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16 July 2014

To: All Councillors

As a Member of the **Council**, please treat this as your summons to attend the meeting on **Thursday 24th July 2014 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely

A handwritten signature in black ink, appearing to be "Sandra Lamb".

Sandra Lamb
Head of Corporate Services

AGENDA

OPENING ADDRESS

Mr Grayden Daniels will speak about the further development of Fair Trade.

1. APOLOGIES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence.

2. PUBLIC PARTICIPATION

To give members of the public who have given notice an opportunity to ask questions, present petitions or air their views.

3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

19 June 2014.

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. CHAIRMAN'S ANNOUNCEMENTS

Announcements of the Chairman of the District of Derbyshire Dales.

6. COMMITTEES

To receive the non-exempt minutes of the Committees shown below:

Committee	Date
Non Exempt Minutes to be Received	
Council Meeting	19 June 2014
Central & Northern Area Planning Committee	3 June 2014
Southern Area Planning Committee	10 June 2014
Licensing & Appeals Sub-Committee –Premises Licence Application – Bradley Nook Farm	11 June 2014
Licensing & Appeals Sub-Committee – Taxi Appeal – John Thorp	23 June 2014
Corporate Committee	26 June 2014
Southern Area Planning Committee	8 July 2014
Community Committee	10 July 2014

MINUTE BOOK PUBLISHED SEPARATELY

7. QUESTIONS (RULE OF PROCEDURE 15)

Questions, if any, from Members who have given notice.

Page Nos.

8. BAKEWELL RECREATION GROUND – WET PLAY AREA

4 - 14

To consider a report that sets out the background to issues of potential noise nuisance emanating from the wet play facility at Bakewell Recreation Ground and to decide which of the options relating to opening times for the facility should be implemented. Also to consider approval of other proposals designed to reduce the noise level, the continuation of dialogue with local residents affected by the noise and further investigations to determine the most appropriate means of reducing the noise from the pump house, if necessary.

9. SERVICE REVIEW PROGRAMME 2014/2015

15 - 21

To seek approval of the 2014/2015 Service Reviews and to note the findings and progress of completed and ongoing 2013/2014 Service Reviews.

10. SEALING OF DOCUMENTS

To authorise that the Common Seal of the Council be affixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to others, since the last meeting of the Council.

11. EXCLUSION OF PUBLIC AND PRESS

At this point the Committee will consider excluding the public and press from the meeting for the remaining items of business for the reasons shown in italics. The Chairman will adjourn the meeting briefly to enable members of the public to speak to Councillors.

12. EXEMPT MINUTES TO BE RECEIVED

Corporate Committee – Minute No. 58/14 – 26 June 2014
(This report contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

NOTE

For further information about this Agenda or on “Public Participation” call 01629 761133 or e-mail committee@derbyshiredales.gov.uk

COUNCIL
24TH JULY 2014

Report of the Head of Environmental Services

BAKEWELL RECREATION GROUND WET PLAY FACILITY

SUMMARY

This report sets out the background to potential issues of noise nuisance in relation to the operation of the wet play facility at Bakewell Recreation Ground. The report outlines two potential options in regard to modified operating hours in order to ensure that the District Council properly discharges its legal obligations.

RECOMMENDATION

1. That in considering its Legal obligations, Council agrees to the implementation of either Option 1 or Option 2 as outlined at Section 6 of the report.
2. That the water pressure, be modified and the sequence of the water jets be reprogrammed to introduce time lags to reduce the level of noise from the children but that it still provides some active wet play.
3. That ongoing dialogue takes place with local residents affected by the noise associated with the wet play facility.
4. That further investigation, be undertaken and if necessary determine the most appropriate measure to be taken to reduce the noise from the pump house. Any works that cannot be contained within normal revenue budgets would be the subject of a future report to a committee.

WARDS AFFECTED

Bakewell

STRATEGIC LINK

The recreation ground hosts a number of facilities but the wet play area particularly provides an exciting and fun facility for young children, which compliments the District Council's Corporate Plan Aim for a *Clean, Green and Prosperous Derbyshire Dales*.

1 BACKGROUND

- 1.1 The District Council owns and maintains Bakewell Recreation Ground which provides a number of facilities for the local community. Bakewell Recreational Ground and the pavilion traditionally catered for Bakewell Cricket Club but over time the grounds have been developed and its use expanded to provide football pitches,

croquet lawns, tennis courts and both a dry and wet play facility for children of different ages.

