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COUNCIL

Minutes of a Council Meeting held on Thursday 23 April 2015 in the Council Chamber, County Hall, Matlock at 6.00 pm.

PRESENT

Councillor Geoff Stevens, MBE - In the Chair

Councillors Jacque Bevan, Jennifer Bower, Richard Bright, Steve Bull, Sue Burfoot, David Burton, Bob Cartwright, Albert Catt, David Chapman, Tom Donnelly, Ann Elliott, David Fearn, Richard FitzHerbert, David Frederickson, Chris Furness, Neil Horton, Cate Hunt, Angus Jenkins, Tony Millward, Jean Monks, Garry Purdy, Irene Ratcliffe, Mike Ratcliffe, Andrew Shirley, Peter Slack, Andrew Statham, Jacquie Stevens, Colin Swindell, Philippa Tilbrook, Barrie Tipping, Judith Twigg, Carol Walker and Joanne Wild.

Dorcas Bunton (Chief Executive), Paul Wilson (Corporate Director), Tim Braund (Head of Regulatory Services), Steve Capes (Head of Regeneration and Policy), Karen Henriksen (Head of Resources), Ash Watts (Head of Community Development), Giles Dann (Policy & Economic Development Manager) and Jackie Cullen (Committee Assistant).

12 members of the public.

OPENING ADDRESS

Councillors Angus Jenkins and Barrie Tipping arrived at 6.04pm, and Councillor Richard Bright arrived at 6.10pm during the Opening Address.

Mr Howard Griffiths gave a presentation on 'Walking for Health: a programme of led walks across the Derbyshire Dales, supporting local communities to maintain active lifestyles and improve the health and wellbeing of local people.'

APOLOGIES

Apologies for absence were received from Councillors Andrew Lewer, Mike Longden and Lewis Rose, OBE.

Councillor Geoff Stevens, MBE, acknowledged that some Members were retiring at the end of this term, one of whom was Councillor David Fearn who had been a founder member of the Council. Councillor Stevens wished to record his thanks, on behalf of the Council, to these Members. Councillor Stevens also congratulated Councillor David Chapman on his recent appointment as Deputy Chair of the Peak Park District Authority.

347/14 – MINUTES

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Richard FitzHerbert and

RESOLVED That the minutes of the Council meeting held on 5 March 2015 be
(unanimously) approved as a correct record.

The Minutes were signed by the Chairman.

348/14 – CHAIRMAN'S ANNOUNCEMENTS

Councillor Carol Walker, Chairman of the District Council of the Derbyshire Dales, reported on her year as Chairman. She thanked all Members, Officers, administration staff and the public for their support over the year, which led to a sum of £7,500 being raised for local charities. Councillor Walker recorded her thanks in particular to the Council's Chauffeurs, who had provided an excellent service during the year.

Councillor Walker distributed a list of engagements she had carried out between January and April 2015.

349/14 – COMMITTEES

It was moved by Councillor Tom Donnelly, seconded by Councillor Tony Millward and

RESOLVED That the non-exempt minutes of the Committees listed in the Minute
(unanimously) Book for the period 15 January 2015 to 9 April 2015 be received.

350/14 – LAND AND PROPERTY DISPOSALS – REQUEST FROM DERBYSHIRE WILDLIFE TRUST FOR NEW LEASE – LAND AT NORTHWOOD

The Council considered a request from Derbyshire Wildlife Trust for a new 25 year lease of a nature reserve comprising an area of woodland at Northwood as shown on the plan at Appendix 1 to the report, as the previous lease expired in March 2014.

The proposed terms constituted an undervalue transaction as permitted under the General Disposal Consent (England) 2003. It was considered that the provision of a 25 year lease of the nature reserve to Derbyshire Wildlife Trust with a rental of £1 per annum (if demanded) to apply to allow the continued use and management of the nature reserve would comply with this legislation

The relevant Ward Members and Local Councils had been consulted on the proposed lease, and it was reported that no objections had been received from Northwood and Tinkersley Parish Councils.

It was moved by Councillor Joanne Wild, seconded by Councillor David Fearn and

RESOLVED 1. That Derbyshire Wildlife Trust are granted a 25 year lease of
(unanimously) the area of woodland at Northwood as shown on the plan attached at Appendix 1 to the report for use as a nature reserve on the terms outlined in paragraphs 3.1 to 3.3 of the report.

