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## **CORPORATE COMMITTEE**

**Minutes of a Meeting held on Thursday 20 March 2014 in the Council Chamber, Town Hall, Matlock at 6.00pm**

### **PRESENT**

Councillor Albert Catt - In the Chair

Councillors Bob Cartwright, David Chapman, David Fearn, Mike Longden, Jean Monks, Garry Purdy, Irene Ratcliffe, Lewis Rose OBE, Geoff Stevens MBE, Jacquie Stevens, Barrie Tipping, Judith Twigg, Jo Wild.

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Mike Hase (Planning Policy Manager), Les Warren (Leisure Officer, Strategy & Development), Giles Dann (Policy & Economic Development Manager), Steve Capes (Head of Regeneration and Policy), Phil Colledge (Head of Resources), Peter Lisewski (Revenue Services Manager), Karen Henriksen (Accountancy and Exchequer Manager), Jenny Williams (Interim Head of the Internal Audit Commission) and Jackie Cullen (Committee Assistant).

Sue Sunderland, KPMG (External Auditor)

1 member of the public.

### **APOLOGIES**

Apologies for absence were received from Councillor Richard FitzHerbert and Councillor Andrew Lewer. Councillor Jo Wild attended as a Substitute Member.

### **PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, Mr David West of Matlock Bowls Club made a statement regarding Hall Leys Park Bowls Pavilion.

### **373/13 – MINUTES**

It was moved by Councillor Albert Catt, seconded by Councillor David Fearn and

**RESOLVED** That the minutes of the meeting of the Corporate Committee held on  
(unanimously) 13 January 2014 be approved as a correct record.

The Minutes were signed by the Chairman.

### **374/13 – EXTERNAL AUDIT PLAN 2013/14**

Sue Sunderland of KPMG presented the External Audit Plan 2013/14, which was attached to the Agenda.

The Headlines (page 8) gave a brief summary of the report, details of which were set out in subsequent pages.

In 2014 the four key stages of KPMG's work on the Council's financial statements were: planning, control evaluation, substantive procedures and completion. In addition, KPMG would also audit the Authority's Whole of Government Accounts Pack.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Geoff Stevens MBE and

**RESOLVED** That the External Audit Plan 2013/14 be noted.  
(unanimously)

### **375/13 – EXTERNAL AUDIT REPORT CERTIFICATION OF GRANTS AND RETURNS 2013/14**

Sue Sunderland of KPMG presented the External Audit Report Certification of Grants and Returns 2013/14, which was attached to the Agenda.

Members were advised that the number of grants had been reducing; and for this year, two returns were certified: housing and council tax benefits. The minor difference in the internal reconciliation of the claim had been resolved, and one adjustment had been made to one of the Council's returns as a result of KPMG's certification work. The Head of Resources confirmed that the £300 relating to the amendment of one council tax benefit case (p.30 of the report) was in fact in Council's favour.

Members were also advised that the total fee in respect of grants/returns estimated on page 31 of the report had now been confirmed following approval from the Audit Commission, and a credit note had been issued.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Garry Purdy and

**RESOLVED** That the External Audit Report Certification of Grants and Returns  
(unanimously) 2013/14 be noted.

### **376/13 – LAND AND PROPERTY DISPOSALS – PROPOSED VARIATION OF HALL LEYS PARK BOWLS PAVILION LEASE TO INCLUDE BOWLING GREEN**

The Committee considered a report regarding variation of the existing lease of Hall Leys Park Bowls Pavilion held by Matlock Park Bowls Club to increase the term to 25 years and include the existing bowling green in the lease.

The Leisure Officer, Strategy & Development, drew Members' attention to page 35 of the report, Section 5: Consultation. Consultation had not yet taken place with the Heritage Lottery Fund, Matlock Town Council and Ward members, but this would take place within the next two weeks.