The Recreation Ground is a high profile site and well used by the general public, visitors and a number of sporting groups. The Council has worked hard for many years to provide an excellent Recreation Ground that is well maintained with modern facilities that meets the needs of all age groups.

- 1.2 In the south west corner of the site sits a dry and wet play area approximately 7m from the nearest properties. In the mid 80's the paddling pool was upgraded to introduce a chlorination system. In 2008, the District Council was successful in securing Lottery Funding of approximately £200,000 to provide an upgraded dry play area and a new state of the art splash pad to replace the old chlorinated paddling pool. Similar facilities are provided at Hall Leys Park, Matlock and the Recreation Ground, Ashbourne.
- 1.3 In 2008, the District Council carried out consultation with the local community. In the main the facility was well received by the local community but a small number of comments were received suggesting that the facilities were too close to neighbouring properties and that the council should take the opportunity to relocate the facility elsewhere within the Recreation Ground. Apart from the requirement to obtain planning permission for such a re-location the additional costs, were estimated at the time of being in the region of £100,000 and as such made the proposal unworkable i.e. the funding available could fund the upgrade but not relocation. The decision was taken to consult on upgrade without relocation so as not to deny the community of the chance of improved facilities.
- 1.4 Following comments received during the consultation event the design of the wet play facility was scaled back and a break in the operating times (12.30-1.30pm) was introduced. The original scheme was to mirror the facility at Ashbourne to include an over-head tipping bucket but this was later removed from the design on the strength of it generating a focus of activities and a visual intrusion from neighbouring properties. A break in the operating times was introduced between 12.30pm and 1.30pm and the facility closed at 5.00pm rather than 7pm.
- 1.5 The facility has been very successful and a huge attraction for both local people and visitors. This scale of success could not have been foreseen at the time and only with the benefit of hindsight would it have been more productive to have explored a different location within the Recreation Ground.
- 1.6 The splash pads operate by squirting out water randomly there is also an arched mist spray which children can run through or stand in. The operation of this is regulated by a pump mechanism housed in a small wooden shed (former chlorination unit) by the side of the play area.
- 1.7 The District Council's Environmental Health Section has been investigating complaints about noise from the pump that operates the wet play area and screaming from the children that use it since 2012. These complaints have mentioned the rushing/hissing sound of water as the system fills up, high pitch screams and shrieking from the children as they come into contact with the cold water. The random nature of the water jets encourages the children to scream and during periods of warm weather large numbers of children and adults can gather.

Secondary complaints have also been made about children urinating in the hedge behind the properties and people staring into the houses.

- 1.8 In 2013 an investigation by the District Council's Environmental Health Officers indicated that noise levels were sufficiently intrusive as to have potential to amount to a statutory noise nuisance.
- 1.9 Environmental Health cannot enforce Part 3 of the Environmental Protection Act 1990 (nuisance) in the usual way as the owners of the Recreation Ground are the District Council. As such we are the body responsible for taking any remedial measures and the entity against which legal action requiring those remedial measures would have to be taken. Legally the District Council cannot serve an abatement notice on itself and so the usual route for dealing with statutory nuisance is not available. It is possible, however, for private individuals to take nuisance action in their own right under section 82 of the 1990 Act and therefore the District Council remained vulnerable to the possibility of legal challenge.
- 1.10 In 2014 Council Officers met with the complainant and discussed a number of options aimed at reducing the noise associated with the use of the wet play equipment.

2 NUISANCE COMPLAINT AND INVESTIGATION

- 2.1 Following complaints of excess noise from users of the wet play area and the pump mechanism investigations were carried out in August 2012 and July 2013 at which time noise readings were taken.
- 2.2 During the day when the play equipment is open, there is a general background noise from within the Recreation Ground from people and children talking and playing. Noise from children screaming can be heard, this however does become more prominent when the wet play area is open and at times can be excessive. When the water play area is not operating, the noise from screaming does die down at which point the pump can be heard.
- 2.3 The readings taken confirm that they are likely to be sufficient to cause a statutory noise nuisance and as such the District Council has been trialing a number of options to try and reduce or limit exposure to the noise. Whilst it is possible to reduce the levels of noise associated with the pump and equipment it is more difficult to control the level at which children scream. It was therefore considered that rather than reduce the noise created by the children it would be better to introduce more effective management controls and limit exposure to the noise by restricting its use.
- 2.4 In March 2014, a meeting was convened with Council Officers and the complainants to discuss the re-opening of the facility in April 2014 and the possible measures that could be taken to reduce the noise associated with its use. This revealed continuing opposition to the location of the facility with suggestions that the site should be relocated. This option has already been explored and the estimated costs, along with the removal of one of the other facilities makes this impracticable.
- 2.5 A number of measures were suggested including reducing the water pressure, adjusting the water jets and reducing the hours of operation. Proposed operating times were introduced on a trial basis on 1 June 2014. These have included both

reducing the operating times and the number of days on which it operates to limit the level of exposure to the noise.

