



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

CORPORATE COMMITTEE

Minutes of a Meeting held on Thursday 26 June 2014 in the Council Chamber, County Hall, Matlock at 6.00pm

PRESENT

Councillor Albert Catt - In the Chair

Councillors Steve Bull, David Burton, Bob Cartwright, David Chapman, Tom Donnelley, Ann Elliott, Mike Longden, Garry Purdy, Irene Ratcliffe, Lewis Rose OBE, Andrew Statham, Geoff Stevens MBE, Jacque Stevens, Jo Wild.

Dorcas Bunton (Chief Executive), Paul Wilson (Corporate Director), Sandra Lamb (Head of Corporate Services), Katie Hamill (Solicitor), Giles Dann (Policy & Economic Development Manager), Steve Capes (Head of Regeneration and Policy), Heidi McDougall (Head of Environmental Services), Mike Galsworthy (Estates & Facilities Manager), Karen Henriksen (Accountancy and Exchequer Manager), Jenny Williams (Interim Head of Internal Audit) and Jackie Cullen (Committee Assistant).

Councillors Jacque Bevan and Sue Burfoot attended as Ward Members.

32 members of the public and 2 members of the press.

APOLOGIES

Apologies for absence were received from Councillors David Fearn, Richard FitzHerbert, David Frederickson, Jean Monks, Barrie Tipping and Judith Twigg. Councillors David Burton, Tom Donnelly, Ann Elliott, Andrew Statham and Jo Wild attended as Substitute Members.

PUBLIC PARTICIPATION

In accordance with the procedure for public participation, the following people made representations:

Item 5 – Matlock Town Centre Supplementary Planning Document – Redevelopment of Bakewell Road Matlock progress report

Messrs Graham Rennie, John Tresadern (local resident), Ken Parker (working in partnership with local organisations), Mr Clarke (Bakewell Road Group), Peter Wild, David

Jones, Martin Burfoot, Professor Brian Ford (all local residents), Mrs Helen Crane (Bakewell Road Group) and Tony Symes (Chair of Matlock Civic Association).

Councillor Sue Burfoot spoke as Ward Member.

Item 6 – Community Governance Review – Hathersage and Outseats

Councillor Peter Mander, Chair of Hathersage Parish Council and Councillor Mrs Pauline Whitney (Vice Chair of Outseats Parish Council) spoke in favour of the application, and requested 14 Parish Councillors be elected instead of the 10 in the Recommendation.

Councillor Jacque Bevan spoke as Ward Member.

46/14 – MINUTES

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

RESOLVED That the minutes of the meeting of the Corporate Committee held on
(unanimously) 20 March 2014 be approved as a correct record.

The Minutes were signed by the Chairman.

47/14 – MATLOCK TOWN CENTRE SUPPLEMENTARY PLANNING DOCUMENT, REDEVELOPMENT OF BAKEWELL ROAD, MATLOCK – PROGRESS REPORT

The Committee considered a report that summarised the outcome of the Bakewell Road Community Engagement Workshop held on 8th March 2014, and sought a Member decision on the most appropriate option to take the project forward. The three available options were outlined in Section 3 of the report.

It was acknowledged that a partnership approach was required and it was suggested that the District Council should work with the community, including Councillors, Officers and the Town Council.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Ann Elliot and

RESOLVED

1. That the Committee welcomes the outcome of the Bakewell Road Workshop held on the 6th March and thanks all those who participated.
2. That Option 3 is pursued and the District Council provides technical support, including Officer time and meeting facilities, to enable the community, through its representative group, to develop a sustainable solution which most closely fits the principles of the Matlock Town Centre SPD.
3. That the contribution of Henry Davidson Developments be acknowledged the Corporate Director be authorised to conclude the arrangement in such terms as are reasonable and appropriate.
4. That the Committee affirms the principles of the Matlock Town Centre SPD.

Voting:

For	14
Against	0
Abstentions	1

The Chairman declared the motion carried.

48/14 – COMMUNITY GOVERNANCE REVIEW – HATHERSAGE AND OUTSEATS

The Committee considered a report that detailed two petitions signed by at least 5% of electors from each Parish calling for the Council to undertake a Community Governance Review to dissolve the current parishes of Hathersage and Outseats; to create one new parish council called Hathersage, and to review the electoral arrangements for that new parish council.

