

PUBLIC

MINUTES of a meeting of **the REGULATORY – LICENSING AND APPEALS COMMITTEE** held on 3 February 2014 at County Hall, Matlock.

PRESENT

Councillor J G Williams (in the Chair)

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

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

01/14 MINUTES RESOLVED that the minutes of the meeting of the Committee held on 9 December 2013 be confirmed as a correct record and signed by the Chair.

02/14 COMMONS ACT 2006 – APPLICATION TO REGISTER LAND KNOWN AS RIDDINGS WOOD, RIDDINGS AS A TOWN OR VILLAGE GREEN (VG133) Members were asked to consider the recommendations of the Inspector who had been appointed to determine an application made under the Commons Act 2006 to register land known as Riddings Wood, Riddings as a town or village green (VG133).

A public inquiry was held in Ironville, between 25 to 28 June and 3 and 4 July 2013. The Inspector's report setting out the evidence presented and legal submissions made by the parties and the conclusions in relation to the application was appended to the report of the Director of Legal Services.

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

RESOLVED to accept the Inspector's findings and recommendations in relation to the application to register land known as Riddings Wood, Riddings as a Town or Village Green (VG133) and to refuse the application.

MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE** held at County Hall, Matlock on 27 January 2014

PRESENT

Councillor J Innes (in the Chair)

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

Councillor J Frudd attended the meeting in accordance with Standing Order 17.6 as local Member in respect of the Ilkeston application (Minute No 3/14).

Apologies for absence were received from Councillor T Southerd.

No Declarations of Interest were received.

No Significant Lobbying had been received.

1/14 **SITE VISIT** In accordance with the Code of Practice the Committee visited the site at Ilkeston (Minute No 3/14).

2/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 2 December 2013 be confirmed as a correct record and signed by the Chair.

3/14 **PROPOSED INCINERATOR BOTTOM ASH PROCESSING AND AGGREGATES AND SOILS RECYCLING FACILITY ON LAND AT THE FORMER SAINT-GOBAIN SMALL VALVES YARD, BUILDING AND DISUSED RIFLE RANGE AT THE QUARRY HILL INDUSTRIAL ESTATE OFF MERLIN WAY, ILKESTON (CODE NO: CW8/0413/17)** Details of the application were contained within the report of the Strategic Director for Economy, Transport and Environment together with comments received from consultees and following publicity. A summary of the concerns raised by Erewash Borough Council, Stanton-by-Dale Parish Council, Sandiacre Parish Council and in one letter of objection were addressed in the report.

The Strategic Director explained that the proposal was to establish a waste management facility within the Quarry Hill industrial estate at Ilkeston. It was proposed to import, process and recycle annually up to 350,000 tonnes of inert waste comprising Incinerator Bottom Ash (IBA) (300,00 tonnes),

together with construction and demolition wastes and soils (50,000 tonnes). He commented that there would be 70 HGV visits to the site daily (140 movements) and that in addition to the 16 local job opportunities which would be created.

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 and Planning Policy Statement 10. The Strategic Director's representative reminded Members that the waste hierarchy encouraged the management of waste issues in order to reduce the amount of waste materials produced and to recover maximum value from the wastes produced. He commented that the key issues relevant to the proposal were considered to be the impact of the proposed works on the amenity of the area (landscape and visual impact, emissions to air, noise and dust), hours of operation at the site and the potential impact of the proposal on the Stanton Regeneration Area. These issues were examined in the Strategic Director's report.

The Strategic Director's representative commented that the application site was designated in the 2005 Local Plan for industrial use and historically the area had been associated with heavy industry. He considered that the proposal accorded with the principles of sustainable development, particularly in line with the National Planning Policy Framework. He felt that the conditions would bring appropriate controls to mitigate against any significant environment impact of the proposed works. He also commented that while the concerns of Erewash Borough Council were noted, any refusal or limitation of the proposal would need to be based on an objective analysis of the likely operational impacts generated by the scheme. He further clarified that the establishment of a local liaison group was recommended be established to facilitate communications regarding the development with the local community and other relevant bodies, including the Borough Council. He commented that the County Council would monitor and review the site at regular intervals and did not consider that the long term aspirations of the Stanton Ironworks Regeneration Project would be unduly threatened. He concluded that approval of the application would bring benefits to the local and wider economy in the form of employment of local people and would also utilise a part derelict brownfield site. The applicant company had also indicated that if it implemented the proposal it would recruit 2 young people as apprentices.

Councillor Smith asked when access road improvement/widening works would be required to be undertaken. The Strategic Director's representative anticipated that this would be early on, before the first transport of waste material, and would be at the developer's expense.

Councillor Frudd, the local Member, spoke in support of the proposal, which he stated would bring welcome jobs to the area. He had noted that part of the site was proposed for housing but asked that industry opportunities should provide the maximum use of the site.

Steven Johnson was the Managing Director of the applicant company and confirmed that the proposed access road improvements would be undertaken before aggregates were brought on to the site. He explained that the company wished to expand its recycling of bottom ash operation. It had out-grown the applicant's site at Bunny in Nottinghamshire, where this operation was currently taking place. The application site was in an ideal location, was in a recycle area and of required size for a long-term operation. The Bunny site would be retained for construction and demolition waste for recycling and as a back-up to the proposed site. He commented that there was a possibility of providing over 20 additional jobs with 2 apprenticeship opportunities.

Martyn Blowers was the applicant's agent and had submitted the planning application on his behalf. He felt that the application complied with both local and national planning policies and statements and met most of the objectives of PPS10, in terms of planning, engineering and waste management. He also commented that a Permit would need to be issued by the Environment Agency.

Diane Cave spoke on behalf of the applicant on environmental control issues. She explained the processing of IBA, confirmed that lorries would be sheeted and would tip in allocated bays, and the current dust management procedures. The company was continually monitoring emissions from operations, which they addressed.

Councillor Ford noted that no objectors were speaking against the proposal and that the local Member was in support of the application.

Councillor Smith stated that the industrial estate seemed to be a recycling hub for the area. He commented on traffic issues for the site and suggested that a rail head for the site might be considered in the future. He also welcomed the establishment of a Liaison Committee.

Cllr Mihaly had noted the hours of operation until 10.00 pm and asked about flood lighting. The Strategic Director's representative commented that the condition suggested in the recommendation regarding external lighting would provide effective control of floodlighting and that a working hours limit of 10.00 pm would be compatible with a 2 shift operation.

RESOLVED that planning permission be granted, subject to (1) the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 to secure planning obligations considered by the Strategic Director for Economy, Transport and Environment and the Director of Legal Services to make satisfactory provision for:

- £20,000 for use by the Council to enhance local elements of the East Derbyshire Greenway and related Rights of Way networks
- Traffic routeing as specified in the application submission
- Improvement of the existing belt of trees and habitats adjoining the boundary
- The resurfacing and widening of the unnamed/unadopted road from Merlin Way roundabout to the site entrance with a solid bound material
- The establishment of a Local Liaison Group; and

(2) the imposition of conditions substantially in the form of the draft conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

4/14 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

5/14 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 27 January 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

6/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

7/14 **DEVELOPMENT MANAGEMENT PERFORMANCE MONITORING** **RESOLVED** to receive the Planning Services Development Management Monthly Performance Management Statistics for December 2013.

8/14 **MATTERS DETERMINED BY THE STRATEGIC DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER THE DELEGATED POWERS** **RESOLVED** to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 5 December 2013

1 Delegation Decisions on Schemes Required by Planning Conditions:

- SD2497
- SD2498

(b) 12 December 2013

- 1 Construction of a Footbridge over the Restored Section of the Chesterfield Canal to Reconnect the Severed Public Right of Way (Staveley 67), off High Street/Church Street, Staveley, Chesterfield
Applicant: Derbyshire County Council
Planning Application Code No: CD2/1013/103
- 2 Proposal to Develop a Modular School Classroom at Highfields School, Upper Lumsdale, Matlock
Applicant: Derbyshire County Council
Planning Application Code No: CD3/1013/109
- 3 Proposal for the Redevelopment of the Existing Key Stage Two School Playground at Bennerley Fields School, Stratford Street, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1013/116
- 4 Application for Non-Material Amendments at Church Gresley Infant School, Pennine Way, Church Gresley, Swadlincote
Applicant: Derbyshire County Council
Planning Application Code No: NMA/1013/21
- 5 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2488
 - SD2511
 - SW2499
 - SW2502
 - SW2503
 - SW2504
 - SW2505
 - SW2508
 - SD2493

(c) 19 December 2013

- 1 Proposed Replacement North Wingfield School that Includes the Demolition of Existing Buildings to Make Way for a New Build Educational Facility at Deincourt Community School, Chesterfield Road, North Wingfield
Applicant: Derbyshire County Council

Planning Application Code No: CD4/0813/88

- 2 Proposal to Install a Free Standing Canopy at Christ the King Catholic Primary School, Firs Avenue, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1113/119
- 3 Application for Non-Material Amendments at Marlpool Junior School, Claramount Road, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: NMA/1113/22
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
 - SW2486
 - SW2487
 - SD2514
 - SD2480
 - SW2516

(d) 27 December 2013

- 1 Section 73 Application not to Comply with Previous Planning Conditions of Planning Permission CD6/0712/30 at Florence Shipley Home, Market Place, Heanor
Applicant: Derbyshire County Council
Planning Application Code No: CD6/1113/120
- 2 Proposed Erection of a Six Metres High Flagpole at Elvaston Castle Country Park, Thulston
Applicant: Derbyshire County Council
Planning Application Code No: CD9/1113/125
- 3 Application for a Certificate of Lawful Use for an Existing Use of a Dry Recyclable Sorting and Transfer Facility, on Land off John Street, Church Gresley, Swadlincote
Applicant: Ensor Holdings PLC
Planning Application Code No: CL9/1013/106
- 4 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2433
 - SM2443

(e) 2 January 2014

- 1 Delegation Decisions on Schemes Required by Planning Conditions:

- SM2379
- SD2515

(f) 9 January 2014

- 1 Proposed Demolition of the School Boundary Fencing at Longford C of E Controlled Primary School, Longford, Ashbourne
Applicant: Derbyshire County Council
Planning Application Code No: CD3/1113/128
- 2 Proposal for the Development of a Classroom Extension at Granby Junior School, Heanor Road, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1113/130

(g) 16 January 2014

- 1 Proposal for the Installation of a New School Adventure Playground at the Grange Primary School, Station Road, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1113/129

(h) 23 January 2014

- 1 Retrospective Planning Application for the Installation of a Timber Storage Shed, Pergola, Shelter/Outdoor Classroom, Play Equipment and Play Area at John King Infant School, Church Street West, Pinxton
Applicant: Derbyshire County Council
Planning Application Code No: CD5/1113/124
- 2 Proposal for the Installation of Security Fencing at the KS4 Support Centre, Old Lakeside School, Mikado Road, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CD8/1213/133
- 3 (1) Proposal to Develop a New Detached Single-Storey Classroom Block at Shardlow Primary School London Road, Shardlow
Planning Application Code No: CD9/1113/126
(2) An Application for Listed Building Consent for the Demolition of Existing Curtilage Structures and the Reduction in Height of Existing Boundary Wall
Listed Building Application Code No: LB9/1113/127
Applicant: Derbyshire County Council

9/14 **EXCLUSION OF THE PUBLIC RESOLVED** that the public, including the press, be excluded from the meeting during the Committee's

consideration of the remaining item 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 confirm the exempt Minutes of the meeting held on 2 December 2013.

