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CORPORATE COMMITTEE

Minutes of a Meeting held on Thursday 19 March in the Council Chamber, County Hall, Matlock at 6.00pm

PRESENT

Councillor Jacquie Stevens - In the Chair

Councillors Steve Bull, Bob Cartwright, David Chapman, Ann Elliott, David Fearn, David Frederickson, Garry Purdy, Lewis Rose OBE, Andrew Statham, Geoff Stevens MBE, Barrie Tipping, Judith Twigg

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), , Steve Capes (Head of Regeneration and Policy), Karen Henriksen (Head of Resources), Mike Hase (Planning Policy Manager), Mike Galsworthy (Estates and Facilities Manager), Jenny Williams (Interim Head of the Internal Audit) and Jackie Cullen (Committee Assistant).

Sue Sunderland and Cathie Clarke, KPMG (External Auditor)

APOLOGIES

Apologies for absence were received from Councillors Albert Catt, Richard FitzHerbert, Mike Longden, Jean Monks and Irene Ratcliffe. Councillors Ann Elliott and Andrew Statham attended as Substitute Members.

294/14 – MINUTES

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

RESOLVED
(unanimously)

That the minutes of the meeting of the Corporate Committee held on 11 December 2014 be approved as a correct record.

The Minutes were signed by the Vice Chairman.

295/14 – INTERESTS

Councillor David Chapman declared a pecuniary interest in Item 11 - Agricultural Business Centre - Lease Negotiations, as he was a friend of the Senior Partner at Bagshaws. Councillor Chapman left the meeting during discussion and voting of this item.

296/14 – QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

Councillor Andrew Statham arrived at 6.03pm during discussion of this item.

The following questions were put by Councillor David Fearn to Councillor Albert Catt, Chairman of the Corporate Committee:

1. What checks are made on whether developers have complied with the details of their approved planning permission, including all planning conditions?
2. In the case of listed building consent, does the conservation officer check whether developers have complied with the details of their approved planning permission, including all planning conditions?
3. Has the current Development Review considered these issues?

The Vice Chairman, Councillor Mrs Jacquie Stevens, responded in Councillor Catt's absence, as follows:

The issues had been raised with the relevant Officers, and their written response would be copied to the Committee Members in due course.

Councillor Fearn then asked a supplementary question: Did Darley Dale Town Council receive an appropriate reply to queries made of a similar nature?

The Vice Chairman replied that this question would be passed on to the relevant Officers, and their answer would be included in the response to the above questions.

297/14 – CERTIFICATION OF CLAIMS AND RETURNS – ANNUAL REPORT 2013/14

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

Members were advised that no matters arising had been identified in the report.

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

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

298/14 – EXTERNAL AUDIT PLAN 2014/15

Sue Sunderland of KPMG presented the External Audit Plan 2014/15, which was attached to the Agenda.

The Headlines gave a brief summary of the report, details of which were set out in subsequent pages. No concerns or risks had been identified.

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

RESOLVED That the External Audit Plan 2014/15 be noted.
(unanimously)

299/14 – WIRKSWORTH NEIGHBOURHOOD PLAN

The Committee considered a report that set out the results of the examination of the Wirksworth Neighbourhood Plan and recommended that, subject to modifications, it met the basic conditions and could proceed to Referendum.

The examination of the Wirksworth Neighbourhood Plan was undertaken by Dr Charles Mynors FRTPI FRICS IHBC by written representations, and a copy of his report was set out in Appendix 2 to the report. The purpose of the examination was to consider whether the Wirksworth Neighbourhood Plan, by virtue of Paragraph 8(1)(a) of Schedule 4B to the 1990 Act, met “the basic conditions”, as set out in the report.

The conclusions of the Examiner overall were that subject to minor modifications as set out in the report, the Wirksworth Neighbourhood Plan was able to satisfy the ‘basic conditions’ as set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004, and that the plan could be submitted to referendum in the Parish of Wirksworth.

A copy of the minor modifications and the recommended response to each were set out in Appendix 3 to the report. Members were advised to consider not accepting the recommendation of the Examiner in respect of paragraph 8.4; this was to be retained in the plan.