The Committee was required to consider the petition alongside the principles of the Community Governance Review framework, and to determine whether the proposal was considered to be in the interests of the local community and represent convenient local government.

In terms of the proposal to create a new Parish of Hathersage, the most appropriate mechanism under the new provisions was to dissolve the current parishes of Hathersage and Outseats and create of new parish, with electoral arrangements to suit. A map showing the proposed boundaries was attached as Appendix 1 to the report.

The two Ward Members for Hathersage and Eyam had been consulted on the petition and their preliminary views were set out in the report.

In terms of electoral arrangements, the Committee was asked to determine the number of elected members to represent the new parish council, if indeed the proposal came to fruition. Taking the mid-range of the elector ratio throughout the Derbyshire Dales of 1:150 as a guide would provide for a parish council of 10 elected members. Comparable Councils of this size included Tideswell and Cromford, each with a membership of 10. However, representatives from the two parishes requested that the number of parish councillors be 14. If approved the changes would be effective for the 2015 parish council elections.

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

- RESOLVED** (unanimously)
1. That in response to the two petitions from the parish councils of Hathersage and Outseats, the Council undertakes a Community Governance Review which consults on the proposition to -
 - a. dissolve the current parishes of Hathersage and Outseats
 - b. create a new parish called Hathersage with boundaries set out in the Map at appendix 1
 - c. create a parish council of 14 members to serve on the new Parish Council of Hathersage
 2. That the results of the consultation be presented to the September meeting of the Committee.

49/14 – ABC IMPROVEMENTS TO EXTERNAL AUCTION AREA

Councillor David Burton left the meeting at 7.20pm prior to discussion of this item.

The Committee considered a report that updated proposals to improve the current temporary external auction areas to provide a permanent sheltered / covered lairage for the sale of sheep and which, in line with the noise management plan considered by the Environment Committee, sought to reduce noise associated with livestock that are kept at the market overnight to a reasonably practicable level.

Bagshaws proposed a new building at the ABC Bakewell to be constructed to cover the area between the calf/sheep shed and the cattle shed and , at their own expense, commissioned Architects to draw up proposals for how such a cover to the outside sale area could be achieved. The proposals were outlined in the report.

It was not intended to extend or increase the number of animals sold at the market or to increase the overall capacity but merely to ensure that the existing temporary penning would be covered and so be protected from adverse weather.

In order for the scheme to be taken further it would be necessary for planning permission to be sought. Bagshaws had conducted initial discussions with the Peak District National Park Authority. Further, as part of the planning process Bagshaws would need to consult with nearby residents and owners of adjoining properties, and possibly the wider community.

The total cost of delivering the proposals was not yet known but Bagshaws were investigating whether there may be any grants in the Agricultural sector that could be accessed for this purpose.

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

RESOLVED
(unanimously)

1. That the proposals for the improvements to the ABC as outlined in the report be agreed in principal subject to Bagshaws carrying out a wide public consultation exercise as part of the planning application.
2. That such public consultation include discussion with the Town Council and that a drop in session be held at the ABC where the proposals could be fully explained to local residents and other interested parties

50/14 – ANNUAL GOVERNANCE STATEMENT 2013-14

The Committee considered a report that sought approval for the Annual Governance Statement, which was consistent with the CIPFA/SOLACE Framework “Delivering Good Governance in Local Government”, and met the requirements of the Accounts and Audit Regulations 2011.

The Accountancy and Exchequer Manager advised the Committee that, a revised calculation had been made in light of the under-spend on the General Fund, which showed

an overall savings requirement of approximately £1.35 million over the next 5 years (Minute No. 33/14).

The Annual Governance Statement was attached as Appendix 1 to the report; Section 5 of which identified any significant governance issues.

In accordance with proper practice, the Annual Governance Statement was to be signed by the Leader of the Council and by the Chief Executive, who must be satisfied that the document was supported by reliable evidence and accurately reflected the Council's governance arrangements. Consideration by the Corporate Committee helped to provide that assurance.

It was moved by Councillor Steve Bull, seconded by Councillor Jo Wild and

RESOLVED
(unanimously)

1. That the Annual Governance Statement 2013-14 be approved
2. That the significant governance issues, and the actions to address them, be noted.