10/14 **MINUTES RESOLVED** that the exempt Minutes of the meeting of the Committee held on 2 December 2013 be confirmed as a correct record and signed by the Chair.

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MINUTES of a meeting of the **REGULATORY – PLANNING COMMITTEE**
held at County Hall, Matlock on 10 March 2014

PRESENT

Councillor J Innes (in the Chair)

Councillors K Buttery (substitute Member), S Ellis (substitute Member), Janet Hill (substitute Member), R L Hosker, R Mihaly, T Southerd, J Twigg, and B Wright.

Apologies for absence were received from Councillors M Ford, Julie Hill and R A Parkinson

No Declarations of Interest were received.

No Significant Lobbying had been received.

11/14 **MINUTES RESOLVED** that the Minutes of the meeting of the Committee held on 27 January 2014 be confirmed as a correct record and signed by the Chair.

12/14 **PROPOSED ERECTION OF WELD MESH SECURITY FENCING AND GATES AT HOLMESDALE INFANT SCHOOL, THE AVENUE, DRONFIELD (CODE NO: CD4/1213/136)** The proposed fencing was required to improve site security and to prevent further unauthorised access on to the school site and to improve child protection by preventing pupils from leaving the site unattended. Details of the application were contained within the report of the Strategic Director for Economy, Transport and Environment, together with comments received from consultees. The Strategic Director commented that 5 letters of objection had been received following publicity relating to the loss of visual amenity and lack of access to maintain a mature boundary hedge.

The Committee were advised that the key planning considerations for the application were the need for the development, design and appearance of the development, impact on the local amenity and impact on recreational facilities. The Strategic Director commented on these points in his report. He concluded that the development would not have a significant impact on the visual amenity and accorded with relevant policies. He also considered that the impact on residents caused by the fence's design and location would not cause any unacceptable detriment to residential amenity.

RESOLVED that planning permission be approved, subject to the conditions contained within the report of the Strategic Director for Economy, Transport and Environment.

13/14 SUBMISSION UNDER CONDITION 9 OF PLANNING PERMISSION CM5/0206/178 AND CONDITION 8 OF THE ENVIRONMENT ACT 1995 INITIAL REVIEW OF SCHEDULE OF CONDITIONS (R5/0705/13) TO ENABLE THE EXPORT OF AGGREGATES FROM SITE DURING NIGHT-TIME HOURS AT WHITWELL QUARRY, SOUTHFIELD LANE, WHITWELL (SUBMISSION CODE NOS: SM2513 AND SM2551) Details of previous planning permissions for the site were contained within the report of the Strategic Director for Economy, Transport and Environment. A request had been received from Lafarge Tarmac for a temporary variation to the hours of operation relating to drilling, mineral extraction, stockpiling and conveyance, kiln waste cell construction and disposal of mineral (other than colliery and kiln) to allow for the export of up to 30,000 tonnes of Ministry of Transport (MOT) type 1 limestone from stockpiles located within the quarry void for use in the M1 Junction 28 to 332 Managed Motorway Upgrade works.

The Strategic Director explained that although there had not been a requirement to carry out formal consultations in respect of this request the Local Member, Bolsover District Council and Hodthorpe and Belpy Parish Council had been informed. The Parish Council had objected to the proposals on the grounds that it would bring unwanted noise pollution at night-time. The Strategic Director had addressed these concerns in his report and reported that he did not consider that the potential impacts associated with the current proposals, viewed singly or in cumulation with existing night-time activities at the site, would be so significant as to adversely affect the amenity of nearby communities as a result of night-time noise. He would not, however, wish to see night-time working and the export of materials becoming a permanent feature of operations at Whitwell.

RESOLVED (1) to authorise acceptance by the Council as Mineral Planning Authority for temporary relaxation of the working hours restrictions in conditions of the planning permissions relating to Whitwell Quarry to allow night-time working there in accordance with the request by Lafarge Tarmac by email dated 18 November 2013, provided that (i) the working under the extra hours of working allowed by the relaxation is only for the purposes specified in the request, and (ii) that the acceptance applies to the period up to 31 December 2014 only, and shall be subject to immediate termination if the contract referred to in the request is terminated within that period; and

(2) to approve the sending of a message from Mineral Planning Authority to the operator of Whitwell Quarry to (i) remind it of the other

requirements of the planning permissions relating to Whitwell Quarry, particularly with regard to the conditions relating to noise control, vehicle reversing alarms, and heavy goods vehicle routeing, and (ii) advise it that any permanent relaxation of working hours for the site would represent a material change for which planning permission would be required, and that any application for any such permission would be considered on its own merits.

14/14 AN ASSESSMENT OF THOSE MINING SITES WHICH SHOULD BE SUBJECT TO FIRST PERIODIC REVIEW UNDER SCHEDULE 14 OF THE ENVIRONMENT ACT 1995 DURING 2015

The Strategic Director for Economy, Transport and Environment explained that all post-war mining sites, including any extensions to sites granted after the initial minerals planning permission, were subject to periodic reviews of planning permissions. This was to ensure that quarries were subject to up-to-date environmental controls. Changes in legislation had been introduced in 2013 which gave Mineral Planning Authorities broad discretion as to whether to subject a site to a periodic review and as to its timing. However, any first periodic review still had to be no earlier than 15 years after planning permission was granted or, in the case of an old permission, 15 years of the date of the initial review.

There were a number of sites within the County that, under the pre-2013 legislative amendments, would have been subject to first periodic review in 2015. These were Ashwood Dale Quarry, Bolehill Quarry and Stancliffe Quarry. The Strategic Director provided the Committee with background information on the three quarries, including any outstanding issues, current operations and conditions.

With respect to Ashwood Dale Quarry there were two main issues which affected the continued operation of the site. The first related to the relative quantities of light and dark stone being extracted and the need to get the balance of limestone right to ensure that the reserves of lighter stone were not exhausted. It was considered that this would only be achieved via a new working which covered the entire site. The second issue related to the lack of a detailed restoration plan for the site. The Mineral Planning Authority was also aware of some over tipping on one of the approved waste tips abutting the northern site boundary as well as some small areas of tipped material within the quarry that need regularising. It was, therefore, considered that there was an urgent need to subject the site to a first periodic review in order to approve appropriate working and restoration schemes for the site.

With respect to Bolehill Quarry, whilst there were a number of outstanding issues relating to the site, these were minor and controllable under the existing conditions. It was not considered that it was necessary or appropriate for the time being to notify the interested persons of a date for

periodic review. The Mineral Planning Authority would, however, review this situation on annual basis.

With respect to Stancliffe Quarry there had been no substantial quarry activity since 2010 and it was subject to an extensive set of conditions. As provided by one of the conditions a scheme to make good damage relating to a landslip at the north east face (which occurred in 2010) had been required to be submitted. A Breach of Condition Notice regarding this issue had been served in 2013 and it was not considered that notification of a review period would help to resolve the issue. It was not, therefore, considered necessary or appropriate for the time being to notify the interested persons of a date. The Council as Mineral Planning Authority would, however, review this situation on an annual basis.

In response to a question about the gap that had been formed in the boundary wall adjacent to the A6 main road, it was explained that this had been tolerated by the District Council only as a temporary measure to enable access to the site for carrying out of preliminary work to satisfy pre-commencement requirements of the planning permission that it had granted for leisure holiday accommodation and that the District Council had subsequently taken action against any other use of the gap for access.

RESOLVED that (1) notifications of forthcoming first periodic review be sent to all interested persons in respect of the mining permissions at Ashwood Dale Quarry; and

(2) in respect of Bolehill Quarry and Stancliffe Quarry, the interested persons be informed that no notification will be sent requiring the submission of a first periodic review in 2015 but that the Mineral Planning Authority will annually review operations at the sites to assess whether a first periodic review has become necessary.

15/14 **CURRENT ENFORCEMENT ACTION** **RESOLVED** to receive the report on Current Enforcement Action.

16/14 **OUTSTANDING APPLICATIONS** **RESOLVED** to receive the list on decisions outstanding on 10 March 2014 relating to EIA applications outstanding for more than sixteen weeks, major applications outstanding for more than thirteen weeks and minor applications outstanding for more than eight weeks.

17/14 **CURRENT APPEALS/CALLED-IN APPLICATIONS** **RESOLVED** to note the report on current appeals/called-in applications relating to County matters.

18/14 DEVELOPMENT MANAGEMENT PERFORMANCE
MONITORING RESOLVED to receive the Planning Services Development Management Monthly Performance Management Statistics for 1 January to 28 February 2014.

19/14 MATTERS DETERMINED BY THE STRATEGIC
DIRECTOR FOR ECONOMY, TRANSPORT AND ENVIRONMENT UNDER
THE DELEGATED POWERS RESOLVED to note that the following applications had been approved by the Strategic Director for Economy, Transport and Environment under the Delegated Powers on:-

(a) 30 January 2014

- 1 Proposed installation of a multi-use games area (MUGA) with 3 metre high perimeter fencing on a section of the schools play area at Blackwell Primary School, Primrose Hill, Blackwell.
Applicant: Derbyshire County Council
Planning Application Code No: CDS/1213/135
- 2 Proposed Installation of a fire exit and access ramp at Bolsover Infant and Nursery School, Welbeck Road, Bolsover.
Applicant: Derbyshire County Council
Planning Application Code No: CDS/1213/139

(b) 6 February 2014

- 1 Proposal for the Installation of Two Entrance Lobbies at Brooklands Primary School, Clumber Street, Long Eaton
Applicant: Derbyshire County Council
Planning Application Code No: CDB/1113/123
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2521
 - SW2518
 - SW2519

(c) 13 February 2014

- 1 Proposal to Develop an Autism Centre at the Whitemoor Centre, John O'Gaunts Way, Belper
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0813/76
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SM2423
 - SM2424

- SM2425
- SM2426
- SM2427
- SM2428
- SW2492

(d) 20 February 2014

- 1 Application for Non-Material Amendments at Kilburn Sewage Treatment Works, Derby Road, Lower Kilburn
Applicant: Severn Trent Water
Planning Application Code No: NMA/0114/23
- 2 Application for proposed change of use to a waste transfer station at Stainsby Close, Holmewood Industrial Estate, Holmewood, Chesterfield
Applicant: Caldic UK Limited
Application Code Number: CW4/1 013/117
- 3 Proposed retrospective planning application for the refurbishment of existing leachate storage infrastructure incorporating the construction of tanks, pipework, control cabin and security fencing and gates at Erin Landfill Site, M1 Commerce Park, Markham Lane, Chesterfield
Applicant: Viridor Waste Management Ltd
Planning Application Code No: CW2/1113/121

Not for Publication: Contains information relating to the proposed service of a Notice imposing requirements on a person and proposed Legal Proceedings by the Authority (Schedule 12A Part 1 Paragraphs 5 and 6 Local Government Act 1972)

- 4 Proposed Enforcement action in relation to a breach of planning control

(e) 27 February 2014

- 1 Proposal to Store Tyre Chips on Land to the Rear of the Former Power Station, Walton Road, Drakelow
Applicant: Drakelow Site Services
Planning Application Code No: CW9/1213/138
- 2 Delegation Decisions on Schemes Required by Planning Conditions:
 - SD2539

