

**MINUTES** of the meeting of the **DERBYSHIRE COUNTY COUNCIL**  
held on 7 December 2011 at County Hall, Matlock

**PRESENT**

Councillor G D Wharmby (in the Chair)

Councillors D Allen, J A Allsop, Mrs S M Allsop, Mrs E Atkins, R B Baldry, Mrs G Birkin, Mrs J N Blake, Ms S L Blank, Mrs M W Booth, D Bowley, S J Bradford, W Burrows, D Chapman, A F Charles, Mrs C M Cox, J A Coyle, Ms T Critchlow, J E Dixon, S J Ellis, Mrs G A Farrington, S Flitter, M Ford, K Gillott, J P Harrison, Mrs C A Hart, G K Hickton, R L Hosker, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, B C Lucas, G J E MacDonald, W Major, P Makin, K P Morgan, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, Mrs C Pidgeon, G W Purdy, Mrs G P Reddy, B Ridgway, P J Riggott, A H Rogers, R W Russell, P J Smith, S A Spencer, K Stevenson, Mrs M Stockdale, D B Taylor, Mrs J A Twigg, Ms A Western, Mrs J Wharmby, D J Wilcox, J G Williams and D Wilson.

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

**85/11**      **CHAIRMAN'S ANNOUNCEMENTS**    The following  
announcements were made:-

- (i)    The Chairman welcome visitors from Pottery Primary School, Belper and Chapel-en-le Frith Primary School.
- (ii)   The Chairman reported the death of former County Councillor John Powell who was Labour member for the Scarcliffe Division from 1997 to 2005 and, for a time, was Deputy Leader of the Council. At the invitation of the Chairman, Members stood in silent tribute to his memory and a number of personal tributes were made.
- (iii)   An award was made to the Council's Children's Rights Team which had named service team of the year in the Children and Young People Now Awards.
- (iv)   The Chairman reported that the Council had received an award from SaBRE (Supporting Britain's Reservists and Employers) for its work as a supportive employer of members of the Territorial Army.

- (v) It was reported that the Countryside Service had received an award at the Annual Award Ceremony of the British Horse Society. The award received was in recognition of a project initiated in 2008 to improve access for horse riders to the Greenways network through special provision of secure horse box parking adjacent to the trails in the northern area.

**86/11            DECLARATIONS OF INTEREST**            The following declarations of interest were made:-

Councillor S Bradford declared a personal interest in agenda item 16(1) – Notice of Motion, as a member of Amber Valley Borough Council.

Councillors Ms A Western and D J Wilcox declared a personal interest in agenda item 5 – Question concerning the Local Government Pension Scheme as members of the scheme.

**87/11            PUBLIC QUESTIONS**            No questions had been received from members of the public.

**88/11            COUNCILLOR QUESTIONS**            Councillors asked questions as follows:-

**(1) Question to Councillor K L Parkinson from Councillor M Ford.**

This Council welcomes the significant investment being made by Toyota and Nestle in South Derbyshire to create 1,800 manufacturing jobs in 2012. With East Midlands private sector employment rising by 50,000 since the general election, and this further boost in confidence of the hi-tech manufacturing skills in Derbyshire, could the Cabinet Member for Regeneration outline how he will ensure our young people are job ready and skills can be matched to these and future employment opportunities.

**Councillor Parkinson responded as follows:-**

Toyota's first 500 workers will be recruited in the middle of next year and the total number of jobs could rise from 3,100 to 4,600. Nestlé, the nutrition, health and wellness company's planned investment of £110 million will increase its workforce to 800. Merritt Plastics in Ilkeston, a subsidiary of Alfreton based Eurocell PLC is investing £3m creating the largest and most advanced closed loop recycling plant of its type in the UK and providing up to 15 new local jobs in the process.

Debenhams will create 200 new jobs in Chesterfield and the Co-op has commenced its new Castlewood Regional Distribution site creating a further 130 new jobs to employ over 900 people.

Further advancements are being made by the Council and its partner, Henry Boot Developments, in Markham Vale with further details to be announced shortly. Rolls Royce continues to announce job creation as it continues to win new business. The digger firm JCB is to invest £31 million to produce a new diesel engine after securing £4.5 million Regional Growth Fund and create 350 new jobs at its power systems plant in Foston with nearly 50 engineers already being recruited. Federal-Mogul, awarded £1.6 million under the Regional Growth Fund, will create 44 new jobs in the High Peak for the development of new rail friction technology and for manufacturing capacity to accelerate their sales and exports.

