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CORPORATE COMMITTEE

Minutes of a Meeting held on Thursday 11 December 2014 in the Council Chamber, County Hall, Matlock at 6.00pm

PRESENT

Councillor Albert Catt - In the Chair

Councillors Steve Bull, Bob Cartwright, David Chapman, David Fearn, David Frederickson, Mike Longden, Jean Monks, Garry Purdy, Irene Ratcliffe, Lewis Rose OBE, Geoff Stevens MBE, Jacqui Stevens, Barrie Tipping and Judith Twigg

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Paul Wilson (Corporate Director), Steve Capes (Head of Regeneration and Policy), Karen Henriksen (Head of Resources), Tim Braund (Head of Regulatory Services), Deborah Unwin (Human Resources and Payroll Manager), Mike Galsworthy (Estates and Facilities Manager) and Jenny Williams (Auditor)

Sue Sunderland and Lee Towers, External Auditors from KPMG and Paul Radcliffe from Avato.

3 members of the public/

APOLOGIES

An apology for absence was received from Councillor Richard FitzHerbert.

PUBLIC PARTICIPATION

In accordance with the procedure for Public Participation, the following representations were made:

Item 16 – Ashboune Leisure Centre:Creche

Emma Tink, Marianne Jacques and Deborah Graham presented a petition and spoke against the closure of the crèche at Ashbourne Leisure Centre.

197/14 – 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) 18 September 2014 be approved as a correct record.

The Minutes were signed by the Chairman.

198/14 – DERBYSHIRE DALES DISTRICT COUNCIL ANNUAL AUDIT LETTER 2013/14

The External Auditor presented Annual Audit Letter 2013/14 that summarised the key findings from the 2013/14 audit of the authority. The External Auditor was happy to issue an unqualified opinion on the District Council's financial statement and an unqualified conclusion on the authority's arrangements to secure value for money. A specific risk had been identified in relation to value for money but the auditor was satisfied that work completed by the authority in relation to this risk was sufficient and no additional work by the External Auditor was necessary. No material issues were identified during the audit and the District Council's Annual Governance Statement was approved.

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

RESOLVED That the report be noted.
(unanimously)

199/14 – ASHBOURNE LEISURE CENTRE : CRECHE

The Chairman agreed to vary the order of the agenda at this point for the benefit of the speakers on this item.

This report informed the Committee of action taken in accepting requests for voluntary redundancy from two crèche workers at Ashbourne Leisure Centre. These followed the identification of inefficiencies, identified during the Leisure Review, arising from the operation of this facility because of low usage.

The Committee also considered the issues raised during the public participation section of the meeting in relation to this report. In particular, the Committee discussed the potential for a community initiative to provide crèche facilities in the Centre.

It was moved by Councillor Steve Bull, seconded by Councillor Irene Ratcliffe and

RESOLVED 1. That the report be noted.
(unanimously) 2. That the Head of Community Development be requested to explore the potential for a community initiative to provide crèche facilities at the Ashbourne Leisure Centre.

200/14 – VARIOUS PARISH COUNCIL LAND AND PROPERTY MATTERS

The Committee considered a recommendation for the retention or freehold transfer of various parcels of District Council owned land in Kirk Ireton, Hathersage and Litton for affordable housing, village centre regeneration and recreational purposes respectively.

The Estates and Facilities officer reported the comments of Kirk Ireton Parish Council and the Ward Member in relation to Peats Close. The views of Litton Parish Council were also reported but no response had been received from Hathersage Parish Council.