(f) 6 March 2014

- 1 Proposed Section 73 Application Not to Comply with Conditions 3(b) (Approved Drawings), 7(ii) (Landscaping Scheme) and 7(iii) (Relocation of the Sutton Hall Sluice) of Planning Permission Conde Number

- CW4/0609/77 in Order to Allow Minor Material Amendments to the Development Originally Proposed and to Allow for other Circumstantial Changes at Arkwright Opencast Colliery, Deepsick Lane, Arkwright
Applicant: SITA UK Limited
Planning Application Code No: CW4/0114/141
- 2 Proposal to Install Security Fencing and Security Gates at Street Lane Primary School, Denby, Ripley
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0114/143
- 3 Proposal to Install Boundary Security Fencing and Gates at Parkwood Centre, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0114/146
- 4 Proposal to Install a Free-Standing Canopy at Somercotes Infant School, Nottingham Road, Alfreton
Applicant: Derbyshire County Council
Planning Application Code No: CD6/0114/147
- 5 Proposal Not to Comply with a Previous Planning Condition at Alfreton Materials Recycling Facility, Cotes Park West Industrial Estate, Somercotes
Applicant: FCC Environment
Planning Application Code No: CW6/1213/137
- 6 Proposal for the Installation of Additional Security Fencing at Dallimore Primary School, Dallimore Road, Ilkeston
Applicant: Derbyshire County Council
Planning Application Code No: CD8/0114/148
- 7 Proposed Development of a Covered Walkway at Egginton Primary School, Church Road, Egginton, Derby
Applicant: Derbyshire County Council
Planning Application Code No: CD9/0114/145
- 8 Submission for the Authority's Approval under Part 19B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995: The Proposed Erection of a Dust Storage Shed for Surplus Aggregates Less than 40mm in Size to be Stored Prior to ReProcessing into Fine Industrial Powders, at Grange Mill Quarry, Nr Wirksworth
Applicant: Ben Bennett Jnr Ltd
Submission Number: PD19/3/46

9 Delegation Decisions on Schemes Required by Planning Conditions:

- SM2523

20/14 DIRECTION UNDER ARTICLE 4 OF THE TOWN AND COUNTRY PLANNING ACT (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED), MATLOCK SEWAGE TREATMENT WORKS, LEA ROAD, CROMFORD (Minute No 101/13) On 2 December 2013 the Committee had authorised the Director of Legal Services to make a direction under Article 4 of the 1995 Order to remove Permitted Development Rights from Matlock Sewage Treatment Works at Cromford. The direction had been made on 5 December 2013 and published and circulated.

The Strategic Director for Economy, Transport and Environment and the Director of Legal Services reported jointly that Severn Trent Water had objected to the direction on the grounds that:

- Derbyshire County Council had not clearly identified the potential harm that the direction was intended to address that would justify the removal of all Permitted Development Rights conferred on the company as sewerage undertaker
- The removal of rights to maintain the pedestrian and vehicular bridge to the site was equally excessive and unnecessary, particularly in relation to the potential impact arising from the activities these rights would allow
- The removal of all the above rights would impact on the operational efficiency of the sewage treatment works which, in itself, could have a significant impact on the River Derwent and its environs

Severn Trent argued that the direction as made was excessive and unnecessary to protect the local amenity and wellbeing of the area, with reference to background information about the site, including a “package” of small scale projects which it had implemented at the site under Permitted Development Rights since 2001, and that it was unaware of any change in circumstances as to why the Council had recently considered it expedient to introduce this direction. The direction was regarded by Severn Trent as placing an unreasonable constraint upon it as a statutory undertaker delivering essential services.

The Strategic Director commented that the Council considered that the direction provided a proportionate restriction on the General Permitted Development Order in line with the site’s position in the World Heritage Site. The Council had to balance an additional burden and inconvenience to Severn

Trent against the potential impact on the environment and on amenity which the carrying on of further incremental unconditional development (which would otherwise have with deemed planning permission) could have. The Council recognised that the direction could on occasion result in slight delay to the implementation of particular operational development relating to the sewage treatment works but did not consider that such delay would be unreasonable.

The Strategic Director further commented that an article 4 direction was permanent once it had been confirmed. However, it was recommended that it should be reviewed at regular intervals and it would be appropriate to adopt a review timetable in this instance that coincided with Severn Trent's asset management period. It was, therefore, proposed that the first review should take place in 2020 and that the direction should be reviewed at five year intervals thereafter. In addition, it might become appropriate to reconsider the provisions of the direction at other times according to circumstances.

James Glynn addressed the Committee on behalf of Severn Trent Water. He commented that Severn Trent recognised the importance and sensitivity of the World Heritage Site but asked that the Committee revise the Article 4 Direction to exclude some of the restrictions it contained and focus on those types of development which could harm the World Heritage Site.

The Strategic Director's representative commented that Permitted Development rights provided a national approach to development, which was not appropriate in every situation. Article 4 Directions provided a safeguard to development in such sensitive areas as within a World Heritage Site. He hoped that the County Council would have a good working relationship with Severn Trent Water with regards to this site. Regarding the concerns of Severn Trent Water, he did not consider that it was appropriate for the Direction to be less restrictive, but pointed out that in some circumstances, such as in an emergency situation, there could still be flexibility to avoid the need for a formal application to be submitted.

RESOLVED (1) that the Director of Legal Services be authorised to confirm the direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) dated 5 December 2013; and

(2) that the direction be reviewed in 2020 and at five yearly intervals thereafter.

MINUTES of a meeting of the **PENSIONS AND INVESTMENT COMMITTEE**
held at County Hall, Matlock on 12 February 2014

PRESENT

Councillor W Burrows (in the Chair)

Derbyshire County Council

Councillors D Collins, R Davison, S J Ellis, S Freeborn, S Marshall-Clarke,
and R Mihaly (substitute member)

Derby City Council

Councillor D Roberts

Trade Union Representatives

P Berrisford – Derby City Unison
N Read – Derbyshire County Unison

Apologies for absence were submitted on behalf of Councillors M V Longden,
M Tittley and D J Wilcox

1/14 CHANGES TO THE LOCAL GOVERNMENT PENSION
SCHEME In 2010, Government had commissioned the Independent Public
Service Pensions Commission, the purpose of which had been to review
public service pensions and to make recommendations on how they could be
made sustainable and affordable in the long term, whilst being fair to both tax
payers and public sector workers.

As a result of consultation, two sets of Regulations had been produced.
The Local Government Pension Scheme Regulations 2013 had detailed the
new scheme changes from 1 April 2014, but had not provided the ‘protection
link’ for scheme member’s benefits between the current and new scheme. At
the beginning of the year, draft Local Government Pension Scheme
(Transitional Provisions and Savings) Regulations 2013, that should come into
force on 1 April 2014, had been distributed by the Department for
Communities and Local Government (DCLG). However, the regulations were
still in draft form and because of this, the DCLG would not currently allow the
Transitional Regulations to be distributed to Pension Fund employers.

A summary of the main scheme changes was presented, and this
compared the 2014 and 2008 schemes. Active scheme members had
received details of the scheme changes, and there had been events for
scheme members to explain the new scheme rules. The Pension Section had

recently provided employer training, which had been open to all Derbyshire Pension Fund employers, on the new scheme and the impact on employers.

It was felt that the presentation that had been given at the events for scheme members should be made available electronically, and it was suggested that the link should be shared on both the County and City Council's intranet. The link could also be shared with other Scheme employers. A Frequently Asked Questions leaflet would be inserted into the March payslips at the County Council.

RESOLVED to note the new 2014 Local Government Pension Scheme.

2/14 EXCLUSION OF THE PUBLIC RESOLVED that the public be excluded from the meeting during the Committee's consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

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

1. To consider, as an Administering Authority, the exempt reports of the Director of Finance on:-
 - a) Update on the Staffing Structure and Work of the Pension Section (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - b) Pensions Payment Process Review and Reconciliation (contains information relating to individuals)
 - c) Insuring Against Ill Health Retirement Costs (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - d) :Local Government Pension Scheme – Authority to Make Payment of a Death Grant (contains information relating to an individual)
 - e) Request by Aspens Services Ltd for Admission Body Status (contains information relating to the financial or business affairs of any particular person)
 - f) Overview of TUPE Transfers within the Derbyshire Pension Fund since 1 April 2013 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
2. To consider, as an Administering Authority, the joint exempt report of the Director of Finance and Director of Legal Services on a Stage 2 Appeal under the Local Government Pension Scheme Internal Dispute Resolution Procedures (contains information relating to an individual)

3. To consider, as an Employing Authority, the report of the Deputy Strategic Director – Children and Younger Adults on CAYA Restructuring VR/VER Requests – Payment of Pension Benefits (contains information relating to an individual)

Public

MINUTES of a meeting of the **AUDIT COMMITTEE** held on 14 January 2014 at County Hall, Matlock

PRESENT

Councillor R Mihaly (in the Chair)

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

1/14 **MINUTES RESOLVED** that the minutes of the meeting held on 15 October 2013 be confirmed as a correct record and signed by the Chair.

2/14 **STRATEGIC RISK REVIEW** The Council undertook regular reviews of risks and the latest detailed assessment of the highest ranking risks was attached to the report. The risks were brought forward from the previous assessments with updated comments, these were shown in Appendix One, but generally little had changed since the last update in October; this was to be expected as the Risk Register was designed to capture strategic risk which by its nature had a long time span.

RESOLVED that the report be noted.

3/14 **FINANCIAL REGULATIONS** The Financial Regulations of the Council existed to ensure that sound financial control was achieved at an operational level. To ensure that the Regulations were fit for purpose it was essential that they were reviewed frequently; the last full review of the Regulations was in 2009. Since 2009 there had been several changes/factors that impacted directly upon how the Council operated:

- the introduction of SAP for the provision of financial and HR systems had been a significant change from the previous in-house systems that were operated.
- changes to job titles and responsibilities.
- the current financial climate that the Council operated in demanded that value for money and efficiency were not only sought, but achieved.

It was in this context that the Regulations had been reviewed and substantially revised, primarily the Standing Orders relating to contracts. The draft Regulations were attached as Appendix A to the report and the Director of Finance highlighted the key changes to the Regulations.

To accommodate the new Regulations the Council's Constitution would require amendment and as such, the Regulations could only be approved by

Council and it was proposed that they were presented to Council in February 2014 for approval with an implementation date of 1 April 2014.

RESOLVED that the new Financial Regulations be agreed subject to clarification of minor amendments, and be submitted to Council for consideration

4/14 TREASURY MANAGEMENT The Director of Finance presented an interim report on Treasury Management activities for 2013-14 and on the Council's compliance with prudential indicators in accordance with the terms of the Prudential Code for Capital Finance in Local Authorities.

The Director of Finance provided details on Treasury Management Activities 2013-14, interest rates, borrowing, lending and a summary of Prudential Indicators set for 2013-14.

RESOLVED that (1) the interim report on Treasury Management for 2013-14 be noted; and

(2) compliance with prudential indicators as shown in Appendix 1 to the report, be noted

5/14 ACCOUNTING POLICIES 2013-14 AND 2014-15 On 19 March 2013, Audit Committee approved the Accounting Policies for the 2013-14 financial year. There had been no changes to the policy since that date.

Appendix 2 to the report contained the proposed accounting policies for 2014-15. These were based on the policies for 2013-14. The Chartered Institute of Public Finance and Accountancy had recently published the Code of Practice on Local Authority Accounting in the United Kingdom, the fundamentals of which were incorporated in the proposed policies and would aid the Council in managing the closure of the 2013-14 accounts.