- 2.6 Since 2008, the facility has operated 7 days a week, 10am till 5pm with a one hour break between 12.30 and 1.30pm from 1 April until 1 October each year. Although the break over the lunchtime period reduces the level of noise from the children the noise associated with the pump is increased when the system starts up again at 1.30pm. To remove this and reduce exposure to noise from the pump and children new operating times have been trialled from 12 – 5pm without a break. In addition, the number of days of operation has been reduced from seven to four to include Friday, Saturday, Sunday and Monday. During school holidays, however the facility is available 7 days a week from 12 – 5pm. The trial has been operating from 1 June 2014 and will run until 25 July 2014 after which the facility will be open 7 days a week (12 – 5pm) for the school holidays until 1 September 2014.
- 2.7 It is recommended that Council consider revising the operating times and consider the option of implementing the trial operating times as outlined above on a permanent basis.
- 2.8 In respect of noise from the pump house, some initial investigation has taken place to see if the pressure and sequence can be modified to reduce the number of times that the pump is activated. During a site visit on 30 June with Guardian Water, both the mains pressure valve and the inlet water pressure valve have been reduced. The water jets have also been adjusted to reduce the water pressure. These measures have been well received by the complainants who have advised that the reduced operating times are better and the pump is now not audible.
- 2.9 Following the modifications to the equipment and the operating times, the Council's Environmental Health Team has been requested to undertake further investigations to assess the scale of the on-going issue. This will involve visiting the home of the complainant from which the original readings had been taken to witness and measure noise levels.
- 2.10 If the investigation determines that noise from the equipment still has the potential to cause a statutory nuisance, appropriate measures to reduce the noise levels will be determined. Any works that cannot be contained within normal revenue budgets would be subject to a future report to a committee.

3 PUBLIC RESPONSE

- 3.1 Following the introduction on a trial basis of the reduced operating times, there has been much publicity generated by residents who strongly object to the proposals. This has included coverage by both local and national newspapers and Radio Derby. There has been a significant amount of public opposition to the trial operating times and many people have telephoned or e-mailed the District Council. Copies of all of the objections received directly by the Council are included as Appendix 1.
- 3.2 In addition, two online petitions 'Re-open Bakewell Splash Pads To Original Time' on Change.org and 'Protest To Re-open Bakewell Spalsh Park' on Facebook were started by local parents. 555 people have signed up to the petition on Change.org and 342 on the Facebook campaign. To date more than 100 individual comments have been posted on the Facebook page (all negative in terms of our restricted opening hours), which have attracted 299 'Likes'.

- 3.3 Many of the comments received object to the times and days of operation being restricted during the week when it is mostly used by pre-school children. Residents of younger children prefer to use the facility when the older children are at school.
- 3.4 In light of the comments received, Council is asked to consider the option of introducing two times slots in the day. A morning slot for two hours which would allow younger children to use the facility whilst the older children are at school. Older children could then use the facility during a two hour time slot late afternoon. These time periods would operate on a daily basis between 1 April and 1 September.

4 THE WINKFIELD CASE

- 4.1 Members may be aware of a case which has recently been reported in the National press regarding noise from children using the wet play area in the Parish of Winkfield, Ascot, Berkshire. Whilst it would be inappropriate for Members to seek to draw a direct parallel with this case and current issues experienced in Bakewell since each case must be considered on its own merits, the approach taken to resolve the problem demonstrated that the Parish Council had initiated a series of actions which were ultimately regarded as being the best practicable means to address the problem. The actions taken were to:

- (a) monitor the level of noise experienced;
- (b) implement appropriate measures for a trial period to mitigate the noise;
- (c) monitor the effectiveness of the trial measures;
- (d) determine whether trial measures had been effective in mitigating the problem.