The bowling green in Hall Leys Park was currently owned and maintained by the District Council at a cost of £14,400 pa. Matlock Park Bowls Club currently leased the Bowls Pavilion for a 21 year term from 02 October 2009 under which they were responsible for internal repairs and contents and public liability insurance. It was proposed to vary the existing lease by way of a surrender and renewal to grant the club a new 25 year lease of the Bowls Pavilion and to include the existing Bowling Green within the demise; all other terms to remain as existing. The proposed lease area was shown edged in heavy black on the plan at Appendix 1 to the report. As a single commuted sum of £100 had already been paid for the existing lease, no further lease charge was proposed.

The proposed terms constituted an undervalue transaction as permitted under the General Disposal Consent 2003, which permits Local Authorities to dispose of any interest in land held under the Local Government Act 1972 which they consider will contribute to the promotion or improvement of the economic social and environmental wellbeing of the area at less than best consideration subject to various conditions.

Statutory Notices regarding disposal of this site would be arranged. Should no objections be received the transaction would proceed. Should any objections be received, the matter would be referred to the next available Policy Committee meeting for further consideration.

As the bowls club would be taking responsibility for the full maintenance of the bowling green at a cost of £7,500 p.a. it was suggested that the District Council provide a financial support package to the club to help them sustain the cost and the club over the next four years; as set out below:

TERM	GRANT	SAVING TO COUNCIL	COST TO CLUB
YEAR 1: 2014 - 2015	£6,000	£6827	£1500
YEAR 2: 2015 – 2016	£5,000	£7827	£2500
YEAR 3: 2016 – 2017	£4,000	£8827	£3500
YEAR 4: 2017 – 2018	£3,000	£9827	£4500

In concluding their discussion of this item, Members requested to put on record their thanks to Les Warren, Leisure Office, Strategy and Development, for his tireless efforts in respect of various projects over the years, and to wish him well in his forthcoming retirement.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor David Fearn and

**RESOLVED**  
(unanimously)

1. That the existing lease 21 year lease of Hall Leys Park Bowls Pavilion be varied to include the bowling green and to increase the lease term to 25 years.
2. That a grant be offered to Matlock Park Bowls Club to help sustain the maintenance of the green as detailed in Paragraph 6
3. That should any objections be received as a result of the Notice of Intention, these will be referred to the next available Policy Committee for further consideration of the matter.
4. That Members note that this disposal constitutes an undervalue transaction as permitted by the General Disposal Consent 2003.

### **377/13 – TRANSFORMATION PROGRAMME 2014/15**

The Committee considered a report presenting the findings of the initial Transformation review and were asked to give approval of the Transformation Programme for 2014/15.

The Head of Regeneration and Policy set out four areas in his report where IT usage could be improved:

- Leisure online booking & Payments
- Channel Shift (Customer Self-Service via the Website)
- Electronic Document Management
- Agile Working (Mobile/Home working using technology)

The review methodology approved by Members in December 2013 included:

- Detailed business cases, pilot projects, quick wins, and further research to be carried out between December 2013 and March 2014
- Full implementation proposals to be considered by Corporate Committee on 20 March 2014
- April 2014 onwards – implementation of projects

The report therefore updated Members on progress with the four approved transformation projects since December, and recommended a programme for implementation of transformation during 2014/15.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Jacquie Stevens and

**RESOLVED**  
(unanimously)

1. That the findings of the initial Transformation Review are noted.
2. That an internal officer group is established to procure and implement a leisure management and bookings IT system, using an appropriate project management methodology.

3. That the one-off purchase costs of the leisure management and booking system are supported by the Invest to Save Reserve, subject to a business case being approved by the Corporate Management Team.
4. That 'Channel shift' quick wins are noted.
5. That Development control and the Depot be targeted for channel shift during 2014/15, with other services to be identified during the year.
6. That in accordance with the findings and recommendations of the Administration Service Review, electronic planning application consultations are implemented in full for District Councillors with no provision for opt-out from 1 April 2014.
7. That in support of recommendation 5, the roll out of electronic planning application consultations for town and parish councils be discussed at the Parish Council Clerks Seminar in July 2014 with a view to agreeing full implementation during 2014/15.
8. That the Business Support Manager establishes a team to conduct the procurement of an Electronic Document Management System (EDMS) for the District Council, including external support where necessary.
9. That EDMS is piloted in the Planning service and Waste management during 2014/15 supported by the Office Technology Reserve and the Invest to Save Reserve, subject to a business case being approved by the Corporate Management Team.
10. That the Environmental Health agile working pilot is continued and extended during 2014.
11. That Agile working is a key consideration within all Service Reviews.
12. That future procurement of mobile phone, tablet and landline solutions by the Business Support Team complements any agile working roll out.
13. That the HR Manager reviews and develops suitable policies to complement greater home working and lone working.
14. That the transformation programme for 2014/15 be approved.