RESOLVED to (1) approve the changes outlined in the report in relation to the Statement of Accounting Policies for 2013-14; and

(2) approve the Statement of Accounting Policies for 2014-15.

6/14 CLOSURE OF ACCOUNTS 2013-14 Members were informed of the proposed 2013-14 final accounts arrangements. The detailed closure timetable for 2013-14 was contained in Appendix 1 to the report, however an overview of the key dates was provided for Members' information.

The Director of Finance highlighted the main risks to the successful closure. In order to ensure that the requirements of the closedown timetable

were communicated and understood at the earliest point, actions had been implemented and these were presented for Members' information.

RESOLVED that the arrangements for the closure of accounts 2013-14 be approved.

7/14 **EXTERNAL AUDIT PROGRESS REPORT** John Cornett attended the meeting to provide the Committee with a progress report of the work they planned to undertake for the 2013-14 audit year, together with a high level assessment of the risks that had been considered as part of the initial planning progress. The detailed Audit Plan for 2013-14 would be presented to the meeting in March.

The Committee were informed that Mike Wood was soon to retire and therefore would no longer attend meetings of the Audit Committee. On behalf of the Committee, the Chair thanked Mr Wood for his contribution and assistance over the years and wished him a long and happy retirement.

RESOLVED that the report be noted.

8/14 **MEETING DATES AND AGENDA ITEMS FOR 2014-15**
RESOLVED to agree the proposed programme, subject to confirmation of the dates, as follows:-

Late March 2014

- Approval of Annual Internal Audit Plan 2014-15
- Oversight of activity and compliance – RIPA
- Risk Register Update
- Budget Monitoring
- Accounting Policies
- External Audit Plan 2013-14 and External Audit Progress Report

Mid July 2014

- Review of draft Annual Governance Statement
- Review of the Effectiveness of Internal Audit
- Audit Services Annual Report 2013-14 including
- Internal Audit Plan Outturn and Assistant Director of Finance (Audit) and RIPA Monitoring Officer's Controls Assurance Statement for the period
- Receipt of Annual Accounts 2013-14
- Risk Register Update
- External Audit Progress Report

October 2014

- Budget Monitoring

- Review of Regulatory Framework (Financial Regulation and Standing Orders, Anti-Fraud and Anti-Corruption Strategy, Confidential Reporting Code and Codes of Conduct for Members and Officers)
- Oversight of Activity and Compliance - RIPA
- Review of Annual Governance Statement recommendations and Action Plan progress
- Internal Audit progress against Plan for the first 6 months of 2014-15
- Risk Register Update
- Treasury Management Scrutiny
- External Audit Annual Audit Letter

January 2015

- Budget Monitoring
- Internal Audit progress against Plan for the first 9 months of 2014-15
- Risk Register Update
- Proposed meeting dates and Agenda items 2015-16
- External Audit Grant Claims Report 2013-14 and Audit Plan 2014-15

March 2015

- Approval of Annual Internal Audit Plan 2015-16
- Oversight of activity and compliance – RIPA
- Risk Register Update
- Budget Monitoring
- External Audit Progress Report

9/14 **EXCLUSION OF THE PUBLIC RESOLVED** to exclude the public from the consideration of the remaining items on the agenda to avoid the disclosure of exempt and confidential information.

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

1. To confirm the exempt minutes of the meeting held on 15 October 2013.
2. To consider the exempt reports of the Assistant Director of Finance (Audit) and RIPA Monitoring Officer on:-
 - (a) Audit Services Unit – progress against Audit Plan 2013-14 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Audit Services Unit – Inspection by staff of the Interception of Communications Commissioner’s Office (contains information relating to action taken in connection with the prevention, investigation or prosecution of crime)

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES** held at County Hall, Matlock on 19 March 2014.

PRESENT

Councillor Mrs K D Lauro (in the Chair)

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

In attendance – Councillors D Allen and P Smith.

06/14 MINUTES RESOLVED that the Minutes of the meeting of the Committee held on 22 January 2014 be confirmed as a correct record and signed by the Chair.

07/14 DISCUSSION WITH CABINET MEMBER Councillor Allen commented that the first consultation on the proposed changes to the Mobile Library Service had ended and comments received were being analysed. A meeting was planned with community transport operators and other groups regarding taking on the service, but funding would be an issue. Other suggested options included an increase of the home delivery service and lifts to static libraries. The Improvement and Scrutiny Committee would be updated accordingly.

Members commented that the use of community transport in this role would be a welcome provision but a county-wide service would need to be provided. It was reported that a review of community transport was to be undertaken.

Councillor Allen reported on grants to voluntary organisations from the Public Health budget. He commented that 2/3 of the budget was used for the provision of statutory services and any grants given had to meet the required criteria.

The Public Health Locality Plan was being considered by Local Area Committees. There were concerns that Members were unsure of the responsibilities of the CCGs and Public Health. Councillor Lauro suggested that how these were interacted within other local authorities should be investigated.

08/14 DOMESTIC VIOLENCE/ABUSE – PROGRESS REPORT A report on a review of support for victims of domestic violence/abuse had been circulated. A survey of the Council's employees had been undertaken and 18 responses had been received; the results were attached as appendices to the report. Michelle Collins and Lisa Morris from the Community Safety Team attended the meeting and spoke in more detail of the survey and that a new

policy was being prepared. As a result of the information gathered further work to implement improvements to assist employees were listed.

Discussion on the survey took place and it was noted that a 24-hour help line was available to staff and agreed that its availability needed to be promoted more widely; good practice arising from the survey should be shared with Derby City Council and other District Council and the Police and Crime Commissioner; and the staff questionnaire should be repeated in 18 months' time.

It was noted that support of employees of the County Council who had or were suffering domestic violence/abuse was currently provided by the Community Safety Team, Adult Care, CAYA and the Human Resources Division.

Councillor Smith commented that he was pleased that the survey had incorporated the Christmas period. He asked that respondents be thanked for their comments. He suggested that the Peer Support Group should be set up as soon as possible and hopefully within 2 months to assist with driving the issue forward. He supported the suggestion of a repeat survey and sharing of good practices with other authorities.

One of the recommendations to the Committee was that Cabinet should be informed of the outcome of the staff survey and that this might be an opportunity for a press release and publicity to be issued.

RESOLVED (1) to note the results and outcomes of the staff survey on domestic violence/abuse;

(2) that the information gathered by the survey be used to inform and help develop services by the Council's Community Safety Team, Adult Care, CAYA and the Human Resources Division, specifically aimed at supporting the Council's own employees;

(3) that the Head of Community Safety, the Acting Strategic Director of Adult Care and the Director of Human Resources be requested to report back to this Committee at its meeting in July 2014 on any initiatives they develop to support the Council's employees who suffer domestic violence/abuse;

(4) that a Peer Support Group be set up within 2 months to drive the issue forward; and

(5) that Cabinet be informed of the outcomes of the staff survey and be asked to endorse the recommendations set out above.

**09/14 ECONOMY, TRANSPORT AND ENVIRONEMT –
DEPARTMENTAL BUDGET REDUCTIONS** Mike Ashworth, Strategic Director for Economy, Transport and Environment, attended the meeting to

explain the departmental budget reductions for the forthcoming year(s). Projected savings to be made by the department in 2014/15 was over £7m. This would be achieved through staff costs, savings from the highway maintenance budget, energy costs, traffic management and road safety schemes, waste disposal costs and general efficiencies; an increase in income from roadworks in the County, countryside parking fees and street parking schemes; changes to street lighting provision/replacement. The Strategic Director was confident that the department would be able to meet the required savings for 2014/15.

Members welcomed savings to be made from waste disposal costs as more waste was being recycled and the proposed introduction of LED lighting for street lighting. There was concern regarding changes to on-street parking charges, and the effects of a reduction in services provided by the district councils for gully emptying and grass cutting.

The Chair thanked Mr Ashworth for his informative presentation.

10/14 WORK PROGRAMME RESOLVED to note progress on the Committee's work programme.

PUBLIC

MINUTES of a meeting of **the IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE** held at County Hall, Matlock on 5 March 2014.

PRESENT

Councillor Mrs D Charles (in the Chair)

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

Apologies for absence were submitted on behalf of Councillor S Freeborn and Ms C Tattersfield.

08/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 15 January 2014 be confirmed as a correct record and signed by the Chair.

09/14 **HEALTHWATCH DERBYSHIRE** Ms H Hart presented a progress report on the work of Healthwatch Derbyshire. This concerned the publication of the first quarterly newsletter “Speak Out Report”. This document reviewed the work of Healthwatch to date and was aimed at the public of Derbyshire.

Ms Hart also informed the Committee that Healthwatch would be undertaking a piece of work that would focus on domiciliary care services. Engagement work was proposed and there would be close liaison with the Adult Care Department. A findings report would be published in the Autumn.

RESOLVED that the update be noted.

10/14 **CORPORATE PARENTING** Members were invited to give reports on visits to Children’s Homes that they had undertaken.

Councillors Frudd and Birkin reported on their visit to Evergreen.

Councillor Wright reported on his visit to Stephenson House.

Councillor Mihaly reported on his visit to Fair View.

Councillor Charles reported on her visit to Stephenson House.

Councillor Lewis reported that he would be visiting Eastwood Grange private Home in the near future.

One issue that had been highlighted by a Member was the need for volunteers with a particular skill to be available and willing to give their time to the young people who had an interest in an activity. The way in which this linked to the existing mentoring scheme should be reported to the Committee.

Members were encouraged to undertake regular visits to Homes in their locality and to report back on their findings. A pro form had been developed for this purpose.

All members of the Committee would be offered safeguarding training. The Chair would circulate a document – “10 things you need to know about Corporate Parenting”.

At the next meeting, consideration would be given to the findings and recommendations arising from Ofsted’s inspection of services for children in need of help and protection, looked after children and Care Leavers and the effectiveness of the Local Safeguarding Children Board..

RESOLVED that the comments of Members following their visits be welcomed and a further update report from the Strategic Director be presented to the next meeting of the Committee, addressing the points raised by Members following their visits.

11/14 UPDATE FROM SUB GROUPS The Chair gave an update on the work undertaken by the Safeguarding Sub Group and the Equality and Diversity Sub Group.

The Safeguarding Sub Group had developed a feedback form for use by Members following visits to Children’s Homes. Information gathering would continue and visits to Area Teams were planned.

The Equality and Diversity Sub Group would meet on 8 April.

12/14 WORK PROGRAMME A report was presented on the progress on the Committee’s work programme for 2013/14.

Councillor Walton suggested that the Committee may wish to review the operation of the Children and Younger Adults Department and the links that were in place and services provided to schools. He would complete a review suggestion form for consideration by the Management Committee.

RESOLVED that the report be noted.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES** held at County Hall, Matlock on 13 March 2014.

PRESENT

Councillor C R Moesby (in the Chair)

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

Also in attendance was Councillor Mrs J Innes.

Apologies for absence were submitted on behalf of Councillor S Freeborn.

06/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Resources held on 16 January 2014 be confirmed as a correct record and signed by the Chair.

7/14 **DISCUSSION WITH THE CABINET MEMBER FOR JOBS, ECONOMY AND TRANSPORT** Councillor J Dixon, Cabinet Member for Jobs, Economy and Transport, attended the meeting to give an update on some of the current issues that were being addressed, principally in relation to economic development.