- 4.2 It is therefore considered that any proposals to implement an alternative operating practice at Bakewell, should have regard to the above.

5 LEGAL POSITION

- 5.1 The District Council is the Statutory Authority with responsibility for the enforcement of the provisions of the Environmental Protection Act 1990 (the 'EPA') in respect of noise nuisances and is aware of the need to ensure that appropriate measures are put in place that are within its power in order to ensure that any disruption to the District Council's residents from operation of the wet play area is kept to a minimum and does not cause a statutory nuisance.
- 5.2 The Council is very aware of the importance and difficulty of ensuring harmony in areas that are characterised by mixed planning uses. This task is made more difficult in the Peak District National Park area owing to the proximity of major population areas (in local terms) and economic and leisure activity. There is little or no opportunity to move this activity to other areas and so it is incumbent on the District Council to ensure that both the residential and leisure use should be able to cohabit peacefully.
- 5.3 In light of the potential legal implications, it is important that the Council is fully aware of its role and responsibilities to ensure that there is no breach, by the Council, of its legal duties. Should there be such a breach then the Council's Monitoring Officer is required to report to Council under section 5 of the Local Government and Housing Act 1989.

6 POTENTIAL OPTIONS

6.1 The District Council now needs to consider the actions that it should take, whilst bearing in mind the following:

- Environmental Health consider that noise levels were such, that the potential exists for noise to amount to a statutory nuisance.
- Management controls appear to have limited the exposure to the noise of children screaming.
- Further investigation including additional noise monitoring is needed to determine if necessary the most appropriate way to reduce noise from the pump house
- That many residents do not want the opening hours to be restricted;

6.2 In considering these issues, Council must be mindful that it should be taking steps to ensure that 'best practicable means' (BPM) are used to reduce noise (and therefore nuisance) to a minimum. The Council is under no duty to eradicate noise, but instead must demonstrate that it has used BPM, which is the main defence against the existence of a noise nuisance.

BPM is a 3-legged defence consisting of the following:

- What's technically feasible;
- What's economically affordable;
- Local environmental conditions.

6.3 In this regard, there are considered to be two potential options available to Council.

OPTION 1

6.4 Implement on a permanent basis, the revised operating hours which have been trialled since 1st June 2014, namely from 12 – 5pm without a break. In addition, the number of days of operation would be reduced from seven to four to include Friday, Saturday, Sunday and Monday. During school holidays, the facility would be available 7 days a week from 12 – 5pm.

OPTION 2

6.5 Implement on a trial basis for a period of at least 4 weeks, two daily time slots. A morning time slot (11.00am – 1.00pm) to accommodate pre-school children and a late afternoon slot (3.00pm – 5.00pm) to accommodate school children. Review the effectiveness of the measures prior to considering their implementation on a permanent daily basis from 1st April to 1st September annually.

6.6 Irrespective of which of the above options are to be pursued, further investigations are still needed to determine the most appropriate technical means of reducing noise from the pump house. It is recommended that further investigations are undertaken and if necessary the findings, appropriate action and associated cost be reported to a future committee.

- 6.7 In considering whether or not the technical measures to reduce noise from the pump house is economically affordable the District Council would need to think about how it would defend its case in Court were it not to undertake the works on these grounds. It would be sensible to think about the cost of the measures in terms of the revenue that the facilities bring into the Bakewell area and the impact upon the councils budget in defending any private action.
- 6.8 Local environmental conditions are more difficult to quantify. Traditionally an area such as Wye Bank in Bakewell would be considered to be a quiet, high-end residential area and as such qualify for a higher level of noise protection than an area that was already noisier. This argument, however, pre-supposes that those who live there want to be protected from the noise. In this case it would seem that significant numbers of residents, including some of those who in theory at least are exposed to high noise levels, do not.
- 6.9 In considering the current proposals it is clear that reducing the operating times of the wet play area is not popular with a significant number of local residents and visitors but it will limit the exposure of neighbouring residents to noise associated with the use of the wet play area. This approach would provide a balance in terms of ensuring that the facility is available for all age groups at different times and allow the neighbouring residents to have a break from the noise and be able to use their properties during these times. It is therefore recommended that Council revise the operating times to implement the trial operating times on a permanent basis or introduce two time slots in a day.
- 6.10 It is also proposed that further investigation be undertaken and regular and ongoing dialogue takes place with those residents affected by the noise.