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

- RESOLVED** (unanimously)
1. That the report of the Examiner appointed to undertake the Examination of the Wirksworth Neighbourhood Plan be noted.
 2. That subject to the recommended modifications set out in Appendix 3 ,with the exception of Recommendation WNP43, the District Council is satisfied that the basic conditions as required by Paragraph 8(1)(a) of Schedule 4B to the Town and Country Planning Act 1990 have been met.
 3. That the Wirksworth Neighbourhood Plan as modified be submitted to a referendum in the Parish of Wirksworth and that it be held as soon as practically possible.
 4. That a further report be presented to this Committee/Council following the holding of the referendum

300/14 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2014/15 INTERNAL AUDIT PLAN

The Committee considered the internal audit reports produced in respect of the 2014/2015 Internal Audit Plan.

The current Operational Audit Plan was approved by Corporate Committee on 20 March

2014.

9 reports had been issued covering the period 18th October to 30th January 2015 for audits included in the 2014/15 Internal Audit Plan, as summarised in Appendix 1 to the report, and 22 recommendations had been made, all of which had been accepted. The definitions of the assessment levels was set out in the report.

The key points arising from the audit were summarised in the report. A detailed response to the audit's recommendations had been received and the action plan agreed. A follow up audit would be undertaken in 2015/16 to ensure that the recommendations had been implemented as agreed.

It was confirmed that there were no issues arising that related to fraud that needed to be brought to the Committee's attention.

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

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

301/14 – INTERNAL AUDIT OPERATIONAL PLAN 2015/16

The Committee considered a report on the Internal Audit Operational Plan 2015/2016 which outlined the assignments and estimated resources needed during the year.

A note explaining the role, purpose and some of the terminology used in the internal audit plan was attached at Appendix A to the report; a summary of the internal audit plan for 2015/16 was set out in the report and the detailed plan was attached as Appendix B to the report; a copy of the three year audit plan covering the period 2015/16 – 2017/18 was attached for information as Appendix C to the report. The plans for 2016/17 and 2017/18 were indicative only and could well change in order to meet the priorities of the Council.

An annual report summarising the outcome of the 2014/15 internal audit plan would be presented to this Committee after the year-end.

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

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

RESOLVED That the Internal Audit Plan for 2015/16 be agreed.
(unanimously)

302/14 – AGRICULTURAL BUSINESS CENTRE - LEASE NEGOTIATIONS

Councillor David Chapman declared a pecuniary interest in this item as he was a friend of the Senior Partner at Bagshaws. Councillor Chapman left the meeting during discussion and voting of this item.

The Committee considered a report regarding a request from Bagshaws, the operators of the livestock market at the Agricultural Business Centre (ABC) in Bakewell, for the District Council to enter into negotiations with them on the terms of a new licence / lease agreement. The report sought authority to progress the preliminary discussions that had taken place on a more formal basis with a view to securing a new lease agreement for the continued operation of the ABC by Bagshaws.

The ABC was currently operated by Bagshaws under the terms of a licence agreement made between the District Council and the partners of Bagshaws on 20th May 1998 which was expressed for a period of 21 years.

The District Council had had preliminary discussions with JH Walter LLP, a firm of specialist Chartered Surveyors who were able to assist in the lease negotiations, at a cost of £2500 plus VAT and disbursements. It was therefore recommended that the Council appoint JH Walter LLP to assist in these negotiations.

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

RESOLVED
(unanimously)

1. That authority is delegated to the Corporate Director to enter into formal discussions with Bagshaws to negotiate the terms of a new lease agreement for the Agricultural Business Centre.
2. That the Council appoint JH Walter LLP to assist in the negotiation of a new lease agreement for the ABC.
3. That the terms of the new lease be reported to a future meeting of this Committee for Member approval.

303/14 – EMPLOYMENT SITE DEVELOPMENT

The Committee considered a report regarding Plans for a new access road for the Ashbourne Airfield Industrial Estate, which was an action identified by the Derbyshire Dales Economic Plan in relation to employment site development. It was proposed that consideration be given to developing an Employment Site Development Fund to provide loans for key employment sites in the Derbyshire Dales. Endorsement was also sought to continue the provision of business advice services for Dales businesses.

Copies of the District Council's 'Grow your Business in the Derbyshire Dales' brochure were distributed at the meeting; this show-cased the Derbyshire Dales to potential new businesses.

The Ashbourne Airfield Industrial Estate was the largest business site in the Derbyshire Dales. In October 2014 the District Council granted planning permission for an extension (to open up much-needed new employment land, as well as new housing) including a new access road to the A52 (relieving congestion).