- Following the Heseltine Review significant changes had taken place with regards to economic development, with Regional Development Agencies being replaced by LEPs. Locally, by the D2N2 and the Sheffield City Region LEPs.
- The LEPs were required to bid competitively for resources for economic development and the main focus was to get the County into the best position to compete economically.
- The Economic Development Team had now become part of the old Environmental Services Department to form the new Economy, Transport and Environment Department.
- An Economic Strategy was being created, which was now in its first draft stage and out for consultation. The aim being to bring all the strengths of the County together to show why Derbyshire was a great place to invest with a view to delivering jobs and growth.

- A new Assistant Director, Joe Battye had been appointed to take this work forward.
- The announcement at the last Council Meeting of the £14.2 million award for the Seymour Link was evidence that the Authority was being successful in its work.
- Two more sites on Markham Vale had been given Enterprise Zone status.

Members of the Committee welcomed the progress being made and projects being undertaken to ensure that the Authority competed with other parts of the country.

08/14 REVIEW OF SUSTAINABLE ENERGY – PROGRESS REPORT

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 the group had visited the Markham Vale and Tapton Lock Visitor Centre sites to look at the bio-mass boiler system and potential for a water power project.

A further meeting had taken place with the Council's Head of Planning Service to look at the assessment of sites for possible sustainable development. He was currently looking at land/property owned by the County Council which could be used for sustainable energy development.

Although the Council had, for some time invested in small projects such as wind turbines at Shipley Park and some schools the Authority was now keen to explore the possibility of commercial scale energy production.

Hugh Ellis, Town & Country Planning Association had been invited to attend the meeting and spoke to members regarding municipal authorities in Germany who had been producing green energy on a large scale, mostly through solar power installations on closed landfill sites and informed members that there was potential to undertake similar programmes in the UK and possibly within Derbyshire. Whilst environmental credentials of such schemes were evident the German authorities based their projects purely on sound commercial reasons.

Derbyshire was considered viable for this type of solar energy farming and the County Council had numerous sites which had potential with a local infrastructure which could process the energy produced.

To ensure an efficient and effective corporate approach was applied to assessing the viability of energy generation projects the Working Group had

considered the establishment of a Corporate Sustainable Energy project group, which will undertake project appraisal. The work of a project group would contribute to and compliment the work of the Environmental Sustainability Group.

RESOLVED (1) to note the report of the Chair of the review of Sustainable Energy Working Group;

(2) that a further meeting of the Review Working Group be held with Councillor J Owen (Deputy Cabinet Member) and appropriate officers to consider the development of a Sustainable Energy Project Group which would oversee all projects or potential projects to ensure a corporate approach; and

(3) that a final report would hopefully be submitted to the next meeting of the Committee on 29 May 2014.

09/14 REVIEW OF NON OPERATIONAL PROPERTY The final report on the review of the Council's non-operational property holdings had been approved at Cabinet at its meeting on 3 December 2013. The Director of Property now reported on the work being undertaken and progress made by the Corporate Property Services Division to assess the performance of the Council's operational properties in accordance with the recommendations contained in the action plan.

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

10/14 WORK PROGRAMME A draft work programme up to May 2014 was presented. This would form the basis of work over the coming year and would be developed.

The Chair confirmed that 32 responses had been received following the request for possible scrutiny reviews and these would be considered by the Improvement and Scrutiny Management Committee.

RESOLVED that the report be noted.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY COMMITTEE – HEALTH** held at County Hall, Matlock on 24 March 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 and Mrs I Ratcliffe.

Apologies for absence were submitted on behalf of Councillor Mrs M Stockdale.

In attendance – Councillors Mrs C M Cox, K Gillott and P Jones and Ms H Hart (Healthwatch Derbyshire).

09/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Improvement and Scrutiny Committee – Health held on 20 January 2014 be confirmed as a correct record and signed by the Chair.

10/14 **HEANOR MEMORIAL HOSPITAL** The meeting received a joint presentation by Mr W Jones (Derbyshire Community Health Services), Mr A Layzell and Ms H Dillistone (Southern Derbyshire CCG) about the future of the Heanor Memorial Hospital.

An outline of the services that had been provided from the Hospital was given, and the circumstances of the discovery of asbestos on the site. The costs of various remedial works were reported. Various alternative scenarios were considered, including demolition and rebuilding.

At a public meeting in Heanor on 30 January 2014, 4 pledges had been made by the CCG:-

- Health services will be provided locally in Heanor
- If we have to demolish the hospital, we will put another NHS building in its place
- We will be honest about what is happening
- We will hold another public meeting in 3 months to report on progress

and there would be continued recognition of the memorial status.

There had been huge public reaction to this matter and a pre-engagement phase was now being considered. The purpose of pre-engagement phase was to help shape possible options for formal consultation which may include:

- Do (nothing) minimum (i.e. remove as much asbestos as possible and undertake some remedial work, patch over asbestos and re-open)
- Replace and rebuild new NHS facility with in-patients beds, and out-patients clinic
- Replace and rebuild a new NHS facility (out-patients clinics and include Heanor Health Centre services).

The timescale involved would be:-

- Pre Engagement phase now until June
- Next public meeting 29 May
- Launch Public Consultation throughout summer through to early Autumn
- Series of public events, surveys, opportunities for feedback
- Signed off plan by Jan/Feb 2015 at latest.

The next steps were:-

- Understand local health needs and future demographic changes
- Continue with engagement work
- Continue to work towards CCG future model of integrated care
- Look to bring back as many clinics as possible in the meantime.

Members asked questions of the Health representatives and further detailed information would be supplied in response to some of the questions asked.

Councillors Mrs C M Cox and P Jones represented the Heanor locality and they explained to the Committee some of the concerns that the local community had. Ms H Hart (Healthwatch Derbyshire) also made representations about the public engagement process.

The Chair thanked the Health representatives for their presentation and they left the meeting.

RESOLVED (1) that the Committee consider this matter further in September in the light of the outcome of the public engagement programme in order to decide whether a scrutiny review should be undertaken;

(2) that the Health representatives address the issues raised by the local members in respect of concerns about the temporary integration of Heanor outpatients at Ilkeston Hospital including parking difficulties at Ilkeston and the reception/signing arrangements.

PUBLIC

MINUTES of a meeting of the **IMPROVEMENT AND SCRUTINY MANAGEMENT COMMITTEE** held at County Hall, Matlock on 11 February 2014.

P R E S E N T

Councillor C R Moesby (In the Chair)

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

Apologies for absence were submitted on behalf of Councillors Mrs D Charles, B Lewis and K P Morgan.

01/14 **MINUTES** **RESOLVED** that the minutes of the meeting of the Committee held on 3 December 2013 be confirmed as a correct record and signed by the Chair.

02/14 **MINUTES OF MEETINGS OF THE IMPROVEMENT AND SCRUTINY COMMITTEES** The Minutes of the following meetings were submitted for information:-

People – 15 January 2014.

Places – 22 January 2014.

Health – 20 January 2014.

Resources – 16 January 2014.

It was noted that the outcome of the Ofsted inspection had highlighted the need for Improvement and Scrutiny Committee members to be more actively involved in the monitoring the Council's services for young people including those in the care of the Council.

The current situation at Heanor Memorial Hospital where asbestos had been found was to be placed on the agenda for the March meeting of the Health Committee and the Committee would facilitate discussions between Derbyshire Community Health Services Trust/NHS Southern Derbyshire CCG and the local community about the plans to deal with the matter.

Discussions had taken place with Chesterfield Borough Council Scrutiny Committee members and they had asked to be kept informed and contribute to the consideration of Health issues in their area. Such an arrangement could also apply to other District Councils, where appropriate.

03/14 **WORK PROGRAMMES** The Chair had written to all Members asking them to come forward with suggestions for review work over

the coming year. Such review work would need to be relevant to the Council Plan and fit in with the Plan's themes, contributing to service improvement. Members had been asked to respond with suggestions by the end of February. The Management Committee would consider the suggestions made and ensure that they were appropriate and did not duplicate work being undertaken elsewhere.

Councillor Spencer suggested possible review work in respect of Environmental Services maintenance criteria and proposals for street parking charges.

Chairs were asked to consider the involvement of Youth Council representatives in the work of their Committees where this was appropriate in order to ensure that the views of youngsters were taken into account.

The Management Committee would wish to keep under review the operation of the Scrutiny function to ensure that it was fit for purpose and the Chair invited comments from Members on this at any time.

The dates/start time of future meetings were being reviewed.

MINUTES of a meeting of the **DERBYSHIRE HEALTH AND WELLBEING BOARD** held on 6 February 2014 at County Hall, Matlock

PRESENT

Councillor D Allen (in the Chair)

D Bailey	HealthWatch Derbyshire
S Bateman	Derbyshire Healthcare United
H Bowen	Chesterfield Borough Council
T Campbell	Chesterfield Royal Hospital
A Charles	Police and Crime Commissioner for Derbyshire
Dr D Collins	North Derbyshire CCG
Dr A Dow	Tameside and Glossop CCG
Councillor K Gillott	Derbyshire County Council
A Gregory	Hardwick CCG
R Gregory	Chesterfield Royal Hospital
S James	Derby Hospitals NHS Foundation Trust
A Layzell	Southern Derbyshire CCG
D Lowe	Derbyshire County Council
I Majid	Derbyshire Healthcare Foundation Trust
Dr A Mott	Southern Derbyshire CCG
Councillor C Neill	Derbyshire County Council
J Pendleton	North Derbyshire CCG
S Pintus	Derbyshire County Council
B Robertson	Derbyshire County Council
C Sands	Derbyshire Community Health Services
M Todd	Derbyshire Healthcare Foundation Trust
Councillor A Western	Derbyshire County Council
Councillor B Wheeler	South Derbyshire District Council
M Whittle	NHS England
J Willis	NDVA

Also in Attendance – S Hobbs (Derbyshire County Council), J Iltott (Derbyshire County Council), and S Savage (Derbyshire County Council)

Apologies for absence were submitted on behalf of T Allen, Councillor C Bisknell, Councillor C A Hart, K Mahay, R Marwaha, E Michel, K Ritchie, J Sargeant, P Singh, S Trenchard, and L Wallis

1/14 **MINUTES RESOLVED** that the minutes of the meeting of the Board held on 28 November 2013 be confirmed as a correct record.

2/14 **MATTERS ARISING** – (a) **Falls and Bone Health Pathway** (Minute No 37/13 refers) It was reported that a meeting had recently taken place and an update would be provided to the next meeting of the Board.

3/14 FUNDING TRANSFER FROM NHS ENGLAND TO SOCIAL CARE 2013/14

For each of the last three years, the Department of Health had allocated funds for transfer from the NHS to Adult Social Care. Adult Care had worked with the local CCGs to develop the programme for 2013/14, and this had taken into account increased funding. Before the funding could be transferred, it needed to be supported by the local CCGs, the Health and Wellbeing Board and the Local Area Team for NHS England.

The programme was based on the previous year's programme, and had been adjusted to replace previous non-recurrent investments. For the CCGs, including Tameside and Glossop, the transfer amounted to £12.982m. The focus of the programmes was detailed, and summaries had been provided of the two parts of the programme.

RESOLVED to agree the programme for 2013/14.

4/14 BETTER CARE FUND Derbyshire was required to prepare a joint Better Care Fund (BCF) plan that outlined how integration would be improved to deliver on four key priorities. It was also necessary to achieve improved performance on five national indicators and one locally determined indicator. The proposed local indicator was the estimated diagnosis rate for people with dementia.