2. That Members note that the disposal outlined in recommendation 1 above constitutes an undervalue transaction permitted under the General Disposal Consent (England) 2003.

351/14 – TRANSFORMING DERBYSHIRE BUILDING CONTROL

Council considered a report that informed Members of the progress of a countywide study into the future options for the delivery of Building Control Services. The recommendations of the study were summarised in the report, and a preferred option was recommended.

In April 2014 all Derbyshire District and Borough Councils, together with Derbyshire City Council, met to consider the potential for a Derbyshire wide Building Control service.

Consultants were engaged to undertake a full options appraisal, and a contribution of £4,667, towards the total cost of £42,000 was approved from the District Council's Invest to Save Reserve.

The recommendations were reported to a meeting of the Derbyshire Chief Executives' Group on 23 January 2015.

The report set out the steps necessary to initiate the new service in April 2016.

Councillor Mrs Irene Ratcliffe put forward an additional Recommendation, to include the Council's thanks to the Officers involved in the Building Control Services and its acknowledgement of the excellent standard to which they adhere.

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

- RESOLVED** (unanimously)
1. That the work undertaken on the countywide options appraisal for Building Control be noted.
 2. That support is given to the concept of a joint Building Control service based on a public sector company model.
 3. That the use of the District Council's Invest to Save Reserve to part fund the implementation of the joint Building Control service is noted.
 4. That the relevant Officers' input into the Building Control Services is acknowledged.

352/14 – PUBLIC PARTICIPATION

Council considered a report that recommended an amendment to the Public Participation Scheme as an outcome of the Development Management Service Review. As Public Participation formed part of the Rules of Procedure section of the Constitution, any amendments must lie on the table without discussion once moved and seconded until the Annual Meeting.

At its meeting on 20 November, 2014, Council considered the findings of the Planning Officers Society Enterprises' (POSE) report which evaluated the existing 'Development Management Service'. One item, Public Participation, required an amendment to a rule of procedure which was required for incorporation into the Constitution at the Annual Meeting: to amend public speaking arrangements in accordance with best practice to incorporate an appropriate balance of time afforded to those wishing to speak for or against an application.

One emerging theme, which the workings groups favoured, was to identify contributors by category and to order their input. The three suggested groupings and running order were:

- Town and Parish Councils
- Objectors
- Supports, Agents and Applicants

Other recommendations for consideration, which were now included in a revised Rule of Procedure for Public Participation, were summarised in the report and set out in Appendix 1 to the report.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Garry Purdy

RESOLVED That amendment to Rule of Procedure 14.4 in relation to Public
(unanimously) Participation are moved and seconded without debate to lie on the table to the Annual Meeting in May 2015.

353/14 – DISCHARGE OF FUNCTIONS DURING THE ELECTION PERIOD

Council considered a report regarding the discharge of functions to the Chief Executive, relevant Officers, Policy and Planning Committee Chairmen, Vice Chairmen and Ward Members to deal with essential decisions during the interregnum caused by the election on 7 May 2015 and that any matters dealt with be reported for information to the first meeting of the appropriate committee or via email as appropriate.

The election timetable for the District and Parish Elections in May 2015 meant that all Councillors (with the exception of the Chairman of the Council) would officially retire on 11 May 2011. The Chairman of the Council continued to hold office until the Annual Meeting, which was scheduled to take place on 21 May 2015.

Regulatory business in terms of decisions affecting the rights of individuals could not be delegated to officers and meetings must be held to accord with legal timescales. It would be necessary therefore for the Licensing and Appeals Committee to be available for business up to 10 May – the last working day before the retirement of Councillors.