7 RISK ASSESSMENT

7.1 Legal

The Council's legal obligations as the enforcing authority and the general principles of the law are set out in the report. The Committee is now charged with the task of balancing the views of its professional officer's local residents, legal advice and all relevant factual information, to direct an appropriate course of action.

The officer recommendation, the trial undertaken and options outlined are considered to be in accordance with BPM.

The potential for an independent legal action by a complainant remains a live possibility under s.82 of the Environmental Protection Act 1990 in which the Magistrates' Court, if satisfied that a nuisance exists, could make an Order that the Council execute any works necessary for the abatement of the nuisance. The Court could also impose up to a £5000 fine and award costs for any legal fees incurred by the complainant at its discretion. An individual could commence legal action against the Council to seek damages to compensate them for the suffering that they have experienced as a result of the nuisance and/or an injunction to compel the Council to take specific measures or to cease certain activities to address the nuisance. However, in such cases there is always a balancing exercise and a Court will consider the measures undertaken so far.

The overall legal risk is therefore medium.

7.2 Financial

The financial risk cannot be accurately assessed since, for example, the costs of reducing noise from the pump house are not yet known. Furthermore, the legal risk comments highlight the potential for the Council to face independent legal action.

The financial risks must therefore be assessed as “high” at this stage.

7.3 Corporate Risk

The Council aims to balance its legal duty to not cause a statutory nuisance on one hand against the views of the majority of local residents and visitors who believe that the noise of children playing is acceptable and therefore the facility should be available all of the time. It is proposed that the council could meet the needs of those views expressed by restricting the use of the facility.

In the longer term there remains the potential for the District Council to be challenged that its actions have either not gone far enough, or have been ineffective. In view of this the corporate risk to the District Council’s reputation remains medium.

8 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

9 CONTACT INFORMATION

Heidi McDougall, Head of Environmental Services
Tel: 01629 761372 E-mail: Heidi.mcdougall@derbyshiredales.gov.uk

10 BACKGROUND PAPERS

None

11 ATTACHMENTS

Appendix 1 - Bakewell Splash Park Residents Comments

Bakewell Splash Park Residents Comments

The new operating times do not allow for people that are on holiday (outside English school holidays) or for families with pre-school children.

My children of 1 and 3 don't make that much noise, the noise of happy children is nice and they love to play in the splash pad when the older children are not there. This additional facility in the park provides a lot of fun for my children and I am disappointed that the times have been reduced.

I can only take my grandchildren who are 1 and 2 during the week when the older children are not there. During this time the facility is only used by under 5's, who don't generate much noise. The noise levels are far greater when the older children use it at weekends but you have chosen to leave it open at these times.

I am organising a parent and toddler trip to Bakewell and wanted to request that the splash park be open on Wednesday.

The facility should be open for longer hours. It is a good facility that attracts people to the town and it needs to be available when we have good weather.

Small children need to be able to use this facility when the older children are not there.

This facility should not be closed during term time when there are fewer children and they are younger and therefore don't make as much noise.

Closing the splash park during the week is discriminating pre-school children who don't want to play when older children are there. This facility attracts many people to the town. There has always been a paddling pool there and there is always noise in the park even when the splash pad is closed. This expensive piece of equipment should not be left to sit idle for part of the week. The Big Lottery would not have wanted to fund a facility that is closed for part of the week. The facility should be returned to its old operating hours.

I am appalled that the operating times have been reduced. This is a great asset for the town and the local residents should be able to use it.

As local residents who back onto the park we have no objections to the noise and hope the old times are reinstated. Children should not be denied the opportunity to use this facility that is already very limited by the weather.

I have used the splash park frequently and often wondered why residents don't complain about noise. The proposed change seems like a compromise between local residents and visitors to the park.

The Big Lottery Fund won't be happy that they have funded a facility that has been turned off. My daughter has ADHD and this park activity is used as a means of releasing her stress. This is a great free facility to use to keep the children active. Pre-school children should be able to use this facility when the older children are at school.