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

RESOLVED
(unanimously)

1. That the request for the transfer of the site off Peats Close, Kirk Ireton as shown on the plan attached at Appendix 1 to Kirk Ireton Parish Council be declined and the site be retained by the District Council as an opportunity site for potential future affordable housing development.
2. That the interest expressed in acquiring a right of way across the Kirk Ireton site be explored further on the basis that should acceptable terms be agreed, this would be reported to a future meeting of this Committee.
3. That the terms outlined in paragraph 3.3 of this report for transferring the freehold of the Hathersage Public Conveniences and adjacent areas of land as shown on the plan at Appendix 2 to Hathersage Parish Council as part of the Hathersage Village Centre scheme are agreed.
4. That, subject to no objections being received to the Notice of Intention, the terms outlined in paragraph 3.4 of this report for offering to transfer the freehold of the Recreation Ground at Church Lane, Litton as shown on the plan at Appendix 3 to Litton Parish Council for use as a Village Play Area and Sensory Garden are agreed.
5. 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.
6. That in cases 3 and 4 above, each party will be responsible for their own legal costs.
7. That members note that the transfers in cases 3 and 4 above comprise undervalue transactions as permitted by the General Disposal Consent 2003.

201/14 – PUBLIC SECTOR INTERNAL AUDIT STANDARDS – IMPROVEMENT PLAN

The Public Sector Internal Audit Standards (PSIAS) took effect on 1 April 2013 and require the Head of Internal Audit to develop and maintain a quality assurance and improvement programme to enable the internal audit activity to be assessed against the PSIAS.

A self-assessment had been completed and was considered to have demonstrated that the internal audit consortium was compliant. However, in the light of PSIAS's encouragement to continually improve the proficiency, effectiveness and quality of the service provided an Improvement Plan had been developed and was appended to the report. Progress against this plan would be reported to a future meeting of the Committee.

It was moved by Councillor Steve Bull, seconded by Councillor Jaquie Stevens and

RESOLVED
(Unanimously)

1. That the report be noted.
2. That progress against the improvement plan be reported back to the Committee as part of the internal audit annual report for 2014/15.

202/14 – PUBLIC INQUIRY – LAND AT ASKER LANE, MATLOCK

The Committee noted that Richborough Estates Partnership had lodged an appeal against the refusal of outline planning permission for residential development of up to 110 dwellings on land at Asker Lane, Matlock (Application 14/00089/OUT) and that the appeal would be determined by a Public Inquiry in April 2015.

As the Council did not make budgetary provision for Public Inquiry costs arising from the Council's planning decisions authority was sought to fund the necessary expenditure from the General Reserve.

It was also noted that the Council's original grounds for refusal of the application based on its ability to demonstrate a housing land supply comfortably in excess of the requirements of the National Planning Policy Framework were no longer sustainable in the light of a significant change in circumstances resulting from the Derbyshire Dales Local Plan Examination in Public. It was proposed, therefore, that the Council's case to be presented at the Public Inquiry be restricted to the principle that developing the site was considered to be encroaching and harmful to landscape character and appearance.

It was moved by Councillor Jacquie, seconded by Councillor Geoff Stevens, MBE, and

RESOLVED
(unanimously)

1. That the approach to defending the appeal as outlined in Section 4 of the report be approved.
2. That expenditure of up to £30,000 be funded from the General Reserve and that the Council take this expenditure into consideration in calculating the revised budget estimates for 2015/15.

203/14 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2014/2015 OPERATIONAL AUDIT PLAN AND FOLLOW UP OF PREVIOUS RECOMMENDATIONS

Councillor David Fearn left the meeting at 7.25pm prior to consideration of this item.

The Committee considered internal audit report produced in respect of the 2015/2015 Internal Audit Plan and the progress made by management in implementing agreed audit recommendations made during 2011/2012, 2012/2013 and 2013/2014 audits.

Four audit reports were considered, as follows

- Debtors – rated 'good'
- Members' Allowances – rated 'satisfactory'
- Payroll – rated 'satisfactory'

- Car Parks – rated ‘good’

It was moved by Councillor David Fearn, seconded by Councillor Steve Bull and

RESOLVED That the findings and conclusions of the internal audit reviews and
(unanimously) follow-up of the implementation of previous recommendations be noted.