51/14 – LAND AND PROPERTY DISPOSALS – NOS. 5/5a TOWN HALL YARD, ASHBOURNE

The Committee considered a report recommending a variation to the previously approved disposal of Nos. 5/5a Town Hall Yard, Ashbourne to Experience Ashbourne Limited (EAL).

The Estates Manager drew the Committee's attention to two items: firstly, he had received a further letter from the Community Interest Company, the contents of which were read out at the meeting; secondly that Recommendation 4 be amended to read 'That a legal notice is served after 01 July 2014, bringing EAL's existing tenancy to an end on 30 June 2015.

A structural and condition survey was undertaken in 2009 which indicated that in the order of £24,000 of repairs were required to No 5/5a Town Hall Yard to bring the property up to a good standard.

At the 17 February 2011 meeting of Partnership and Regeneration Committee, an offer from Experience Ashbourne Ltd for the freehold purchase of Nos 5/5a Town Hall Yard, Ashbourne was considered. It was acknowledged at the time that the offer of £60,000 was less than the market value of the property, but in view of its present condition and taking account of the voluntary status of EAL and value to the local community the offer was accepted. Since that time, a revised offer had been received from Experience Ashbourne Ltd, who had confirmed that they would like to set up a Community Interest Company (CIC) with the aim of purchasing the property from the District Council at the previously agreed price of £60,000. Should the sale proceed, it would be their intention to refurbish, relocate and subsequently sell on the property for redevelopment with any profits realised from this venture being retained by the CIC for use within the local community.

The District Council's Valuer considered that the current market value of the building, taking account of its present condition and existing tenancies, was in the order of £75,000.

The disposal of the property at the price of £60,000 to a single party without advertising on the open market would constitute an undervalue transaction. It was considered that the disposal as proposed would contribute to the promotion or improvement of the economic, social or environmental well-being of the area and therefore the District Council could

dispose of the property at an undervalue under the terms of the General Disposal Consent 2003. The proposed terms were set out in the report.

The decision of this Committee was entirely without prejudice to any future decisions by the District Council as Planning Authority.

It was moved by Councillor Steve Bull, seconded by Councillor Tom Donnelly and

RESOLVED
(unanimously)

1. That the offer of £60,000 from Experience Ashbourne Ltd as described in section 2.3 of the report for the freehold purchase of Nos 5/5a Town Hall Yard, Ashbourne shown edged in heavy black in Appendix 1 by a Community Interest Company be accepted provided that the sale has completed by 30 June 2015.
2. That each party be responsible for their own legal costs.
3. That the disposal in 1 above constitutes as an undervalue transaction permitted under the General Disposal Consent 2003 be noted
4. That a legal notice is served after 01 July 2014 bringing EAL's existing tenancy to an end on 30 June 2015
5. That, should the sale not be completed by 30 June 2015, the freehold of the property be offered for sale with vacant possession on the open market by public auction by an estate agent experienced in the sale of such properties with the guide and reserve prices being set by the Council's Valuer in consultation with the Auctioneers.

52/14 – PERFORMANCE REPORT 2013-14

The Committee considered a report showing the District Council's performance since 2013/14. With regard to the 9 Priority Indicators for services that fall under the remit of this Committee, 7 out of 9 targets were achieved and performance improved in 6 indicators.

Regarding monitoring this year, 2 indicators had been classified as Red and 1 as Amber at the start of 2014/15 to ensure adequate monitoring and corrective action was implemented to help improve or sustain performance during the year. The remaining 6 had been classified as Green.

Appendix 1 to the report gave a summary of performance against the indicators in 2013/14 and set out the targets for 2014/15.

Progress on all of the Priority Indicators would be reported at the next Committee meeting in December 2014.

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

RESOLVED
(unanimously)

1. That the improvement in performance in 6 of the 9 Performance Indicators falling under the remit of this Committee in 2013/14 be noted
2. That the the 2014/15 classification of Performance Indicators be noted
3. That the the areas of under-performance as areas for improvement be noted and the proposed action plans for the Red and Amber indicators be approved

53/14 – INTERNAL AUDIT REPORT 2013-14

The Committee considered a report that:

- Presented a summary of the internal work undertaken from which the opinion on the internal control environment was derived
- Provided an opinion on the overall adequacy and effectiveness of the Council's control environment including any qualifications to that opinion
- Drew attention to any issues that needed to be considered for inclusion in the Annual Governance Statement
- Compared work actually undertaken with that which was planned and summarised performance
- Commented on compliance with the Public Sector Internal Audit Standards (PSIAS)
- Commented on the results of the quality assurance programme
- Confirmed the organisational independence of internal audit.
- Reviewed the performance of the Internal Audit Consortium against the current Internal Audit Charter.