It was moved by Councillor Jennifer Bower, seconded by Councillor Jean Monks and

- RESOLVED** 1. That the Chief Executive, acting in consultation with the
(unanimously) appropriate Policy Committee Chairman, Vice-Chairman and the relevant Ward Members, be delegated authority to deal with urgent matters within the purview of the three policy committees between 24 April and the date of retirement of Councillors (11 May 2015).
2. That the Head of Regulatory Services and the Development Manager be delegated authority in consultation with the Chairman of the relevant Planning Committee and relevant Ward Members between 24 April and the day of retirement of Councillors to issue decisions on applications submitted under the provisions of the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. That after the day of retirement of Councillors the authority

delegated to officers in 1 and 2 above be exercised in consultation with the Chairman of the Council and such relevant Ward Members who have signed their Declaration of Acceptance of Office, and until such time as Chairman of Committees have been appointed at the Annual Meeting.

4. That any matters dealt with by officers, wholly as a result of the authority conferred by these resolutions, be reported for information to the first meeting of the appropriate committee or via email as appropriate.

354/14 – COMMUNITY RIGHT TO CHALLENGE

The Council considered a report that recommended an amended approach to the Community Right to Challenge provisions and removal of the need to publicise a commissioning timetable for the District Council's services.

The Community Right to Challenge Regulations set down in the Localism Act 2011, enabled voluntary groups, community bodies, employees of a local authority that wished to form a mutual organisation, and town and parish councils, to express an interest in running any local authority service. The Regulations set down the way in which local authorities were required to implement the Community Right to Challenge element of the Act, and enabled them to decide whether or not to specify periods during which expressions of interest could be submitted in relation to a particular relevant service. Where authorities chose not to set commissioning cycles, expressions of interest could be submitted at any time.

At its meeting on 13 September 2012, the Corporate Committee agreed to base its policy on a commissioning cycle and to allow expressions of interest in a narrow 'window of opportunity'. Since adopting the provisions, the District Council had advertised on its web site a list of services provided by the Council. The window of opportunity during which expressions of interest could be received was between April and June each year; however no expressions of interest had been received.

The report recommended an amendment to the existing policy to remove that barrier, as set out in the report.

It was moved by Councillor Chris Furniss, seconded by Councillor Joanne Wild and

RESOLVED
(unanimously)

That the District Council's policy framework regarding the community Right to Challenge be amended to –

- remove the need to publicise a commissioning timetable for the District Council's services
- enable expressions of interest in running a service provided by the District Council to be received at any time
- require initial assessment of an expression of interest by the relevant Head of Service prior to formal determination by the relevant policy committee.

355/14 – VISITOR ECONOMY PLAN 2015-2019

Councillor Jennifer Bower left the meeting at 7.13pm during discussion of this item.

Council considered a report that proposed a new Visitor Economy Plan for the Derbyshire Dales to take forward tourism elements of the District Council's Economic Development plan. Adopting a Visitor Economy Plan would fulfil a recommendation of the Tourism Service Review 2014.

At the Corporate Committee meeting on 18 September 2014, Members adopted a Derbyshire Dales Economic Plan. This plan included support for the tourism industry, particularly where jobs growth could be demonstrated, and identified the visitor economy as a key sector.

A Visitor Economy plan had been drafted, as summarised in the report, which took its lead from the Council's Economic Plan, the aim of which was to *develop a higher value visitor economy in the Derbyshire Dales*.

The plan focused on three specific priorities to help grow the value of the sector, complementing and adding to the activities and investments of others:

- 1. Support businesses within the visitor economy to exploit key markets and supply chain opportunities*
- 2. Promote the Derbyshire Dales and Peak District as an inspiring place to live, work and visit*
- 3. Improve the quality of the visitor experience offered in the Derbyshire Dales.*

The plan supported Visit England objectives for rural tourism and the DMO's Growth Strategy for the Visitor Economy and aligned with LEP plans and funding priorities. Some of the actions planned would be delivered directly by the District Council and others working with Peak District partners.

Key partners including the DMO, Derbyshire Economic Partnership, Peak District National Park Authority, Derbyshire County Council, High Peak and Staffordshire Moorlands Councils, Business Peak District, University of Derby and the LEPs had been invited to contribute to the plan.

It was moved by Councillor Jacquie Stevens, seconded by Councillor Judith Twigg and

RESOLVED 1. The Visitor Economy Plan 2015-2019 is adopted
(unanimously) 2. Progress with tourism initiatives is noted.

356/14 – MARKET IMPROVEMENT OFFICER

The Council considered a report that informed Members of the current situation relating to the District Council's markets, ongoing work and requirement for further resources to enable effective improvements to take place.