### **378/13 – ECONOMIC DEVELOPMENT PARTNERSHIPS**

The Committee considered a report recommending approval of participation in developing a LEADER small business funding scheme for the Peak District for 2015 onwards together with a possible Community Led Local Development scheme. Updates were provided for some of the economic partnerships that impact on the Derbyshire Dales, including Local Enterprise Partnerships and Business Peak District.

The Committee's attention was drawn to item 1.5 of the report which referred to a recently initiated Derbyshire Economic Partnership RGF programme known as Global Derbyshire. It was considered that this presented an opportunity to the Council to contribute to the next LEADER programme.

The issue of broadband availability was raised, and the Committee was advised that this was a work in progress, and was in the hands of BT. The roll out programme for Derbyshire was not yet known, but was likely to be 2017.

Copies of the 'Business Peak District Prospectus' were distributed at the meeting. This showcased opportunities to invest in the local economy, including case studies of a number of local firms.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Mike Longden and

**RESOLVED**

(unanimously)

1. That the District Council participates in developing a Peak District LEADER small business funding scheme for 2015 onwards.
2. That the District Council participates in developing a Community Led Local Development programme for any parts of the Derbyshire Dales that may not be included in the LEADER scheme.
3. That the District Council subscribes to the Derbyshire Economic Partnership in 2014/15 at a cost of up to £15,000.
4. That progress with Regional Growth Fund and Growing Places Fund applications is noted.
5. That progress with establishing a 'D2' Economic Prosperity Board is noted.
6. That the LEP and Business Peak District updates are noted.
7. That Cycling initiatives are noted.

### **379/13 – ECONOMIC DEVELOPMENT PLANS**

The Committee considered a report presenting evidence of need for the development of the local economy and considering plans for addressing need, including approval of the Peak District Economic Growth Plan.

Members had established economic development as one of only two improvement priorities for the District Council (Council, November 2013) and following the Peer Challenge, officers had worked ever more closely with partners in the wider Peak District. As a result, a combined evidence base on the Peak District economy had been prepared, together with an outline economic plan for the Peak District written by consultants funded by the Local Government Association, as detailed in sections 2 and 3 of the report.

Proposals for the District Council's own economic development plans were set out in section 5 of the report.

Working with partner authorities, and in consultation with the LEPs covering the area, consultants appointed in December 2013 developed an economic outline growth plan for the wider Peak District. They held a workshop for partners on 16 January 2014 at the Agricultural Business Centre in Bakewell, where proposals for projects were discussed. As a result of this work priority projects had been proposed to take forward the Peak District economic plan initially; these were listed in draft outline in the report.

The four programme areas within the framework for the Economic Growth Plan are:-

- Growing new and existing businesses
- Targeting business sectors to grow the economy
- Developing skills for businesses growth
- Developing infrastructure to support business growth

A summary of the Peak District economic growth package was attached as Appendix 2 to the report, and a selection of case studies from firms that the District Council has supported through Derbyshire Dales Business Advice and other means was attached as Appendix 3 to the report.