204/14 – FRAUD PROSECUTION POLICY FOR COUNCIL TAX SUPPORT

The Committee considered approval of a policy to deal with offences relating to fraud associated with Council Tax Support. This policy had been produced in the light of a decision by the Department for Work and Pensions to discontinue prosecutions related to Council Tax Support. A scheme of delegation for the administration of the proposed scheme was included in the report.

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

RESOLVED 1. That the Fraud Prosecution Policy for Council Tax Support,
(unanimously) as set out in Appendix 1 to the report, be approved

2. That the scheme of delegation to officers set out in paragraph 2.3 of the report be approved.

205/14 – ECONOMIC PLAN AND COMBINED AUTHORITIES

The Committee considered a report that provided an update on progress with the Derbyshire Dales Economic Plan and with Local Enterprise Partnerships and Combined Authorities.

The report provided summary updates on the six action areas included in the Derbyshire Dales Economic Plan, as follows:

- Derbyshire Dales Business Advice
- Site promotion and development
- Business engagement
- Enterprise Peak District
- Site development loans
- Ongoing activity

The report highlighted the economic partnerships that had particular significance for the District Council and outlined proposals for the creation of a Derby and Derbyshire Combined Authority that would, initially, cover economic development and transport matters. An information pack, prepared by Derbyshire County Council, was appended to the report and the Committee was advised that a decision by Council would be necessary if the District Council wished to consider joining the Combined Authority.

It was moved by Councillor Lewis Rose, seconded by Councillor Irene Ratcliffe and

RESOLVED 1. That the Derbyshire Dales Economic Plan work programme be
(unanimously)

noted.

2. That progress with Local Enterprise Partnerships and Combined Authorities be noted.

206/14 – CODE OF CORPORATE GOVERNANCE

The Audit Commission requires local authorities to adopt a Local Code of Corporate Governance that details the system by which the Council controls and directs its functions and how it relates to the local community.

In conducting the annual review of the Code adopted in 2003 and last updated in 2013 particular emphasis had been placed on the need for good corporate governance to be understood and embraced by the new Council to be elected in 2015. Whilst all standards were currently met the recommendations sought improvements going forward and highlighted the need for effective training.

It was noted that the proposed amendments to the Employee Code of Conduct, designed to give more specific guidance as to the Council's expectations of the behaviour of employees, would be subject to consultation with staff and approval by the Joint Consultative Committee prior to final approval by the Committee.

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

RESOLVED
(unanimously)

1. That the revised Code of Corporate Governance be approved
2. That the Employee Code of Conduct, as amended be approved for consultation and resubmission for final endorsement by the Committee.
3. That, having regard to the feedback from the Focus Group on Member Training, a report is presented to a future meeting setting out proposals for the Induction Training Plan for the new Council in 2015.

207/14 – COUNCIL ADVERTISING NETWORK

The Committee considered a report that set out the purpose and objectives of the Council Advertising Network and sought approval for the District Council to join the network for a trial period of 12 months.

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

RESOLVED
(unanimously)

1. That the District Council joins the Council Advertising Network for a 12 month trial period subject to the advertising content matching the principles of the Council's Sponsorship Protocol and being complementary to corporate objectives
2. That operation of the Network be reviewed by the Committee prior to any further commitment beyond the trial period.

208/14 – NEW EMPLOYMENT POLICY : SICKNESS ABSENCE MANAGEMENT

The Committee considered a report that set out the rationale for replacing the current Sickness Notification and Monitoring Procedure that had been in place since 2010. Whilst still encouraging Managers to support staff through ill-health the new Policy also provided them with the means to formally warn staff if absences were causing concern.

All staff had been consulted on the proposed Policy and it had been approved by the Joint Consultative Group on 9 October 2014.