Overall, 82.5% of the areas audited received a good or satisfactory opinion demonstrating that on the whole there were effective systems of governance, risk management and control in place. There were no areas that were judged to be unsatisfactory or unsound.

There were 3 marginal reports issued during the year where only limited assurance on the reliability of internal controls can be given. Management had agreed the recommendations made and the timescales for their implementation.

The internal control issues arising from audits completed in the year had been considered during the preparation of the Annual Governance Statement. None of the control weaknesses identified during the year was deemed significant enough for inclusion within the Annual Governance Statement.

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

RESOLVED
(unanimously)

1. That the Internal Audit Annual Report for 2013/14 be noted.

54/14 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2013/14 OPERATIONAL AUDIT PLAN

A report was presented which asked the Committee to consider the final reports produced in accordance with the internal audit reviews undertaken in compliance with the 2013/2014 Operational Audit Plan.

The report set out areas reviewed, levels of assessment and recommendations made.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Tom Donnelly and

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

55/14 – ANTI-FRAUD, BRIBERY AND CORRUPTION STRATEGY (including Money Laundering Policy)

The Committee considered a report presenting the Council's draft updated Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy) which was attached as Appendix 1 to the report.

The Council last reviewed its Counter Fraud Policy and Strategy in 2011 and Money Laundering Policy in 2010. The policies had been reviewed to ensure that they are kept up-to-date and remain relevant.

The strategy recommended for adoption had been developed from the existing strategy which had been brought up to date to reflect developing good practice amongst other local authorities, for example, by increasing reference to the Bribery Act. If there were further legislative or changes in best practice then the strategy would be reviewed accordingly.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Steve Bull and

RESOLVED 1. That the revised Anti-Fraud, Bribery and Corruption Strategy
(unanimously) (including Money Laundering Policy) be adopted and publicised.

2 That the Anti-Fraud, Bribery and Corruption Strategy (including Money Laundering Policy) be reviewed in two years' time, or earlier if necessary.

56/14 – REVIEW OF THE IPAD PILOT

A report was presented which updated the Committee on feedback from members of the iPad pilot group on their experience and included recommendations on the future ICT platform for elected Members.

Protocols to encourage electronic communication as the method of first choice had been developed during the pilot and were set out in the report. Training had been provided on

basic functionality, how to use the Member Portal, and the on line planning application consultation process. On-going training was available on a 1:1 basis on request from the Joint ICT service.

14 members of the pilot group (including 2 Officers) had completed a questionnaire, designed to capture Members' views on the iPad's functionality and their experience in practice. The results to set questions were summarised in table form at Appendix 1 to the report.

The savings associated with the use of iPads, including print and mail costs, connection costs and officer use of iPads were outlined in the report.

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

RESOLVED
(unanimously)

1. That the iPad is specified as the standard device for all Members of the District Council with effect from the new Council in 2015.
2. That all existing Members of the Council not currently using the iPad be invited to exchange their laptop for an iPad for their remaining term of office.
3. That the current monthly allowance towards home broadband connection be discontinued for all Members using the iPad device.
4. That training in the use of the iPad is made available by the Joint ICT Service on a 1:1 basis.
5. That the Head of Corporate Services be delegated authority to work in partnership with the Joint ICT Service to develop use of the iPad and, in particular to:
 - refine protocols to enable the complete move to paperless Council and Committee meetings for all iPad users by September 2014,
 - evaluate the effectiveness of iPad training,
 - source the most practicable accessories including the ability to print,
 - develop the content of the Member Portal, and
 - improve Wi-Fi in Matlock Town Hall in support of agile working

57/14 – EXCLUSION OF THE 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.

Summary of exempt minute

58/14 – UPDATE ON THE TRADE EFFLUENT DISCHARGE FROM THE AGRICULTURAL BUSINESS CENTRE, BAKEWELL

Councillor Garry Purdy left the meeting at 8.04pm during discussion of this item.

The Committee considered recommendations included in an updating report on the current situation in relation to trade effluent discharge from the Agricultural Business Centre in Bakewell.

MEETING CLOSED – 8.14PM

CHAIRMAN