With the advanced manufacturing and hi-tech production engineering strengths in Derby and Derbyshire and the knowledge-based and medical bioscience strength in Nottingham, our young people are well placed. Areas that had higher skills suffered less in the last recession and were able to capitalise quickest on an upturn. Skills increasingly matter in good times and bad.

That is why, in order to prepare our young people for the world of work and hi-tech job opportunities, we are promoting high levels of literacy, numeracy, ICT and scientific understanding in our Accelerating Achievement Programmes in schools.

We have seen our performance in English and mathematics climb to the top of the table at Key Stage 2 and we have improving programmes in place in our secondary schools to promote high levels of attainment in English and mathematics. We are developing our young people's understanding of the application of science, technology, engineering and mathematics.

As part of the Derbyshire Science Space Exploration Programme we have established links with the local employers, including Rolls Royce and national employers like British Telecom and Vodafone to provide mentorship to our aspiring scientists. 250 young people have attended space master classes at the International Space Centre in Kurilov City and Derbyshire is leading the UK's Space Olympics Team at the International Space Olympics in October next year.

We are promoting in our secondary schools a wide range of work related learning programmes and activities that give students the opportunity to meet with, and work alongside, employers in order to

develop the understanding, skills and knowledge necessary to make a successful transition from school to work. An important element of that work is the work experience opportunities that most secondary schools offer to students in their last two years of compulsory schooling.

Equally, the rise of apprenticeships is a particularly important option for young people and we are seeking to provide apprenticeships in an ever growing range of occupational areas. Derbyshire is currently exceeding targets for the numbers of apprenticeships being taken up by young people with the highest rate in the region.

On the 13 December I will be seeking Cabinet approval to award a contract for Derbyshire County Council's Apprenticeship Training Agency, a four year scheme to provide Derbyshire apprenticeships for young people to achieve either an Intermediate Level 2 or Advanced Level 3 apprenticeship across approximately 30 different occupational frameworks allowing those who complete their training contracts to be in a strong position to apply for long-term sustainable employment.

**As supplementary question was asked as follows:-**

. The recent announcements over the last few weeks have been tremendous news for Derbyshire and South Derbyshire in particular, JCB's announcement only coming out today. What about those young people who have failed at school to achieve a Grade C and fall out of continuing education and learning and become unemployable?

**Councillor Parkinson responded as follows:-**

In order to ensure that every student has the best possible advice to help them plot their own journey into the world of work, we will work alongside schools to provide high quality and impartial information, advice and guidance. On the 25 November the Deputy Prime Minister announced the Government's new £1 billion plan to tackle young people who are NEETs, Not In Education, Employment or Training, designed specifically to get every young person working or learning again.

In total, up to half a million youngsters could benefit from this programme which will see private companies subsidised to the tune of £2,275 for every young person they hire and young people offered the opportunity to gain up to eight weeks' work experience whilst continuing to access benefits.

Back in August this year I asked Chief Officers to engage with the Job Centre Plus work experience programme. Derbyshire County Council has already signed up to that scheme providing valuable work

experience opportunities to long-term unemployed with valuable job ready skills, a positive work ethic and a strong reference for their future career.

Having started my career as an Army apprentice engineer I am passionate about providing our young people with positive life choices and believe they should work hard, flourish, and help our Derbyshire businesses prosper.

**(2) Question to Councillor A F Lower from Councillor Ms A Western.**

There is a public perception, fed by much of the media, that public sector pensions are 'gold-plated' and unaffordable. However, the reality is that:

- the average pension paid by the Derbyshire Local Government Pension Scheme is currently £4,224 per annum – hardly gold-plated
- the Local Government Pension Scheme is a funded scheme ie. it is backed by an investment pot, which in the case of Derbyshire's scheme, is worth £2.6billion. The income from these investments is used to pay for the pensions.

Derbyshire County Council's employees are currently enduring a pay freeze, which is now to be followed by a 1% cap on pay increases for 2 years. The imposition of an extra 3% in pension contributions, none of which will go into the funding of the pension scheme or into improved pension benefits, is tantamount to an additional tax. Taken together, these measures will equate to a 16% decrease in living standards by 2015. It may also lead to existing members opting out of the pension scheme, thus undermining its viability. Will the Council Leader write to the Chief Secretary to the Treasury as a matter of urgency to express these concerns and urge the Government to rethink their proposals?