It was moved by Councillor Geoff Stevens, seconded by Councillor Barrie Tipping and

RESOLVED
(unanimously)

1. That the adoption and implementation of the new Sickness Absence Management Policy be approved.
2. That any future changes to the policy statement are approved by the Committee but changes to the guidance notes are approved by the Corporate Leadership Team.
3. That Appeals against dismissal for sickness absence are heard by the Licensing and Appeals Committee
4. That the Sickness Absence Management Policy replaces the Sickness Notification and Monitoring Procedure.

209/14 – PROPOSED IMPROVEMENT TO THE DISTRICT COUNCIL'S ORDINARY PATERNITY LEAVE SUPPORT

The Committee considered a report that proposed the improvement of the discretionary Ordinary Paternity Leave support offered by the District Council to match that offered by other local authorities. This proposal resulted from a suggestion raised at an Employee Group meeting in July 2014.

It was moved by Councillor Geoff Stevens, seconded by Councillor Bob Cartwright, and

RESOLVED
(unanimously)

1. That the adoption and implementation of the proposed improvement to the District Council's ordinary paternity leave support, to become 2 weeks on full contractual pay be approved.
2. That the improvement take effect with any paternity leave commencing from 15 December 2015 and that the leave may be taken, within 56 days of the birth of the baby, as 2 consecutive weeks or two separate periods of one week.
3. That the District Council continue with the Statutory provisions for Additional Paternity Leave arrangement and pay until 5 April 2015 when the regulations for Shared Parental Leave take effect.
4. That the District Council also pay expectant fathers, who are qualifying employees, to accompany the expectant mother of their baby to up to 2 antenatal appointments, for half a day each, on full pay.
5. That the recent changes to statutory paternity support, the

forthcoming introduction of Shared Parental Leave and recommendations in this report be consolidated into a Paternity Leave Policy and an updated Maternity Leave Policy for future consideration.

210/14 – WHITE PEAK CYCLE LOOP AND PROPERTY MATTERS

The Committee considered a proposal that authority be delegated to the Estates and Facilities Manager to agree terms for a land swap and three potential land disposals to enable the proposed route of the section of the White Peak Cycle Loop between Harrison Way, Northwood and a point to the south of Derwent Lane, Northwood to be established.

It was moved by Councillor David Chapman, MBE, seconded by Councillor David Fearn, and

RESOLVED
(unanimously)

1. That the work undertaken in conjunction with Derbyshire County Council to identify a route for the section of the White Peak Cycle Loop between Old Station Close Rowsley and Matlock as outlined on the plan at Appendix. 1 is noted.
2. That the Estates and Facilities Manager is authorised to agree the exact line and extent of the route of the proposed cycle path between Harrison Way, Northwood and a point to the south of Derwent Lane, Northwood subject to the transfer/dedication agreements being reported to a future meeting of this committee for approval.
3. That, authority be delegated to the Estates and Facilities Manager to agree heads of terms for a land swap with the owner of the Ashbrook Roofing site indicated in the plan at Appendix 2 on the basis of the terms outlined in paragraph 3.2 of this report subject to the agreed terms being reported to a future meeting of this committee for approval.
4. That authority be delegated to the Estates and Facilities Manager to agree heads of terms for the freehold disposal of the 3 sites on the plan at Appendix 3 with the neighbouring house owners on the basis of the terms outlined in paragraphs 3.5 and 3.6 of this report subject to the agreed terms being reported to a future meeting of this committee for approval.
5. That on the basis that these proposed transactions are to enable the White Peak Cycle Loop, Derbyshire County Council are made responsible for the District Council's reasonable legal costs with the purchasers being responsible for their own legal costs

211/14 – JOINT CONSULTATIVE GROUP MINUTES

It was moved by Councillor Albert Catt, seconded by Councillor Irene Ratcliffe, and

RESOLVED
(unanimously)

That the minutes of the Joint Consultative Group meeting on 9 October 2014 be received.

MEETING CLOSED – 8.20PM

CHAIRMAN