

When the new arrangements had been introduced, it had been envisaged that the Head of Paid Service would not line manage the other Strategic Directors, but would be first amongst equals, which would be reflected in the supplementary payment which had been

recommended by the Local Government Association. However, in the light of experience of the new model, albeit on an interim basis, the Strategic Directors had questioned whether this was appropriate, particularly given the limited nature of the statutory role. Whilst it was important to have an effective decision making process, this could be more appropriately achieved through consensus and, as necessary, through the role of the Chair of the Corporate Management Team.

It was therefore proposed that the Strategic Director of Commissioning, Communities and Policy be designated as Head of Paid Service on a permanent basis, with the postholder, Emma Alexander, taking up the role with immediate effect, subject to the approval of the Council. The payment of the supplementary sum would no longer be considered as appropriate and the agreement of all of the Strategic Directors to this designation obviated the need for a competitive selection process. The role of Chair of the Corporate Management Team would be undertaken by the Strategic Directors on a six monthly rotational basis.

In relation to urgent decisions, the Council's Constitution (Scheme Delegation, paragraph C1), had been amended by the Council in September 2017, to provide the Head of Paid Service with urgent decision-making powers. However, for consistency with these proposals, it was considered appropriate to amend the Constitution by changing the reference to "the Head of Paid Service" to "Strategic Directors" as detailed in the report.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to (1) designate Emma Alexander, Strategic Director, Commissioning, Communities and Policy, as the Council's Head of Paid Service; and

(2) amend the Council's Constitution (Scheme of Delegation, paragraph C1), to delegate urgent decision-making to Strategic Directors as detailed in the report.

31/18 COUNCIL PLAN 2017-21 UPDATE FOR 2018-19

The Interim Head of Paid Service sought approval of the Authority's Council Plan update 2018-19, following consideration and recommendation by Cabinet at its meeting on 5th April 2018.

The Council Plan 2017–21, sets out the strategic direction for the Council, and was approved by Full Council at its meeting on 13 September 2017. As part of an annual programme, the Plan had been reviewed and an update for 2018-19 had been produced, a copy of which was attached at Appendix A to the report. The update had been

undertaken to ensure the Plan continued to reflect the ambitions and priorities of the Council, and to report on the Council's progress in delivering the commitments set out in the Plan.

Details of the outcomes for Derbyshire which the Council was working towards with partners and local communities along with the sixteen priorities for 2018-19 were set out in the Plan.

Flagship projects were also detailed, highlighting key cross cutting projects which would be progressed over the life of the Council Plan. Ninety-three commitments, outlining what the Council would do with to improve outcomes, were also presented. Two additional commitments had been included in the update. In order to ensure that children had a high-quality education that helped them get the best start in life, an additional commitment that more Derbyshire children were taught in good or outstanding schools, had been included, along with an additional commitment to work with schools and partners to encourage children and young people to participate in the new "walk a mile a day campaign", to improve children's health and tackle childhood obesity.

The Council's progress in delivering commitments set out in the Council Plan would be reported to Council on an annual basis.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to approve the Authority's Council Plan update 2018-19, following its consideration and recommendation by Cabinet at its meeting on 5 April 2018.

32/18 DEPARTMENTAL SERVICE PLANS 2017-2021 (2018-19 UPDATE) The Interim Head of Paid Service sought approval for the Departmental Service Plans 2017-2021 (2018-19 Update), following their consideration and recommendation for approval by Cabinet at its meeting on 5 April 2018.

Service Plans set out how each department would contribute to the Council Plan 2017-21 outcomes and priorities. The Service Plans described how departments would deliver priorities and how success or impact would be measured.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to approve the Departmental Service Plans 2017-21 (2018-19 Update), following consideration and recommendation by Cabinet at its meeting on 5 April 2018.

33/18 HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

The Strategic Director for Adult Care presented a report which sought approval of the revised Terms of Reference for the Derbyshire Health and Wellbeing Board.

Under the Health and Social Care Act 2012, Health and Wellbeing Boards had been introduced as formal committees of local authorities. In areas where there were two tiers of local authorities, this role sits with the County Council and, as the Board was a formal committee of the Council, the Council was required to approve its Terms of Reference.

The report referred to the current governance structure which had been in place since the LGA Peer Review in 2014. Since the last governance review, a number of significant changes had occurred across the local health and social care economy, details of which were included in the report. As a result of these changes, a Governance Review of the Derbyshire Health and Wellbeing Board had been undertaken in November 2017 which had focused on:-

- the Health and Wellbeing Board's fit with the STP system-wide governance structure, particularly in relation to how the Board could provide appropriate challenge to health and social care partners, demonstrate public accountability as well as defining the strategic vision for health and social care in Derbyshire;
- the size and composition of the Board to ensure that it did not duplicate other related boards, but continued to represent and engage the wide range of partners;
- the sub structure of the Board which would be required to drive forward strategy development and implementation;

As a result of the Governance Review the following amendments had been reflected in the Terms of Reference:-

- the number of individuals required to attend Health and Wellbeing Board meetings had been reduced, whilst ensuring that the Board was representative of health and social care activity in Derbyshire;
- the Health and Wellbeing Board Core Group would be disbanded;
- the agenda would be agreed by a smaller group of officers comprising of the Chair and Vice-Chair in conjunction with the Strategic Director for Adult Care and all board members would be asked to put forward reports for consideration prior to the agendas being finalised;
- performance management and the implementation of the Health and Wellbeing Strategy would be driven forward by the Health and Wellbeing Board rather than by the Core Group.