**Councillor Lower responded as follows:-**

The Local Government Pension Scheme, if not "gold plated", is widely recognised as a very good scheme that offers very good benefits to its members. You highlight that it is a funded scheme but it is partly funded. It is not right to say that the 3% does not go into the scheme and, notwithstanding that, Council taxpayers across the country do contribute significant resources to maintain its viability. As with any other major item of public expenditure, the Government, particularly in this very hard financial climate, does have a responsibility to make the best use of these public resources, so the balance between the Fund

benefits, the employee contributions and the employer contributions needs to be very carefully weighed and that is what national negotiations are all about. Those negotiations are best carried out by the recognised negotiators and that is the Government, the Trade Unions and the Local Government Association on behalf of Councils as employers. I do not feel it would serve any useful purpose writing as a single Council to an individual Minister.

**As supplementary question was asked as follows:-**

I think it is unfortunate that the Government appears to be pursuing a divide and rule strategy on this between low paid public sector and private sector workers and trying to set one against the other. Councillor Lewer made reference to funding from the public purse to public sector pensions and that is indeed the case, but for every pound from the public purse that goes into supporting public sector pensions £2.50 goes into supporting private sector pensions as well, mainly in the form of tax relief and so on. I think we need to be dealing with this on an even playing field and comparing the same things rather than always victimising public sector workers as if they are leeches on society instead of the people who maintain a civilised society.

I would also like to say that, far from being a “damp squib” as the Prime Minister referred to it, the Day of Action last Wednesday saw massive support in Derbyshire both in Chesterfield and in Derby for local government workers and the case they have with pensions, in particular a lot of support for the public sector *per se*. There were people certainly in Chesterfield and I think in Derby as well, members of the public who were cheering the marchers as they went through, so I think there is a strength of feeling that there is a strong moral case around this.

As the Leader of a Local Authority, and also with a position of responsibility at the Local Government Association, does the Council Leader see that his role is to fight the case for local government both in terms of pay and conditions for public sector workers but also to protect the public services and that that role, as a supporter of local government, should take precedence over Party politics?

**Councillor Lewer responded as follows:-**

I don't know what answer Councillor Western was expecting me to give to her initial question but the contents of what she just said did not bear a great deal of relationship to what my reply was, which did not prove to be excessively partisan, did not bring in any attempt to do anything other than recognise the difficult time that public sector

workers are having at the moment, just as so many people in the private sector are having. If I had been minded to be political and have one of our usual arguments about that I would now be leading into why that situation is upon us all. Instead of doing that what I would rather do is look at the last part of her question, a supplementary, which was talking about being supportive of local government both at a national level, which I am very proud to do, but also here at a local level and underlining that this administration has done a considerable amount of work to assist the people who work for us and who we are very proud of.

We put more money into Single Status than was planned under the previous administration. We have provided a three year generous pay protection package for employees who lost out under Single Status and we have adopted the Derbyshire package which maintains a very good range of terms and conditions. We have tried very hard, and when people are away from the microphone and away from the need to be adopting a particular line will acknowledge that we have worked particularly hard to protect services and jobs from the worst of the budget reductions *and* to avoid redundancies wherever possible.

We have also created the Employee Discount Scheme that has already been adopted by thousands of our employees. Negotiations on these terms and conditions are still underway. Over 28 years we have not had a pay bargaining session within a full Council Chamber and I am not proposing to start one now but we will do our best for our workers within the very difficult circumstances that we all have to realistically face.

**(3) Question to Councillor J A Allsop from Councillor B C Lucas.**

Can the Cabinet Member for Recycling and Technology update this Council on how much of the £700,000 Derbyshire Council taxpayers' investment on the Downing Road Waste Transfer Station based in Derby will be returned to the Authority and is that expected to be at a loss?

**Councillor Allsop responded as follows:-**

Despite attempts over several months to resolve operational difficulties at the Downing Road site to find an alternative use we have been unable to find a satisfactory solution. RRS has applied for planning permission to dismantle the building at Downing Road for the Councils to reuse or sell.

Discussions are ongoing with Derby City Council as to a possible future use for the building. If a suitable use cannot be found the building will be sold and the receipt divided between the two Councils in line with the original investment, 53% to the City and 47% to the County based on the original intended use. It must be borne in mind that the facility was always envisaged to be a temporary measure until such time as the Sinfin facility came on-stream.

Non-recyclable waste collected in Derby and the surrounding area will continue being taken to the WRG site at Raynesway at no further cost to either County or City Council. The potential savings of this arrangement approved by this administration via a deed of variation to the contract with RRS in March 2011, together with other savings RRS has offered to the Councils, significantly outweigh the cost of the Downing Road site. There is no additional cost to the Council taxpayers. At the time the Downing Road site was chosen by RRS the WRG site was not available for the City and Councils to use. The WRG site only became available to us in April 2010.

**As supplementary question was asked as follows:-**

In actual fact no matter how you tart that response up this was a building that was built state-of-the-art to take waste and never happened. That in itself is a failure and a failure to this County and Derby City.