In view of the wide range of possible interventions and possible financial consequences, it was proposed that a member workshop be held to consider options in greater depth.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Judith Twigg and

- RESOLVED**  
(Unanimously)
1. That the economic evidence base for the wider Peak District is noted.
  2. That the Peak District economic growth plan is approved.
  3. That the Derbyshire Dales business case studies are noted.
  4. That the achievements of Derbyshire Dales Business Advice are noted and the scheme be continued in 2014/15 with integration into LEP Growth Hub proposals if possible.
  5. That briefs be produced for key development sites, in order to ensure they are developed in accordance with the needs of the district, and to help market them to potential developers.
  6. That the business property database (Tractivity) be updated and used to answer queries from developers.

7. That a Member workshop be arranged to consider further economic development activities, costs, and the funding necessary to finance such activities.
8. That a Derbyshire Dales Economic Growth Plan be produced.
9. That potential reallocation of officer resources is noted.

### **380/13 – ASHBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN – APPLICATION FOR DESIGNATION AS NEIGHBOURHOOD AREA**

The Committee considered an application received from Ashbourne Town Council for designation of the whole of the Parish of Ashbourne as a Neighbourhood Area. The report set out details of the consultation exercise undertaken, and recommended approval of the application.

An application for the designation of the whole of the Parish of Ashbourne was received from Ashbourne Town Council on 19<sup>th</sup> November 2013. A period of public consultation on the application ran for six weeks from 15<sup>th</sup> January until 26<sup>th</sup> February 2014.

As a result of the consultation exercise three representations were received. Two indicated their support for the application for designation. The third representation indicated that he did not support the area designation. However from the comments made it would appear that the objector has not appreciated the purpose of the application as they set out concerns about the scale and nature of development within the town. Given the nature of the representations it was considered that there was no reason why the District Council should refuse to approve the application. As such it was recommended that the whole of the Parish of Ashbourne be designated as a Neighbourhood Area.

In order to comply with the Neighbourhood Planning Regulations further publicity of the fact that the local planning had designated a Neighbourhood Area had to be undertaken. It was therefore recommended that delegated authority be given to the Corporate Director to comply with these requirements.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Mike Longden and

**RESOLVED**  
(unanimously)

1. That the whole of the Parish of Ashbourne be designated as Neighbourhood Area in accordance with the Section 61G of Town and Country Planning Act 1990 (As amended by the Localism Act 2011)
2. That delegated authority be given to the Corporate Director to discharge the requirements of the Neighbourhood Planning Regulations 2012 to publicise the designation of the Ashbourne Neighbourhood Area

### **381/13 – INTERNAL AUDIT RECOMMENDATIONS MADE UNDER THE 2011/12, 2013/13 AND 2013/14 OPERATIONAL AUDIT PLANS**



A report was presented to enable the Committee to consider the progress made by management in implementing agreed audit recommendations made as a consequence of audits completed during 2011/12, 2012/13 and 2013/14.

Appendix 1 to the report showed the current position at 14 February 2014. Of the 24 recommendations outstanding, 11 had been completed, 2 had been withdrawn and 4 were not scheduled for completion until the end of March 2014. Completion dates had been provided for all those that remained outstanding.

It was moved by Councillor Mike Longden, seconded by Councillor David Chapman and

**RESOLVED** That the progress of management's implementation of agreed audit  
(unanimously) recommendations be noted.

### **382/13 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2013/14 OPERATIONAL AUDIT PLAN**

Councillor Lewis Rose, OBE, left at 7.32pm during discussion of this item.

The Committee considered the reports produced in accordance with the internal audits undertaken in compliance with the 2013/14 Operational Audit Plan.

Of the reviews undertaken, 12 were assessed as 'good', 2 as 'satisfactory' and 2 as 'marginal'. Of the 2 assessed as marginal, the pest control and dog warden service indicated a reconciliation discrepancy between income received against income expected. However, it was agreed that a report would be obtained from Agresso to enable the reconciliation to take place. With regard to the second report, debtors, the Committee was advised that new systems are now in place regarding the issue of leisure passes, and four recommendations had been made to remedy the situation.

It was moved by Councillor Mike Longden, seconded by Councillor David Fearn and

**RESOLVED** That the Committee note the findings and conclusions of the  
(unanimously) internal audit reviews.

### **383/13 – INTERNAL AUDIT OPERATIONAL PLAN 2014/15**

The Committee was asked to agree the Internal Audit Operational Plan 2014/15 which outlined the assignments and estimated resources needed during the year.