The BCF plan had to be submitted to NHS England in its final form by 4 April 2014, and an initial draft had to be submitted by 14 February 2014. The current draft of the plan was presented, and the final plan would be presented to the next meeting of the Board prior to submission.

The BCF for Derbyshire, excluding Derby City, would be £57.5m in 2015/16 and this would have to operate as a pooled budget. Central Government had identified some of the budgets that would be incorporated into the BCF and also some requirements for its usage. Details were provided of the local estimated amounts that would contribute to the BCF.

In outlining the purpose and usage of the BCF, NHS England had indicated that the Disabled Facilities Grant allocations should be passported to the relevant District/Borough Councils, £50m of the national capital allocation should be used for the capital costs of implementing the Care Bill (approximately £755,000 in Derbyshire), and £130m had been earmarked nationally to contribute to a number of aspects of the Care Bill. Although most of the focus in the BCF would be on services for adults, it was important that children's services were included in the plan.

Work was continuing on the preparation of the BCF plan, including looking at the longer term vision for services, the projected impact of

integrated services of acute NHS services, and the delivery of locally sensitive integrated services to reflect the different needs of the local population.

RESOLVED to (1) support the progress on the BCF plan and the submission of the current draft plan to NHS England; and

(2) receive an updated plan at the next meeting for consideration before its submission to NHS England by 4 April 2014.

5/14 ASSISTIVE TECHNOLOGIES Late in 2013, the clinicians leading North Derbyshire CCG had confirmed their intention to take forward the development of 'Flo', which was a text based service helping people to manage appointments and their long term condition.

It had become clear that organisations were starting to (or were planning to) implement telehealth or telecare, and it had been decided at the 21st Century Programme Board that a one off event would be held for health and social care organisations across North Derbyshire to pull together what everyone was doing.

Derbyshire CCGs had invested in two telehealth schemes which were both being run by Derbyshire Community Health Services Trust and related to Heart Failure patients. The take up by patients for the service had been very positive. There had been mixed clinical engagement, but Chesterfield Royal Hospital had started to redesign the clinical pathway for heart failure. The outcomes from the two pilot schemes had been encouraging, with the system working as a demand management process which had enabled the heart failure nurses to see high risk patients. An evaluation of the schemes was taking place. A critical area for success was senior clinical leadership.

An extract was given from the NHS England Everyone Counts – planning for patients 2014/15 to 2018/19, which further encouraged CCGs to develop assistive technologies with the public and patients. An update had been given by a range of organisations on developments to date.

The work had been discussed recently at the Derbyshire wide Social Care Chief Executives' Group, and there had been support for co-ordination of the work to ensure that patients did not have multiple devices in their homes and different approaches from different providers. It was evident that assistive technology should be considered alongside other forms of care, and as the work programme developed, other organisations would be invited to participate. It was suggested that a representative from the Housing sector be invited to the next meeting.

RESOLVED that (1) the work underway to develop assistive technologies be noted; and

(2) co-ordination work be prioritised to drive the programme forward with oversight being provided by the Health and Wellbeing Board as part of the work programme for 2014/15.

6/14 **VCS INVESTMENT IN HEALTH AND SOCIAL CARE** The Health and Wellbeing Board sub-group on integration had identified a need to better understand the totality of public sector investment in the VCS which was focused on health and social care outcomes. This would make it possible for partners to work collaboratively to better align their investments in the VCS to achieve priority outcomes. The project would seek to inform budget setting for 2015/16.

There had been some initial work to map public sector investment in the VCS across the county, but this did not include all funding organisations, and the sub-group had proposed that a project be initiated to take the work forward. The overarching aims of the project were stated, and in order to achieve these, a range of activity would need to take place, including mapping VCS investment, prioritisation and reconfiguration. In addition, a communications and engagement strategy would be developed to ensure the VCS was kept informed and could contribute to the project.

It was proposed that a project group be established, which would report to the Health and Wellbeing Board. In the first instance, it was suggested that the group would undertake the mapping of investment in the VCS. The group's membership would need to include representation from a range of organisations which invested in the VCS for health and social care outcomes, and other partners would be consulted as required.

In order to assist with the mapping exercise, it was suggested that the funding provided by Derby City Council could be explored, along with that provided by the Police and Crime Commissioner. It was also felt that partner organisations had a responsibility to ascertain what funding was given to the VCS, and this could be fed to J Pendleton.

The group would report the outcome of the mapping exercise to the Board to enable it to determine the approach to prioritisation, engagement and reconfiguration.

RESOLVED to agree (1) the approach to the VCS investment project; and

(2) to the establishment of a project group to take forward the work and report to the Health and Wellbeing Board.

7/14 SUPPORT AND ASPIRATION The Government had proposed major reforms to the special educational needs system, and these changes were part of new legislation (the Children and Families Bill) which the Government wanted to be in place by September 2014. In Derbyshire, work had been taking place on the changes since April 2013, and there was a project named Support and Aspiration. Work was underway on all the significant areas for reforms, but due to the enormity of the task, being prepared for implementation in September would be the first step to meet the strategic objectives.

The Bill stated that local authorities had to follow four guiding principles, and some of the most significant changes were highlighted, along with a summary of the implications for Health. Derbyshire was linking with regional neighbours and using learning from the 20 Pathfinders to inform how to take the work forward. However, there would still need to be a considerable investment in developing and implementing the reforms. So far, a Project Manager had been appointed and a Project Plan had been developed, identifying eight significant work streams, each of which had a named lead with a group. A large number of people were involved in the work streams, and lots of consultation had already taken place with parents and carers, and this would be on-going throughout the next year. The key issues arising from the work streams were highlighted.

The work to be undertaken between 2014-2017 was detailed. Current transitional arrangements being proposed were that all children and young people who had a statement of special education needs would be transferred to an Education, Health and Care Plan within three years, and those with a learning difficulty assessment would transfer within two years. There was a requirement to consult with a range of groups, and local authorities would be required to publish a Local Offer for children and young people with special educational needs as soon as possible, whilst ensuring that children/young people with special educational needs and their parents had been involved in developing the Local Offer.

The Support and Aspiration Project was making every effort to embrace the principles of the reforms. The long term advantages of increasing the integration of services were envisaged to be increased efficiency and quality of services along with enhanced satisfaction for children, young people and their families. Research had also evidenced the advantages of developing services through participation and co-production. A significant contribution to the Support and Aspiration Project had been made across partners, but to enable the reforms to be implemented, there would be a requirement for additional resources to be made available to the Project.

The work required to prepare for implementation was stated, along with the implications for the workforce. It was currently unclear how the workforce

would be affected by the changes, but the Support and Aspiration Project would be considering how teams could be reconfigured in order to deliver the changes required by the new legislation. It was important to be realistic about what could be achieved by the implementation date, and it was expected that there would be a three year transitional period. Evidence from the pathfinders had indicated that the impact of the transitional period could present pressure on resources, although there would be further development of services and processes. There would also be a need for workforce development and training.

RESOLVED that the Board (1) makes a commitment to meaningful change that will improve outcomes for children and young people with special educational needs and disabilities, particularly integrated assessment, planning based on person-centred approaches; the early support key-working principles and a defined approach to key-working; joint commissioning arrangements including pooled budgets and workforce development;

(2) agrees to support the process of change in Derbyshire, including on-going officer time to aid and assist development work and implementation of the Children and Families Bill; and

(3) supports the exploration of greater integration and co-location of services to help to deliver the reforms and improve outcomes.

8/14 2013 SELF EVALUATION: FULFILLING AND REWARDING LIVES STRATEGY FOR ADULTS WITH AUTISM IN ENGLAND In August 2013, the Minister of State for Care and Support had written to request that Directors of Adult Social Services assisted in the completion of a self-evaluation of support for people with autism. This had followed a baseline survey completed in February 2012, and one purpose had been to assist local authorities and their partners in assessing progress in implementing the 2010 Adult Autism Strategy.

The on-line return had been completed and agreed by the multi-agency Autism Co-ordination Group. There had been a series of Red/Amber/Green rated questions, and it was reported that no areas had been identified as Red, eight had been identified as Green and nine as Amber. The work that had been, or would be, undertaken on the Amber rated responses was detailed. The evaluation had also confirmed that Derbyshire had a manager responsible for services for adults with autism, was working with other local authorities to implement the strategy and that the CCGs had been involved in planning.

The Department of Health was currently leading a formal review of progress against the national Strategy. The investigative stage of the Review had been concluded by the end of October 2013, and the Strategy would be

revised as necessary by March 2014. It was agreed that an update would be provided to a future meeting of the Board, once the revised Strategy had been received.

RESOLVED to (1) note and support the content of the 2013 Autism Self Evaluation; and

(2) receive an update report on progress in Spring 2014, including any key revisions made by Government to the national Autism Strategy.

9/14 JOINT HEALTH AND SOCIAL CARE LEARNING DISABILITY SELF-ASSESSMENT FRAMEWORK In 2013, the Department of Health had asked local authorities and CCGs to jointly complete self-assessments on their local response to learning disabilities. The Learning Disability Self-Assessment Framework (SAF) had been submitted on 29 November 2013, and partner challenge had been conducted with the local NHS and Derby City Council colleagues before submission. The overall outcomes of the self-assessment framework had been positive, although there had been some areas of concern, specifically regarding data collection and collation.

The Learning Disability SAF had required a large amount of health related statistical input, followed by a Red/Amber/Green rating. The self-assessment had been positive overall, and the majority of the ratings had been Amber, although Red had been recorded for the level of Health Action Plans completed and Primary Care communication of status.

The Learning Disability Joint Commissioning Board was working to produce an action plan based on the SAF outcomes. Agencies were required to participate in a validation session to secure formal sign off of the submission, and it was anticipated that this would take place in the first quarter of 2014. Each element of the SAF submission was scrutinised, and this would assist in preparing the final Action Plan which would be presented to the Learning Disability Partnership Board, the Joint Commissioning Board, the Adult Care Board and the Health and Wellbeing Board.

It was felt that this issue could be a theme for a future Health and Wellbeing Board workshop.

RESOLVED to (1) note and approve the Joint Health and Social Care Learning Disability Self-Assessment; and

(2) receive an update on the Learning Disability SAF following the public validation processes and subsequent improvement planning activity.

10/14 HEALTH AND WELLBEING BOARD MEMBERSHIP The current membership of the Board met the requirements set out in the Health and

Social Care Act, and the Act also enabled local authorities to include other members if it felt appropriate. In establishing the Derbyshire HWB, it had been agreed that a smaller membership would be preferable. However, there had been limits to this approach, with issues discussed at meetings which affected the whole health and social care system limited by the exclusion of key providers. As a result, the Board had held a number of workshop sessions which had included wider partners, and a number of sub-groups had been established. At the last workshop, the option of extending full membership of the Board to providers had been discussed.

Increasing membership of the Board to include the key healthcare providers would be more inclusive than the current arrangements, and would allow for the regular engagement of providers in a much wider range of issues. The inclusion of providers on the Board would also enable better continuity between the discussions that took place at the Board and at workshop sessions. The proposed additional organisations to be invited to join the Board were stated, and the addition of the Chief Fire Officer was also agreed.