The Community Events Officer currently had responsibility for markets but was also responsible for Arts and Events (including the Matlock Bath Illuminations), with only 25% of role/time being attributed to the markets.

Market Traders attended an open meeting with the Head of Community Development and

the Community Events Officer on the 9th March 2015. Local Ward Members, market Traders and representatives from the Town Council and the NMTF attended. Market Traders raised a number of issues in relation to the Action Plan.

At the meeting, the Head of Community Development agreed, along with local Ward Members, to revisit the Action Plan and work towards presenting and implementing a new one with the Traders and the NMTF.

Since the meeting regular correspondence had taken place between the District Council and the market Traders, and a further meeting was held on the 23rd March to discuss implementing a fair and consistent fees and charges policy.

The appointment of a full time Markets Improvement Officer on an 18 month, fixed term contract, would support the Community Events Officer and Head of Community Development in the much needed modernisation and improvement of the District Council's markets. The role would be specifically focused on the development needs of the markets and market areas. This would include actions highlighted in Appendix 1 to the report.

The post of Markets Improvement Officer was currently being evaluated and the pay grade was not yet known, but it was estimated that the cost for 18 months would be approximately £35,000.

It was moved by Councillor Steve Bull, seconded by Councillor Chris Furniss and

RESOLVED
(unanimously)

1. That the report be noted.
2. That Members approve the use of the 'Invest to Save' Reserve to finance the post of the Markets Improvement Officer for a period of 18 months.

357/14 – SERVICE REVIEW PROGRAMME 2015/16

Council considered a report that set out the findings of the 2014/15 Service Reviews and recommended a review programme for 2015/16.

On 14 July 2014 Council approved the programme of Service Reviews for 2014/15. For each of the current service reviews, progress and any savings identified were set out in the report.

Although not carried out within the framework of a Service Review, the APSE review of the Clean and Green Team generated £120,000 ongoing efficiency savings by changing working practices. These had been incorporated into the 2015/16 revenue budget.

Derbyshire Chief Finance Officers had agreed to work together to develop a county-wide Internal Audit Shared Service / Partnership; work was currently at an early stage with Chief Finance Officers and Heads of Internal Audit meeting shortly to discuss audit plans, working practices, standards etc.

Taking into account savings from Service Reviews and the APSE review of the Clean and Green Team, the following significant ongoing savings had been generated:

Review	Ongoing revenue savings built into base budget 2015/16 or future years
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Administration	£200,000
Tourism	£23,000
Leisure	£111,500
Discretionary Grants *	£15,000
APSE (Clean and Green)	£120,000
TOTAL	£469,500

* This review also identified a further saving of £20,000 p.a. from the Capital Programme

It was proposed to continue/complete the following Service Reviews during 2015/16:

- Development Management – implementation of new processes and structures to achieve planned savings
- Highways (agency work) – identify savings in preparation for a cut in payments from the County Council expected in 2016/17
- Transformation - (i) pilot mobile working in the Clean and Green Team; (ii) implement Agile working in Regulatory Services; (iii) implement a corporate electronic document management system; (iv) develop a self-service HR system; and (v) identify channel shift ‘champions’ in each department
- Leisure – implementation of review recommendations to achieve further savings

In addition, the following separate Service Reviews were proposed for 2015/16:

- Environmental Health
- Licensing

In order to carry out the 2015/16 review programme, the Invest to Save reserve of £150,000 (approved at Council on 5 March 2015) would be made available, subject to a suitable business case to the Corporate Leadership Team being approved by the Chief Executive and Head of Resources.

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

- RESOLVED** (unanimously)
1. The 2015/16 Service Review programme is approved
 2. The findings of the 2014/15 Service Reviews are noted
 3. Progress with ongoing reviews and joint projects is noted

358/14 – SEALING OF DOCUMENTS

It was moved by Councillor Carol Walker, seconded by Councillor Judith Twigg and

- RESOLVED** (unanimously)
- That the Common Seal of the Council be fixed to those documents, if any, required to complete transactions undertaken by Committees or by way of delegated authority to Officers since the last meeting of the Council.

MEETING CLOSED 8.05PM

CHAIRMAN