A key requirement of the Public Sector Internal Audit Standards was that a periodic risk based plan should be prepared that should be sufficiently flexible to reflect the changing risks and priorities of the organisation. The risk based plan should be fixed for a period of no longer than one year, should outline the assignments to be carried out, their respective priorities and the estimated resources needed.

The internal audit plan for 2014/15 was attached as Appendix 2 to the report.

A copy of the audit plan was provided to the Council's External Auditor to assist in co-ordination of work programmes.

It was moved by Councillor David Fearn, seconded by Councillor Garry Purdy and

**RESOLVED** That the Internal Audit Plan for 2014/15 be agreed.  
(unanimously)

### **384/13 – AUDIT COMMISSION REPORT ON FRAUD – PROTECTING THE PUBLIC PURSE**

This report presented the Committee with a summary of findings and recommendations from a recent Audit Commission National report entitled 'Protecting the Public Purse 2013 – Fighting Fraud against Local Government' and provided an assessment of the Council's position against the 'Checklist for Councillors and others responsible for governance' to identify any actions required.

During the 1990's the Audit Commission published a series of reports entitled *Protecting the Public Purse*. These reports highlighted the risks posed by fraud to Local Authorities and identified best practice in procedures to minimise these risks.

The Audit Commission decided to re-establish publication of the report in 2009. They considered this to be timely as a result of the recession and their belief that this may result in an increased risk of fraud.

The full 2013 report (56 pages) was available on the Audit Commission's web site.

Key issues identified within the Summary, together with key recommendations were listed in the report.

The Audit Commission checklist was attached as Appendix 1 to the report, and showed compliance with the areas applicable to the Council.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Irene Ratcliffe and

**RESOLVED** 1. That the Audit Commission Report 'Protecting the Public Purse  
(unanimously) 2013' be noted  
2. That the position shown in the Checklist for Councillors and others responsible for governance' (Appendix 1) be noted.

### **385/15 – CONSULTATION AND ENGAGEMENT STRATEGY 2014-2019**

This report presented the District Council's Consultation and Engagement Strategy, updated for the period 2014-2019. The strategy reflected the latest Cabinet Office guidelines setting out the consultation principles that Government departments and other public bodies should adopt. The strategy was accompanied by the corporate programme of consultation planned for the coming year.

The District Council's Consultation and Engagement Strategy had been reviewed and updated to ensure it reflected statutory guidance and the Government's latest consultation principles and was attached as Appendix 2 to the report.

The strategy also included the proposed corporate programme of consultation. The Consultation and Engagement Plan set out the activity planned for the coming year in line with the strategy's objectives.

The last Citizens' Panel survey was carried out in November 2013 and a summary of the main findings was attached as Appendix 1 to the report. The Committee noted in particular the results for satisfaction with waste and recycling services: 91% satisfied with the general household waste collection service and 93% satisfied with the recycling service. The results would be used to help guide service improvement and delivery and, in the case of street cleansing and grounds maintenance services, provided a useful baseline position as the new service was rolled out following the APSE review.

The current strategy had three main objectives:

- To improve the performance of District Council services
- To develop and evaluate District Council policies, services and projects
- To inform the prioritisation of resources available to the District Council.

These objectives remained valid and had been retained in the new strategy. A fourth objective had been added to reflect findings from the 2013 Peer Challenge i.e. *'the need to engage the community in redesigning services and in influencing future models of delivery enabling communities to help themselves more'*. The Member workshops in the autumn began to explore how the Council might work with communities to encourage them to take on things that might traditionally have been provided by the Council. This was captured in the fourth objective i.e.

- To increase dialogue with local communities to enable local delivery of services where appropriate

The strategy retained emphasis on meeting the requirements of Best Value Statutory Guidance, particularly with regard to financial decisions affecting the commissioning and de-commissioning of services and consultation with voluntary and community groups and small businesses (as appropriate).