The Board's Terms of Reference stated that decision making would be based on consensus, and it was proposed that this would stay the same with an increased membership. If a vote was needed, voting rights could be afforded to all members or alternatively exclude providers. This would remove the potential for conflicts of interest. It was agreed that this was currently the preferred option, but it could be revisited at a later date.

New Board members would receive training and information in relation to the Council's Code of Conduct and the Localism Act 2011, and would be required to make appropriate declarations on taking up office. The Terms of Reference would be revised to reflect any change of membership.

RESOLVED to (1) agree to the extension of the HWB membership to the provider organisations set out in the report and that, subject to their formal agreement, the new appointments take effect prior to the next meeting of the Board;

(2) consider the options in relation to the voting rights of the new members and make a recommendation to Council in relation to this; and

(3) agree that all new members be provided with training on the Code of Conduct and related matters.

11/14 HEALTH AND WELLBEING BOARD – 2014 WORK PROGRAMME A proposed work programme for the Board for 2014 was presented. Three priority work streams had been identified – integration,

public and patient involvement/engagement, and the Health and Wellbeing Strategy. The work that was to be undertaken around these was highlighted.

The Board had been developing a dual approach to meetings involving formal meetings and workshop sessions. It was proposed that this approach was formalised, with a core membership for the workshop group agreed along with a timetable for meetings. In addition, regular stakeholder meetings had been taking place, and although the feedback had been positive, the overarching purpose of the meetings needed clarity. A review of the stakeholder meetings would be undertaken as part of the review of public engagement.

The proposed dates for formal meetings of the Board and workshops were presented.

RESOLVED to agree the proposed work programme for the Health and Wellbeing Board in 2014.

12/14 HEALTH AND WELLBEING ROUND UP A round up of key progress in relation to health and wellbeing issues and projects was given.

The Department of Health had issued the first annual report on the suicide prevention strategy for England, and this highlighted the importance of responsive and high quality care for people who self-harmed. It also included a joint statement on better sharing of information between organisations and families.

The Suicide Prevention Strategy for Derbyshire outlined the current and future priorities for suicide prevention work. New arrangements for suicide prevention in Derbyshire had recently been agreed, and the strategy was to be reviewed on an annual basis by the Joint Mental Health Commissioning Board. A suicide prevention event would also be held annually to involve a wider range of stakeholders. Recent actions to reduce suicides in Derbyshire had included the establishment of a suicide prevention group by Derbyshire Healthcare Foundation Trust and the establishment of a Rapid Assessment Intervention and Discharge Service at Royal Derby and Chesterfield Royal Hospitals. Future suicide prevention priorities would include developing a CQUIN target on suicide prevention, improving the mental health support available for the 111 service in North Derbyshire and considering the recommendations included in the Preventing Suicide in England: One Year On, in particular reducing the risk of suicide in individuals with a history of self-harm and supporting those in financial crisis.

The next Be Clear on Cancer (BCOC) campaign had been launched on 3 February, and this campaign was specifically aimed at women over 70 as they accounted for a third of women diagnoses with breast cancer each year.

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

RESOLVED to note the report.

13/14 B ROBERTSON AND S SAVAGE The Board was informed that it would be the last meeting for B Robertson and S Savage. Both were thanked for their contribution to the Board.

PUBLIC

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 30 January 2014 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), B Murray-Carr (Bolsover District Council), T Norton (High Peak Borough Council), P Pegg (Derby City Council), Ms A Plenderleith (South Derbyshire District Council), Mrs M Redfern (Derby City Council) (substitute member) Mrs L Robinson (North East Derbyshire District Council), C Short (Amber Valley Borough Council), T Southerd (Derbyshire County 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, H Dhindsa, Deputy Police and Crime Commissioner, A Goodwin, Deputy Chief Constable and members of their support staff were also present.

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

Prior to the commencement of the meeting, Panel members wished to place on record their thanks and appreciation to the Police and Crime Commissioner's Office for a most interesting and informative visit to the Force Headquarters on 29 January 2014.

01/14 MINUTES RESOLVED that the Minutes of the meeting of the Derbyshire Police and Crime Panel held on 28 November 2013 be confirmed as a correct record and signed by the Chair.

02/14 POLICE AND CRIME PLAN OBJECTIVE 4 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 support local policing and maintain current strength, distributing resources into places of greatest need".

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

- Supporting people in communities establishing what was and what wasn't acceptable locally and, where he thought it necessary, to bring agencies together;
- Examining the possibility of introducing a community trigger, which would give victims and communities the right to require action to be taken where a persistent problem had not been addressed, giving victims and communities the power to ensure that action was taken;
- Engaging communities and ensuring local people were well informed and could influence policing and community safety decisions in their local neighbourhood; and
- Considering and identifying local solutions to community tensions regarding new communities, asking that resources were targeted according to greatest need.

In relation to local policing and current strength, the Police Commissioner explained that he and the Chief Constable were in agreement that local policing was a cornerstone of the Derbyshire policing model and both were committed to supporting its delivery despite further cuts to the policing budget from Government. The Commissioner explained that he had agreed with the Chief Constable that resources should be allocated and directed to the areas of greatest need. This meant that in areas with relatively low crime rates there would be fewer resources routinely deployed, although it was made clear that when there was a call for service, the level of quality response would be the same if someone lived in a quite rural area or the middle of a large urban community.

Members were informed that from October 2014 PCCs would be responsible for commissioning victim services. Work was currently underway within the Office of the Police and Crime Commissioner to ensure that there was a clear understanding of what kind of victim services would be commissioned and a commissioning strategy was being developed.

The forward plan for reports from the PCC to the Panel saw a fuller report on support to victims, including commissioning intentions being presented at the July meeting of the panel.

In relation to community engagement, the PCC had a statutory obligation to consult with the public on issues of policing and community safety. A full community engagement plan for 2014 had been developed and had been presented to the Strategic Governance Board at its January meeting and would be available via the PCC's website. It outlined a range of consultation activities and sought to gain the views of as many people who live or worked within Derbyshire as possible.

The PCC explained that he received regular updates from the Force and Community Safety Partners about new and emerging communities within Derbyshire and any tensions associated with these communities.

As part of the community grants that the office of the Police and Crime Commissioner had given out a number of projects relating to community responses to local issues had been supported financially.

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

RESOLVED to note the report

03/14 PERFORMANCE REPORT Members were informed of the challenge and scrutiny of the Forces performance from the most recent Police and Crime Commissioner, Strategic Governance meeting (SGB). The scorecard from the SGB meeting on 9 December was appended to the report to assist the Panel in understanding the management/performance data that the Commissioner received.

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

RESOLVED to note the update performance report.

04/14 PERFORMANCE TASK AND FINISH GROUP - SCOPING REPORT The Director of Legal Services presented a report asking Panel Members to consider the scope of the working group established to identify an effective approach to measuring the performance of the Police and Crime Commissioner for Derbyshire.

The establishment of the working group presented the opportunity to investigate a specific topic in depth and to make recommendations for development and improvement which could be submitted to the Police and Crime Panel and the Police and Crime Commissioner for consideration.

It was important to ensure that there was a clear focus for the working group and that a positive contribution was made to understanding the priorities of the PCC and how those priorities would affect delivery of policing and community safety. Gathering and considering such evidence throughout the year should help the Panel scrutinise the PCC effectively on the Police and Crime Plan, the Annual Report and the precept.

When considering assessing the performance of the Police and Crime Commissioner it would be important to have a clear understanding of what was an operational matter and beyond the remit of the Panel, as this would have an effect on the way the Panel engaged with the PCC and the Chief Constable. The Home Office protocol provided guidance on what was, and was not, an operational matter. Details of this guidance was outlined in the Director of Legal Services' report.

The Working Group would need to be aware of not duplicating the PCC's own internal systems and be mindful of the fact that the PCC, representatives of his secretariat and of the constabulary are under no obligation to attend working group meetings.

At its meeting on 30 November the Panel had agreed to establish a working group made up of:-

- 1 independent member (V Newbury – in the Chair)
- 3 labour members (S Blank, B Murray-Carr and L Robinson)
- 1 Conservative member (to be confirmed once a date for the first meeting had been arranged)

It was envisaged that the Working Group would report its findings to the Panel at its meeting in May 2014.

RESOLVED (1) to note the report;

(2) to endorse the proposed approach; and

(3) that the Working Group present their findings to the Panel at its meeting in May 2014.

05/14 PROPOSED CHANGES TO THE POLICE AND CRIME PLAN FOR DERBYSHIRE The Police and Crime Commissioner informed the Panel of proposed changes to the Police and Crime Plan for Derbyshire following public consultation activity in 2014 and sought the Panel's views on the proposed changes. Details of the proposed changes were outlined in the report.

RESOLVED to recommend to the Police & Crime Commissioner that the proposed changes to the Police and Crime Plan be made as set out in the report.

06/14 PROPOSED PRECEPT FOR 2014/15 Alan Charles, Police and Crime Commissioner for Derbyshire, presented to the Panel his proposed precept for the forthcoming financial year in accordance with the duty under the Police Reform and Social Responsibility Act 2011.

Prior to making his presentation to the Panel, the Commissioner explained that the referendum principles which limited the increase in council tax unless a referendum approved a higher figure had not been published. He explained that this information was a fundamental issue for his consideration of the options in respect of the level of precept. Whilst there was some speculation that the threshold may be a figure lower than 2%, given that there was still no formal notification on the referendum principles the only option open to him was to work on the best information available as at 27th January 2014.

The Commissioner made a presentation to the Panel and notified the Panel of his proposal, subject to any changes required by the referendum

principles to issue a precept increase of 1.96%, which equated to an increase of £3.37 per year to the current Band D precept of £166.95 and would give a Band D precept for 2014/15 of £170.22. The majority of households in Derbyshire were below Band D and an increase in the Band A precept would equate to an additional amount of £2.18 per year.

The provisional Revenue Budget for 2014/15 was £168.822 million and took into account government funding reductions of approximately £5.3 million compared with 2013/14. This included a loss of £1.27 million in government grant which was top-sliced to fund innovation grants, an increase to the HMIC for inspections and IPCC funding.

The Commissioner was questioned in detail by Panel members with regard to his proposed precept increase.

RESOLVED to approve the proposed precept for 2014/15 subject to recommending to the Police and Crime Commissioner that he should not increase the proposed precept in the event that the Referendum Principles permitted this.

07/14 EAST MIDLANDS POLICE AND CRIME PANEL NETWORK The Director of Legal Services of Derbyshire County Council submitted a report asking members to consider a proposal to join the East Midlands Police and Crime Panel Network.

East Midlands Councils were supporting Front Line Consulting in the establishment of an East Midlands Police and Crime Panel Network. The aim of the network was to give representatives of the panel the opportunity to link up on a regional basis with other police and crime panels and explore issues of common interest, exchange information and share good practice.

Front Line Consulting were proposing an annual subscription of £500 per panel and this would be met out of a budget held by the host authority to support the operation of the Panel. It was considered that membership of the network would be beneficial and that membership should be reviewed on an annual basis.

There would be an exploratory meeting on 4 February 2014 which officers from the Panel's host authority and the vice-chair of the panel were to attend.

RESOLVED to approve that the Derbyshire Police and Crime Panel joins the East Midlands Police and Crime Panel Network and review its membership on an annual basis.

08/14 WORK PROGRAMME 2014 The Director of Legal Services provided members with a suggested work programme which would provide the Commissioner's Office and the Panel's secretariat with the opportunity to enter into a degree of structured forward planning 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.