<p>My son has autism and this facility provides a lot of sensory stimulation and enjoyment. He cannot cope with crowds and therefore is it good to go during the week when it is quiet. This is a good local facility that we are able to access, we can't go to other events due to the crowds. Have all people needs been assessed equally.</p>
<p>Pre-school children can play safely when the older children are not around. Reducing the days of operation stop local people using the facility. It gets very busy at weekends when visitors come to use it. The only people that are suffering are the children. I live nearby and can hear the traffic more than the children. The play area has been there for a long time and times of operation were already restricted. The council should be promoting this facility, Bakewell as a tourist area and healthy living.</p>
<p>I am disgusted that the times have been reduced. What kind of age are we living in when you can't enjoy the noise of children playing. The climate already reduces the use of this facility.</p>
<p>The noise is consistent with children playing. There is already a break in the day and it is switched off at 5pm.</p>
<p>I visited the park during the day and the splash pad is closed.</p>
<p>A lovely sunny day and my 2 year old cannot use the splash pad. We paid £3 for parking for nothing.</p>
<p>I have been today with my 2 year old and it is not working.</p>
<p>This facility is used during the week by parents and grandparents with pre-school children. Surely this facility is for young children. Why spend all that money if it is only going to be available for a few hours. The sun doesn't shine that often.</p>
<p>Visited the park today and it was not working. A lot of disappointed children.</p>
<p>We are two families who have travelled to use the facility. We won't be visiting Bakewell again.</p>
<p>My only day off is Thursday and I can't take my son to the splash pad on this sunny day.</p>
<p>The decision to reduce the opening hours of the splash pads should be reversed immediately .This was a ludicrous decision to make in the first place .. there are some very valid points which have been made since this happened .. firstly, if the noise from the children screaming in delight has actually been shown to be above the permitted level then common sense must tell you that the duration of these 'spikes' will be for and matter of seconds at a time .. not for hours and hours on end or into the night stopping residents from sleeping or waking them at ridiculous hours of the morning .. the children are entering the splash pads for short periods of time only and in the middle of the day! .. secondly, if you count up how many days of the year that the children can actually use the splash pads you will see that it is a very small percentage due to our variable climate! .. thirdly, the school holidays are looming .. do you honestly think that there is any need for there to be any restrictions whatsoever during those six weeks .. our climate is so variable that there are no doubt going to be naturally restricted days because the weather just isn't good</p>

enough! .. but on the days when the weather is good where better to take young children than for a dip into the splash pads with their family and friends in a lovely, safe environment where they can enjoy fresh air and exercise and have FUN!

Make the right decision .. as a grandparent who is renowned for her common-sense approach to life, re-open the splash pads back to their normal hours .. you know it makes sense!

COUNCIL
24 JULY 2014

Report of the Head of Regeneration and Policy

SERVICE REVIEW PROGRAMME 2014/15

SUMMARY

The report sets out the findings of the initial service reviews and recommends a review programme for 2014/15.

RECOMMENDATIONS

1. The 2014/15 Service Review programme is approved
2. The findings of the 2013/14 Service Reviews are noted
3. Progress with ongoing reviews and joint projects is noted

WARDS AFFECTED

All

STRATEGIC LINK

Service Reviews to generate substantial savings, whilst driving improvement, supports all the District Council's aims. In particular the reviews help to ensure that the District Council continues to provide excellent services and make savings necessary to achieve a sustainable budget.

1 BACKGROUND

- 1.1 On 26 September 2013, Council considered the Medium Term Financial Plan which showed that savings of over £1.4 million are required. At the same meeting, the Council considered a report on 'Planning for the Future', which approved a series of service reviews, to be carried out with the intention of achieving savings to contribute towards the overall savings target, and agreed the creation of an Invest to Save Reserve to fund certain short term costs where a long term business case for savings could be demonstrated.
- 1.2 At its meeting on 23 January 2014, Council considered an update on the Service Review programme. It noted that the review programme was well underway, and indeed that the Administration Review had been completed.
- 1.3 The report below updates members on the existing review programme, and recommends the addition of a further Service Review to the 2014/15 programme.

2 2014/15 SERVICE REVIEWS

2.1 Up to five service reviews are commencing. Three of these are already programmed, with a fourth (highways) being added in response to external changes. A fifth is currently being planned. Members are asked to approve the 2014/15 Service Review programme as follows:

- **Planning** (development management) – Lead officer: *Jon Bradbury*
The review has been scoped to seek a more proactive development management service with improved customer engagement, whilst also securing financial efficiencies. Assistance in undertaking the review has been secured from the Planning Officers Society, and together with the scoping document this was agreed by members at the Council meeting on 14 June 2014.
- **Housing** – Lead officer: *Rob Cogings*
Scoping this review has commenced, and it is planned to bring an initial report to committee in 2014.
- **Highways** (agency work) – Lead officer: *Heidi McDougall*
The District Council currently undertakes certain highways-related functions on an agency basis for Derbyshire County Council. These include gully emptying and verge mowing. Possible changes to the agency arrangements by the County Council provide an opportunity for this service to be reviewed. A scoping document will be brought to the Environment Committee in September 2014.
- **Reprographics** – Lead officer: *Jim Fearn*
With the Administration Review complete and the Transformation Review's initial phase also complete, it is now possible to commence a review of print and reprographics. In addition, the move to greater use of iPads by Members means that the need to print and copy is greatly reduced. This review will therefore look to rationalise equipment and costs.
2014.
- **Additional review**
Subject to CMT approval, a further review for 2014/15 will be recommended to Members by way of a verbal update.

3 2013/14 REVIEWS ONGOING: UPDATES

3.1 **Transformation** (Lead officer: *Steve Capes*)
Progress with the Transformation Review was noted by the Corporate Committee on 20 March 2014, and the following programme approved for 2014/15:

- A. Procure and implement the leisure online bookings and payments system, subject to a business case being approved by the Corporate Management Team
- B. Progress further channel shift 'quick wins', especially using the online payment facility on the website
- C. Target development control and the Depot for channel shift, with online consultation being a key area, and other services to be identified during the year

- D. Procure and implement an electronic document management system, piloted in Planning and Waste management, supported by the Office Technology Reserve and the Invest to Save Reserve
- E. Continue and extend the Environmental Health agile working pilot during 2014
- F. Consider agile working within all Service Reviews
- G. Procurement of mobile phone, tablet and landline solutions to complements agile working
- H. HR Manager to review and develop suitable policies to complement greater home working and lone working

Since March, online payments are now 'live' for Illuminations tickets and Second resident parking permits on the District Council's website. A scoping document for Clean and Green Team mobile working to be produced by end of July 2014, and the Agile working pilot evaluation is due imminently. Transformation programme communications updates are proposed for staffMATTERS and the next Core Briefings to ensure staff are kept informed. Business cases are awaited from sub-group leaders in order to quantify savings.

3.2 **Tourism** (Lead officer: *Paul Wilson*)

The review's recommendations were considered by the Environment Committee on 17 July, summarised as follows:

1. Develop a long term Visitor Strategy for the Derbyshire Dales in accordance with the objectives of Visit Peak District and Derbyshire and the Council's own Economic Development priorities.
2. Product development initiatives be focussed upon, and undertaken in accordance with, the Visitor Strategy for the Derbyshire Dales.
3. Extend the remit of existing staff into supporting wider economic development initiatives including promoting the District for inward investment and development of employment sites.
4. Reduce the District Council's direct support for VIPs over a period of time with the objective being that VIPs become more self-sustainable through the increased use of information technology.
5. Service Level Agreements be negotiated and implemented for Arc Leisure Matlock VIP and Ashbourne Library VIP in order to clarify roles and responsibilities.
6. Any future expansion of the VIP network to be based upon the Visitor Strategy for the Derbyshire Dales supported by a proven cost/benefit analysis and a clear exit strategy for District Council support.
7. Peak District National Park Authority and District Council work together in partnership to develop business opportunities within the Bakewell visitor centre, based on an options appraisal to be completed during 2015/16, reducing District Council funding support to zero by 1st April 2016.
8. In the event that the options appraisal to be completed during 2015/16, does not ensure that the centre operates on a cost neutral basis in the 2016/17 financial year, the District Council withdraw entirely from Bakewell Visitor Centre in accordance with the notice periods included within the Service Level Agreement.
9. Discussions be undertaken with Visit Peak District and Derbyshire to secure a destination wide agreement on the development of a consistent approach to branding across the Peak District. Once agreed, all Derbyshire Dales tourism publications to be produced in accordance with the agreed approach.
10. Review the existing portfolio of tourism publications, including frequency and volume, in order to establish the most cost effective means of future publication and dispersal prior to any additional and/or new tourism publications being produced.