The revised Terms of Reference, which had been agreed by the Health and Wellbeing Board, were appended to the report. These would be reviewed annually, and any future significant changes would require approval by the Council.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to approve the Derbyshire Health and Wellbeing Board Terms of Reference as detailed in Appendix 1 of the report.

**34/18 SCHEDULE OF APPOINTMENTS TO CABINET,
CABINET PORTFOLIOS AND COMMITTEES**

This item was deferred until the next meeting.

**35/18 REPORT OF CABINET AND MEMBERS' QUESTIONS
ON THE REPORT**

Councillor B Lewis, Leader of the Council, presented a report on the decisions that had been taken at meetings of Cabinet held on 1 and 22 February and 15 March 2018.

No questions were raised on the report.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to note the report.

36/18 COUNCILLOR QUESTIONS

(a) Question from Councillor B Bingham to Councillor S A Spencer, Cabinet Member for Highways, Transport and Infrastructure

Respectfully noting that this is not the fault of the officers who have numerous potholes to deal with at this time, what does the Council intend to do about the significant amount of potholes on the County's roads, the condition of many of the pavements, and what is it costing the County Council in claims for damage to vehicles caused by potholes?

Councillor Spencer responded as follows:

Thank you, Councillor Bingham, I am sure you appreciate I have been through a lot of it already and I am sure you don't wish me to repeat myself because I have been through this already. I can do if you wish. I will get to the other part of the question about the insurance claims which I have not been through to date.

It is very difficult, Councillor Bingham, to give you a detailed explanation of claims that have been lodged against this Authority at this moment in time because many of those have been investigated and we are looking in to them carefully. Since January, we have had 408 claims relating to vehicle damage. The claims are currently being investigated and processed. Every claim will be investigated properly and when we have that information it will be logged accordingly.

I can give you a comparison for last year. As a comparison in 2017, the Department received 244 insurance claims for vehicle damage, 88 of which were classed as successful. What that means in other words, is they were seen as secure claims that were paid to all intents and purposes. Those claims, and I was surprised at those figures I have to say, those claims cost the Authority, this is purely repairs to vehicles as a consequence of damage by potholes, cost the Authority £19,000, which I have to say I was surprised about. I articulated that to the Strategic Director just before we came in. I hope that answers your question with regard to the claims last year and, if you require the information for this year, you will have to bear with me until we have those.

37/18 NOTICES OF MOTION

Council considered a Notice

of Motion as set out below:-

Motion submitted by Councillor Ms A Western

“This Council welcomes the Government’s commitment to reducing the amount of plastic in the environment.

The Council notes the recent Government assurances about the long-term security of UK gas supplies from current sources.

The Council can therefore see no justification for the proposed change to the National Planning Policy Framework (NPPF) that would give preferential status to unconventional hydrocarbons by requiring minerals planning authorities to “put in place policies to facilitate their exploration and extraction”

The Council will object to this proposed change in its response to NPPF consultation and convey this objection to the relevant Government ministers”

The motion was duly seconded.

An amendment to the motion was moved by Councillor A Dale, duly seconded, that the motion be amended to read:-

“This Council welcomes the Government’s commitment to reducing the amount of plastic in the environment.

The Council notes the recent Government assurances about the long-term security of UK gas supplies from current sources. The Council can therefore see no justification for the proposed change to the National Planning Policy Framework (NPPF) that would give preferential status to unconventional hydrocarbons by requiring minerals planning authorities to “put in place policies to facilitate their exploration and extraction”

The Council will object to this proposed change in its response to NPPF consultation and convey this objection to the relevant Government ministers.

Whilst noting that the draft revised NPPF includes a wide range of proposals not limited to oil and gas exploration and the Council will respond to all aspects of the proposed changes, many of which are positive”

The motion was duly seconded.

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

For the motion (59) Councillors T Ainsworth, D Allen, R Ashton, N Atkin, Mrs E Atkins, S A Bambrick, N Barker, B Bingham, Mrs S L Blank, J Boulton, S Brittain, S Bull, Mrs S Burfoot, K Buttery, Mrs D W E Charles, Mrs L M Chilton, J A Coyle, A Dale, Mrs C Dale, J E Dixon, Mrs H Elliott, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, J A Frudd, K Gillott, A Griffiths, Mrs L Grooby, Mrs C A Hart, G Hickton, R Iliffe, Mrs J M Innes, T A Kemp, T King, B Lewis, P Makin, S Marshall-Clarke, D McGregor, R Mihaly, C R Moesby, P Murray, G Musson, R A Parkinson, Mrs J E Patten, J Perkins, B Ridgway, C Short, P J Smith, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, M Wall, Ms A Western, G Wharmby, Mrs J Wharmby, and B Wright.

38/18 MINUTES OF MEETINGS OF COMMITTEES AND OTHER BODIES

On the motion of Councillor G Wharmby, duly seconded,

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

- (a) Regulatory – Licensing and Appeals Committee held on 26 February 2018

- (b) Regulatory – Planning Committee held on 5 February and 5 March 2018
- (c) Pensions and Investment Committee held on 24 January and 7 March 2018
- (d) Audit Committee held on 14 February 2018
- (e) Improvement and Scrutiny Committee – Resources held on 15 March 2018
- (f) Improvement and Scrutiny Committee – People held on 28 February 2018
- (g) Improvement and Scrutiny Committee – Places held on 6 March 2018
- (h) Improvement and Scrutiny Committee – Health held on 22 January and 12 March 2018
- (i) Derbyshire Police and Crime Panel held on 25 January 2018
- (j) Derbyshire Fire and Rescue Authority held on 15 February 2018