My supplementary question is this: When were you made aware of the problems regarding Downing Road? What emergency meetings did you have as Cabinet Member with your counterpart in Derby City to see how you would resolve this, and how many meetings have taken place since its closure was reported on what the best course of action was? Your involvement as Cabinet Member is paramount to this on the decision and I would like to know your involvement, the meetings you had in relation to this and when you were first made aware.

**Councillor Allsop responded as follows:-**

I cannot agree that it is a "failure", we have found a better way of doing things. As to the times and dates of various meetings I obviously do not have those to hand and therefore I will provide you with a written answer.

**89/11      QUESTIONS ON THE FUNCTIONS OF THE  
DERBYSHIRE POLICE AUTHORITY AND THE DERBYSHIRE FIRE  
AUTHORITY**      No questions had been received.



**90/11      COUNCIL MINUTES**    On the motion of Councillor G D Wharmby, duly seconded,

**RESOLVED** that the minutes of the meeting of Council held on 7 September 2011 be approved as a correct record and signed by the Chairman.

**91/11      CABINET**    On the motion of Councillor A I Lewer, duly seconded,

**RESOLVED** that the minutes of the meetings of Cabinet held on 20 September, 11 October, 1 and 22 November 2011 be received and adopted.

**92/11      REGULATORY – LICENSING AND APPEALS COMMITTEE**    On the motion of Councillor R A Parkinson, duly seconded,

**RESOLVED** that the minutes of the meetings of the Regulatory – Licensing and Appeals Committee held on 19 September and 17 October 2011 be received and adopted.

**93/11      REGULATORY – PLANNING COMMITTEE**    On the motion of Councillor M Ford, duly seconded,

**RESOLVED** that the minutes of the meetings of the Regulatory - Planning Committee held on 12 and 26 September, 13 and 24 October and 14 November 2011 be received and adopted.

**94/11      PENSIONS COMMITTEE**    On the motion of Councillor P Makin , duly seconded,

**RESOLVED** that the minutes of the meetings of the Pensions Committee, as administering authority and as employing authority, held on 17 October 2011 be received and adopted.

**95/11      AUDIT COMMITTEE**    On the motion of Councillor Councillor S J Bradford, duly seconded,

**RESOLVED** that the minutes of the meetings of the Audit Committee held on 27 September and 17 October 2011 be received and adopted.

**96/11      INVESTMENT COMMITTEE**    On the motion of Councillor S J Ellis, duly seconded,

**RESOLVED** that the minutes of the meeting of the Investment Committee held on 5 September 2011 be received and adopted.

**97/11        STANDARDS COMMITTEE**    On the motion of Mr P Purnell, duly seconded,

**RESOLVED** that the minutes of the meetings of the Standards Committee held on 9 September and 4 November 2011 be received and adopted.

**98/11        IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE**    On the motion of Councillor Mrs G A Farrington, duly seconded,

**RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – People held on 21 September 2011 be received and adopted.

**99/11        IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES**    On the motion of Councillor P Murray, duly seconded,

**RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Resources held on 28 September 2011 be received and adopted.

**100/11        IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES**    On the motion of Councillor Mrs J A Twigg, duly seconded,

**RESOLVED** that the minutes of the meetings of the Improvement and Scrutiny Committee – Places held on 14 September 2011 be received and adopted.

**101/11        MINUTES OF MEETINGS OF THE DERBYSHIRE POLICE AUTHORITY AND THE DERBYSHIRE FIRE AUTHORITY**

The Minutes of the meetings of the Derbyshire Police Authority held on 23 June 2011 were received.

**102/11        NOTICES OF MOTION**    Council considered Notices of Motion as set out below:-

**Motion 1 submitted by Councillor Ms A Western.**

At its Council meeting of September 28<sup>th</sup>, Amber Valley Borough Council passed the following resolution:-

'This Council has some concerns with Derbyshire County Council's proposals to review the winter gritting routes whilst noting the commitment to maintain the vehicle fleet, given by the Cabinet Member for Highways and Transport and requests that they reconsider and re-evaluate the plans following the public consultation period which ends on 12 October 2011.'

This Council resolves that the Cabinet Member for Highways and Transport acknowledges the concerns of Amber Valley Borough Council, other organisations and the public, and brings revised plans back to Cabinet as soon as possible.'

The motion was debated by Council.

A closure motion was moved by Councillor A I Lewer, duly seconded.

Having been put to the vote, Councillor Lewer's motion was declared to be carried.

Councillor Western's motion was put to the vote and declared to be lost.