The Police and Crime Commissioner's Office agreed to provide Panel Members with a summary, detailing the results of the Commissioner's budget consultation process, prior to the next meeting.

RESOLVED to approve the continuing work programme for the Derbyshire Police and Crime Panel 2014.

09/14 PROPOSED TIMETABLE OF MEETINGS 2014/15 It was proposed that the Police and Crime Panel timetable of meetings for the year 2014/15 be as follows:-

- Thursday 22 May 2014 (to be rearranged due to local elections)
- Thursday 17 July 2014
- Thursday 18 September 2014
- Thursday 20 November 2014
- Thursday 29 January 2015 – Precept meeting
- Thursday 19 February 2015 – 2nd precept meeting (if veto exercised)
- Thursday 26 March 2015.

Meetings would normally commence at 11.00 am at County Hall, Matlock.

It was recognised that there needed to be a degree of flexibility with any work planning process and the Panel should note it would be possible to vary the timetable throughout the year should pressing matters arise.

In addition to the above meetings a principle role for the Panel would be to conduct confirmation hearings to the Police and Crime Commissioner's senior appointments when notification of these appointments was made the Panel must review the senior appointment and make a report to the Police and Crime Commissioner within a period of 3 weeks.

RESOLVED to approve the timetable of meetings for 2014/15.

10/14 DATE OF NEXT MEETING - RESOLVED to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 27 March 2014 at 11.00 am at County Hall, Matlock.

MINUTES of the Meeting of the **DERBYSHIRE FIRE & RESCUE AUTHORITY** held at the Fire & Rescue Service Headquarters, Burton Road, Littleover, Derby commencing at 1100 hours on 12 December 2013

Present:

Councillors R Hosker (Chair), P Bayliss, M Stockdale, C Moesby, P Smith, S Brittain, T Southerd, R Turner, K Lauro, S Spencer, S Davis, B Lewis, K Buttery, D Lomax

Independent Person:

P Wilkinson

Officers in Attendance:

L Taylor	Solicitor/Monitoring Officer
S Allsop	Director of Finance/Treasurer
S Frayne	Chief Fire Officer/Chief Executive
A Waldie	Deputy Chief Fire Officer
J Smith	Deputy Chief Executive
J Carter	Committee Clerk

P Aykroyd	Area Manager
R Brunt	Area Manager
G Tomlinson	Area Manager
S McLernon	Group Manager
R McNamee	Head of Accountancy
S Connor	Senior HR Partner
L Brown	HR Partner

J Cornett	Director, Audit KPMG
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Representative Bodies:

C Tapp	Fire Brigades Union
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Apologies:

Councillors: J Hill, L Allen

74/13

PUBLIC QUESTION TIME

There were no questions from members of the public.

75/13

DECLARATIONS OF INTEREST

Cllr Spencer abstained from decisions as recorded at minutes 84 and 91.

76/13

PETITION FROM ASHBOURNE RESIDENTS

- 76.1 A petition submitted by Ashbourne residents in response to the 'Fit to Respond 2022 and Beyond' proposals put out for consultation, was formally received by the Authority. This will be noted as part of the consultation process.

77/13

MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD ON 26 SEPTEMBER 2013

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

78/13

MINUTES OF THE GOVERNANCE & PERFORMANCE WORKING GROUP MEETING HELD ON 11 NOVEMBER 2013

- 78.1 Members confirmed the minutes as a correct record.

79/13

TRI SERVICE CONTROL PRESENTATION

- 79.1 Area Manager Tomlinson gave a brief overview of the scope and current position of the project. A short explanation of the technical solutions for mobilising, managing incidents and recording data in addition to the provision of fall-back arrangements was given. Members were invited to view the new facility at Ascot Drive and make arrangements through AM Tomlinson.
- 79.2 This presentation will be recorded as a Member Development session.

REPORTS FOR DECISION

80/13

REVENUE BUDGET MONITORING (APRIL 2013 – OCTOBER 2013)

- 80.1 The Treasurer briefed Members on the revenue budget monitoring and forecast outturn position as at 31 October 2013. He explained that the £3.5m underspend was primarily attributable to the tight vacancy control, continuous challenge on third party spending and continuing roll out from the Effectiveness Programme.
- 80.2 Based on the projected budget shortfall, the Treasurer advised that the level of reserves will be exhausted by 2017/18 and if further savings were not generated, then reserves earmarked for capital development may have to be used for revenue expenditure.

Resolution - Members:

- 80.3 Noted the Revenue Budget Monitoring and Forecast Outturn position as at 31st October 2013, being an underspend of £3.5m, as outlined in Appendices 1 and 2 of the report.
- 80.4 Noted the significant progress made on the Effectiveness Programme as outlined in Appendix 3 of the report.
- 80.5 Noted the position on Reserves as outlined in Appendix 4 of the report.

81/2013

CAPITAL MONITORING AND PRUDENTIAL UPDATE 2013/14

- 81.1 The Treasurer gave a brief overview of the report and pointed out the areas where approval was required by Members as tabled in the recommendations.
- 81.2 The report detailed the capital monitoring position as at 31st October 2013, status of borrowing and lending and an update on the prudential indicators as required under the prudential code.
- 81.3 Members were informed that five other fire and rescue services were involved in the Fleet Procurement Framework. The one off £30k will fund the project set up arrangements including administration; Area Manager Brunt informed the Authority that DFRS will not be looking to generate a regular funding stream from the framework.

Resolution – Members:

- 81.4 Noted the current spend position of £838k.
- 81.5 Approved the re-instatement of the £26k Document Centre project (paragraph 3.7 of the report).
- 81.6 Approved the increase of £100k to the budget for the purchase of 3 fire appliances following receipt of tenders (paragraph 3.9 of the report).
- 81.7 Approved a new Fleet Procurement Framework project costing £30k (paragraph 3.10 of the report).
- 81.8 Noted the approval of the purchase of 4 water ladder appliances costing £58,650 under delegated powers (paragraph 3.11 of the report).

82/2013

MEDIUM TERM FINANCIAL STRATEGY 2014/18

- 82.1 An amendment was recorded: paragraph 1.1 – should read '2014/2018' with subsequent references referring to 2014/2018.

- 82.2 The purpose of the report was for Members to approve the strategy. The Treasurer reported that the strategy had been developed based on the projected future budget cuts.
- 82.3 The Treasurer explained that the decision not to precept had increased the forecasted funding shortfall. In addition, and dependent on the outcomes of the 'Fit to Respond' consultation, the Service may need to look at alternatives to fill further funding gaps. The Treasurer reported that the current reserve position had been generated over the last three years with the intention to build capacity for the Service's future. The CFO/CE explained that the intention was to utilise this underspend position to alleviate disruption to the Service and protect jobs.
- 82.4 The Treasurer pointed out that the previous criteria for allocation of grants based on per head of population will cease; this will be replaced by bids for transformational funding which will be awarded primarily for collaboration initiatives and therefore there will be no guarantees to secure this additional funding in the future.

Resolution:

- 82.5 Members approved the Medium Term Financial Strategy 2014/2018.

83/2013

EXTERNAL AUDIT – ANNUAL AUDIT LETTER 2012/13

- 83.1 J Cornett presented the final Audit Letter which completed the audit for 2012/13. The External Auditor pointed out that the primary risks for the Authority were to provide a value for money service, ensure financial resilience and mitigate the potential inability to pay for services and personnel wages. Based on current predictions, the Authority will exhaust their funding streams in three years' time, a matter which needs to be addressed now. It was clearly identified in the Audit Letter that the Medium Term Financial Strategy was achievable and viable, however, the plan was ambitious and the associated risks were highlighted. A plan must be delivered to meet the forecasted deficit whatever decision the Authority makes in the near future.
- 83.2 Members thanked KPMG, the Treasurer and Corporate Financial Services for the work and support attributable to the outcome of the 2012/13 audit.

Resolution:

- 83.3 Members noted the Annual Audit Letter 2012/13.

84/2013

LOCAL GOVERNMENT ASSOCIATION MEMBERSHIP

- 84.1 The CFO/CE explained that the LGA had approached the Authority requesting that it review its decision regarding the withdrawal of membership. The LGA

had since presented a case to highlight the benefits and support offered by the Association which included in-house training for Members.

Resolution:

- 84.1 Members agreed, by a majority, to withdraw from the current notice period and maintain membership. Cllr Spencer abstained.

REPORTS FOR INFORMATION

85/2013

TRI SERVICE CONTROL PROJECT UPDATE

- 85.1 The report set out progress to date of the project involving Nottinghamshire, Leicestershire and Derbyshire FRAs. A pilot of the equipment provided by Systel will commence in January 2014. Wider communication systems provided by British Telecom and Airwave have been installed at Ascot Drive Community Fire Station. Training of Command and Control personnel and crews will commence early next year. The current expected delivery for the project was April 2014.

Resolution:

- 85.2 Members noted the update.

86/2013

EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME (ESMCP)

- 86.1 The purpose of the report was to inform Members of progress with the national ESMCP. Mobile communications to the three fire and rescue services was currently provided by Airwave Solutions Ltd under a contract which was due to expire between 2016 and 2020. The ESMCP has been created by the Home Office to ensure future requirements were in place, researching the technical solution options available and continued communications delivery for the future. DFRS have responded to requests in relation to output requirements and will continue to take the opportunity to influence the programme. New service contracts were expected to be awarded during the summer of 2015. Further updates will be presented to the Authority as the programme develops.

Resolution:

- 86.2 Members noted the information within the report.

87/2013

VERBAL UPDATE FROM THE CHIEF FIRE OFFICER/CHIEF EXECUTIVE

87.1 Incidents

Members were informed of the recent tragedies in Derbyshire and the Service's mobilisation to support colleagues in Norfolk during the recent high tides as part of the national response.

87.2 Pension Reform Dispute

Members were briefed on the level of resources available during strike periods including the position with reservist recruitment and activity. The CFO/CE highlighted that this was a very base level of service response and did not offer the resilience that has been reported in the national media. The CFO/CE explained that due to the limited resources available, the Gold Operations Command had to ensure a robust call challenge procedure.

A brief outline of developments at national level was given in relation to fitness and capability. DFRS had responded to a consultation exercise on this topic and made it clear that the Authority was not in a position to fund an Initiated Early Retirement package should personnel in the future not be able to work beyond 55 to 60 for reasons other than medical grounds.

Members were also informed about the additional Fire Brigades Union (FBU) ballot in relation to proposals to initiate action short of strike action periods.

87.3 'Think Sprinkler' Campaign

Significant progress was now being realised and domestic sprinkler systems – including new installations, retrofits and portable suppression units - were being fitted by the majority of local authorities. Memorandums of Understanding for match funding were being signed for a further year and discussions will continue to take place to influence building developers. Members were informed that National Fire Sprinkler Week was a good opportunity to promote the campaign and the pressure on planners should continue at both a national and local level.

87.4 East Midlands Fire & Rescue Centre Control Ltd

This company had been set up to manage the Regional Control Centre project on behalf of the five fire and rescue services in the East Midlands. Following the announcement that the national Fire Control Project was to cease the East Midlands Board agreed to initiate a winding up process and the company has closed down with the publication of final accounts up to 31.3.13.

88/2013

QUARTER 2 PERFORMANCE AND CORPORATE RISK UPDATE

88.1 Members were reminded that performance information was available via the following link to FireView intranet site:

[FireView/Service Information/Performance Dashboards/Q2 Performance Dashboard 2013-14](#)