11. Annual discussions be undertaken with Visit Peak District and Derbyshire to agree on the publications schedule for the Derbyshire Dales. Preference should be given to jointly produced publications, more flexible forms of provision such as increased use of digital media and new technologies in preference to printed media in order to reduce duplication and secure economies in production costs.
12. Identify key strategic dispersal places within the district where literature can be displayed collectively in accordance with the Visitor Strategy.
13. Utilise www.visitpeakdistrict.com as the official website portal for Peak District tourism and the publication of Derbyshire Dales related information.
14. Discussions be undertaken with VPD&D to explore the potential to improve the current DMS system and reduce the current inefficiencies that exist in sourcing and updating information.
15. Discussions be undertaken with VPD&D to explore the opportunities to mitigate the business continuity risk that currently exists as a result of the DMS being maintained solely by VPD&D.
16. A clearer focus to industry support from an economic development perspective is pursued including closer working with the Derbyshire Dales Business Advice service in order assist in the growth and development of tourism businesses in accordance with the objectives of the D2N2 Strategic Economic Plan.

3.3 **Leisure** (Lead officer: *Peter Foley*)

The first part of the review, to identify immediate savings, efficiencies and ways to increase income, was reported to the Community Committee in July. In terms of the second stage of the review, a number of visits to other local authorities have been undertaken to understand how different arrangements work and the process that has been followed to put them in place.

3.4 **Overtime** (Lead officer: *Phil Colledge*)

A report has been approved by CMT with implementation due to commence on 1 October 2014, subject to approval by the Joint Consultative Group.

4 **2013/14 REVIEWS COMPLETED: IMPLEMENTATION UNDERWAY**

4.1 **Administration** (Lead officer: *Sandra Lamb*)

The Administration Review was approved by Council in January 2014, and work has since been ongoing to enable the new Business Support Team to go live. This took place in June 2014. Savings achieved to date total £72,894.

4.2 **Discretionary grants** (Lead officer: *Tim Braund*)

The review's recommendations were approved by Community Committee on 2 April; implementation is now taking place. Officers have met with the Council for Voluntary Service to commence transfer of administration of certain grants. Savings achieved to date total a £20,000 reduction in the Capital Programme.

5 **JOINT PROJECTS**

- 5.1 As well as the internal service reviews summarised above, work is progressing across Derbyshire to seek savings jointly between councils. Two service areas in particular are being considered at the county-wide scale: internal audit and building control. Consultants have been appointed to

develop proposals for these two service areas. They are due to report later this year, presenting options which individual councils may then decide to opt in or out of. A share of the cost of this work has been met by the District Council from the Invest to Save Reserve.

- 5.2 In addition, work is ongoing with High Peak Borough Council and Staffordshire Moorlands District Council, with the assistance of Capita consultants, led by the Head of Resources. There will be a review of services to see how/if we can work more closely. This review will cost £6,000 overall of which the District Council will pay half, funded from the Invest to Save Reserve. There is also a specific project on Treasury Management at a cost of £2,000 for a trial year. Capita are confident that the cost of the project should be recouped by additional interest generated from making better investments. The Treasury Management and Investment Policies will be updated in a report to September Council.

6 RISK ASSESSMENT

6.1 Legal.

There are no legal considerations with service reviews at this stage. The risk is therefore low.

6.2 Financial.

As stated in the body of the report, the review aims to generate significant savings for the District Council, whilst recognising that there may be a need for short-term 'invest to save' funding where this is justified by a sound business case. The reviews have so far identified £122,662 in savings of which £92,894 have been achieved to date, as detailed in Appendix 1. However, financial monitoring will be required to ensure that savings are in fact achieved. The financial risk is considered to be low.

6.3 Corporate.

As identified in the report, the key risks result from changing some current practices and procedures. These will be mitigated by project management, communication and training. If current practices and procedures do not change, there would be a risk that the savings and efficiencies required could not be realised.

7 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

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CONTACT INFORMATION

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BACKGROUND PAPERS

None

ATTACHMENTS

Appendix 1

Savings from service reviews

APPENDIX 1

SAVINGS FROM SERVICE REVIEWS

Service Review	Expected savings	Savings achieved to 30 June 2014
Transformation	Business cases awaited	0
Tourism	£23,000	0
Leisure		
Overtime		
Administration*	£79,662	£72,894
Discretionary Grants	£20,000	£20,000

Included in revised capital programme

*Details for Administration Review

Description	Expected savings for 2014/15	Savings achieved to 30 June 2014
Staff costs including delayed recruitment, reduction in hours and deletion of vacant posts	£21,647	£20,639
Reduction in print and post	£10,750	£3,790
Reduction in telephone fixed and variable costs	£565	£1,765
Top slicing of budgets moved to central team	£46,700	£46,700
Total	£79,662	£72,894