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Garry Purdy and

- RESOLVED** (unanimously)
1. That the District Council's revised Consultation and Engagement Strategy 2014-2019 be adopted.
  2. That the Corporate Consultation and Engagement Plan 2014/15 be agreed.

### **386/13 – PROMOTING EQUALITY: EQUALITY PLAN 2014/15**

This report presented the District Council's Equality Plan for 2014/15. The plan brought together the Council's work on equalities including its equality objectives, forward programme of priority Equality Impact Assessments (EIAs), improvement actions and

equalities guidance. It also provided an update on corporate activity undertaken to ensure compliance with the public sector Equality Duty.

An update on corporate activity being undertaken to ensure compliance with the public sector Equality Duty was set out in the report. Progress with regard to the Equality Objectives was attached as Appendix 1 to the report, and is summarised below:

- 5 out of 10 targets were likely to be achieved on or ahead of schedule (Green)
- 3 targets were on track to be achieved after the deadline (Amber)
- 2 targets were unlikely to be achieved (Red)

Progress would continue to be monitored by the Corporate Management Team.

It was moved by Councillor Garry Purdy, seconded by Councillor Irene Ratcliffe and

**RESOLVED**  
(unanimously)

1. That the updated equality information published in January 2014 and ongoing work planned to fill gaps in equality information be noted.
2. That progress towards the District Council's equality objectives during 2013/14 be noted.
3. That progress with priority Equality Impact Assessments for 2013/14 be noted.
4. That the Equality Plan 2014/15 be approved.

### **387/13 – REGULATION OF INVESTIGATORY POWERS ACT**

The Committee considered a report requiring the adoption of an updated policy on the Regulation of Investigatory Powers and aims to provide members with details of use of RIPA authorisations. The policy was attached as an appendix to the report.

In November 2012 changes to RIPA took place which changed the way in which actions under RIPA were authorised. Local Authorities could no longer authorise investigations under RIPA in house, applications must be approved by the Magistrates court following in-house approval.

The proposed amended policy contained details of the Judicial process in obtaining RIPA authorisations and details of the internal authorisation process and oversight arrangements. The report summarised the RIPA authorisations granted in 2013/14.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Judith Twigg and

**RESOLVED**  
(unanimously)

1. That the updated policy on the Regulation of Investigatory Powers is adopted.
2. That the use of RIPA authorisations in 2012/13 and 2013 /14 be noted.

### **388/13 – FREEDOM OF INFORMATION ACT 2000 – PUBLICATION SCHEME UPDATE**

The report asked members to consider adopting the updated Model Publication Scheme issued and approved by the Information Commissioner.

The revised Publication Scheme proposed to use as far as was reasonably practicable the Council's website as a repository for all information available under the Model Publication Scheme.

It was moved by Councillor David Fearn, seconded by Councillor Judith Twigg and

**RESOLVED** That the Model Publication Scheme is adopted.  
(unanimously)

### **389/13 – EXCLUSION OF PUBLIC AND PRESS**

It was moved by Councillor Albert Catt, seconded by Councillor Jacquie Stevens and

**RESOLVED** That in accordance with Section 100(a) of the Local Government Act  
(Unanimously) 1972, the public and press be excluded from the meeting as it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

### **390/13 – ARREARS RECOMMENDED FOR WRITE-OFF**

The Committee was asked to consider the write-off debts detailed in the report, which had been pursued through all appropriate methods of recovery open to the Council. Any further action attempted would be likely to incur additional expenses to the Council without the prospect of payment and as such these debts were referred to this Committee for authorisation to write them off in accordance with Financial Regulation B7(b).

The amounts recommended for write-off were attached in Appendix 1 to the report.

It was moved by Councillor Albert Catt, seconded by Councillor Geoff Stevens, MBE, and

**RESOLVED** That the arrears for individual amounts exceeding £1,500 listed in  
(unanimously) Appendix 1 totalling £185,498.11 be written off.

**MEETING CLOSED – 8.20PM**

**CHAIRMAN**