At the request of at least 5 Members, a recorded vote was taken and recorded as follows –

For the motion (21) - Councillors D Allen, Mrs G Birkin, Ms S L Blank, Mrs M W Booth, W Burrows, D Chapman, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, K Gillott, R L Hosker, B C Lucas, Mrs C Pidgeon, B Ridgway, P J Smith, K Stevenson, Mrs M Stockdale, Ms A Western, D J Wilcox and J G Williams.

Against the motion (37) - Councillors J A Allsop, Mrs S M Allsop, R B Baldry, Mrs J N Blake, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, M Ford, J P Harrison, Mrs C A Hart, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, K P Morgan, P Makin, K P Morgan, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, G W Purdy, Mrs G P Reddy, A H Rogers, R W Russell, S A Spencer, D B Taylor, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

### **Motion 2 submitted by Councillor A F Charles**

This Council has serious concerns about the Cabinet Member for Young People's plans to decommission the County Council's universal youth service provision. Under the Tory-led government, young people are at risk of becoming a lost generation, being the target of national

and local spending cuts. Young people are facing the highest unemployment rates in decades, the trebling of university tuition fees, the abolition of Education Maintenance Allowance and, in Derbyshire, are having to pay more for public transport because of the b\_line cuts. They now face the loss of youth services, which provide access to a wide range of social and cultural activities, health advice and general support.

This Council calls on the Cabinet Member to:-

1. explain his vision for future youth provision and how he intends to deliver this
2. commit to undertake a full and open public consultation on the changes proposed
3. maintain the current practice of no compulsory redundancies

The motion was debated by Council.

A closure motion was moved by Councillor A I Lewer, duly seconded.

Having been put to the vote, Councillor Lewer's motion was declared to be carried.

Councillor Charles' motion was put to the vote and declared to be lost.

At the request of at least 5 Members, a recorded vote was taken and recorded as follows –

For the motion (21) - Councillors D Allen, Mrs G Birkin, Ms S L Blank, Mrs M W Booth, W Burrows, D Chapman, A F Charles, Mrs C M Cox, J A Coyle, J E Dixon, K Gillott, R L Hosker, B C Lucas, Mrs C Pidgeon, B Ridgway, P J Smith, K Stevenson, Mrs M Stockdale, Ms A Western, D J Wilcox and J G Williams.

Against the motion (32) - Councillors J A Allsop, Mrs S M Allsop, R B Baldry, Mrs J N Blake, D Bowley, S J Bradford, Ms T Critchlow, S J Ellis, Mrs G A Farrington, M Ford, J P Harrison, G K Hickton, J C Jackson, C W Jones, M Lacey, A I Lewer, B Lewis, M V Longden, G J E MacDonald, W Major, P Makin, P Murray, K L Parkinson, R A Parkinson, Mrs J E Patten, G W Purdy, Mrs G P Reddy, S A Spencer, Mrs J A Twigg, G D Wharmby, Mrs J Wharmby and D Wilson.

Abstained (4) – Councillors S Flitter, K P Morgan, A H Rogers and D B Taylor.

**103/11      STATEMENT OF ACCOUNTS 2010/11**      The Accounts and Audit Regulations 2011 required the Director of Finance to certify the pre-audit accounts by 30 June, and the Audit Committee to approve the post audit version of the accounts before the 30 September. Both of these deadlines had been achieved.

The accounts had been prepared almost fully on an IFRS basis; the only outstanding transition being in relation to Infrastructure which has an implementation date of 2012-13. As such there were significant changes to the presentation of the accounts when compared to the previous year. The core financial statements were now as follows:

- Comprehensive Income and Expenditure Statement
- Movement in Reserves Statement
- Balance Sheet
- Cash Flow Statement
- Pension Fund Accounts
- Annual Governance Statement

The Statement of Accounts had been approved at the meeting of the Audit Committee on 27 September 2011 and the Pension Fund accounts had been reported to the Pensions Committee on 2 December 2011 and the Investment Committee on 5 December 2011.

**RESOLVED** to note the report and the Statement of Accounts.

**104/11      BUDGET MONITORING 2011/12**      A report was submitted which summarised the controllable budget position by department at 31 August 2011. Officers had also provided additional updates to take the position up to the period ending 30 September 2011. .

Cabinet Members had received a more detailed report of their portfolio positions at their Cabinet Member meetings and these were summarised. The overall position was forecast to be broadly in balance at this stage, although some departments would need to carry forward underspends into 2012/13 and others would have to deal with overspending. Monitoring would continue as the year progressed.

**RESOLVED** that the latest 2011/12 budget monitoring position be noted.