In October 2014, a £1m funding bid to the Government's Growth Deal was submitted via D2N2, and supplementary information was provided in December 2014. In January 2015 the Government announced additional Growth Deal allocations including provision for the Ashbourne Airfield Access Road. At this stage the funding was allocated, but still needed to go through a two stage formal approval process. The next steps in the application process to secure the funding would involve negotiations with the developer/landowner,

Derbyshire County Council, and D2N2. At present it was not possible to state timescales with any certainty.

Work to facilitate the new road would take considerable officer resource from within the District Council across a range of services and Members were asked to be aware of these capacity issues. In addition, specialist external support may be required, and it was proposed that the Economic Development Reserve (as made available by Council in September 2014) be employed as necessary to support work on this project.

The adopted Economic Plan identified market failures as preventing development of key employment sites. This exacerbated a shortage of modern business units for new and expanding firms. As reported at the December 2014 meeting of the Corporate Committee, an independent feasibility study had examined the potential for establishing a loan fund, using the District Council's prudential borrowing facilities, to help accelerate the delivery of more modern premises for start-up and growing businesses on key employment sites. This feasibility study concluded that an Employment Site Development Fund may be beneficial in the Derbyshire Dales, but that further investigation would be needed before a firm recommendation to establish such a loan fund could be made. Consequently, it was recommended that these investigations progress and, if appropriate, a business plan be produced, before a firm proposal was brought to Members for their consideration. The purpose of such a fund would be to accelerate sites capable of delivering early development, with potential benefits as set out in the report.

Derbyshire Dales Business Advice offers free, independent, face-to-face advice to Dales businesses. The service, delivered by a part-time adviser, had now been running for just over three years, providing support to over 450 established and new start businesses, with 275 jobs created by businesses assisted.

A key focus over the last six months had been on helping businesses complete funding applications and business plans for the Global Derbyshire grant scheme. As a result, some 20 of the 28 Derbyshire Dales businesses successful in securing grant support – totalling £571,000 – were businesses supported by Derbyshire Dales Business Advice, demonstrating the value of the service.

Looking forward, negotiations were continuing with both Sheffield City Region and D2N2 with a view to increasing the capacity of the service in the coming financial year through integration with their 'Growth Hub' proposals. Whether or not Growth Hub integration was appropriate, continued funding (at the same level as previous years) was required from the District Council for 2015/16 and it was recommended that this support continues.

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

RESOLVED
(unanimously)

1. The Government's allocation of funding for a new Ashbourne Airfield access road is welcomed, and implications for resource capacity are noted.
2. Further investigation be carried out into developing an Employment Site Development Fund for the Derbyshire Dales.
3. The investment strategy for any such fund be on the basis set out in paragraph 3.8.

4. The achievements of Derbyshire Dales Business Advice are noted, and the service is continued in 2015/16 with integration into LEP Growth Hub proposals if appropriate.

304/14 – LAND AND PROPERTY ACQUISITION – PROPOSED CEMETERY EXTENSION LAND, BOLEHILL, WIRKSWORTH

The Committee considered a report that recommended the freehold acquisition of an area of grazing land at Bolehill, Wirksworth for future use as an extension to the neighbouring Steeple Arch Cemetery.

The subject site shown edged in heavy back on the plan at Appendix 1 to the report came on the market last year at a guide price of £14,000, which was considered by the Council's Valuer to be in accordance with current values for grazing land in the area and comprised the Market Value of the land. Ground investigations had determined that the site contained a capped mineshaft (as does the existing cemetery) and that the topography and soil conditions on the site made it suitable for a cemetery use subject to planning consent.

Without prejudice to any future decisions of the District Council in its role as Planning Authority, it was considered that the use of the site for cemetery purposes was likely to be acceptable in planning terms.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Bull and

RESOLVED That the area of grazing land of area 0.39 Hectares (0.96 Acres). at Bolehill, Wirksworth as shown on the plan attached at Appendix 1 to the report is acquired freehold for potential future use as an extension to Steeple Arch Cemetery on the terms outlined in paragraph 3.1 of the report.
(unanimously)

305/14 – LAND AND PROPERTY DISPOSALS – BANKCROFT CENTRE, ASHBOURNE

The Committee considered a report that recommended the disposal of the freehold of the Bankcroft Centre, Ashbourne.

Following the expiry of Derbyshire County Council's lease of the premises, the Bankcroft Centre had now been identified as a site which the Council no longer required for operational purposes and could be considered for disposal on the open market.

Any offers received for the site would be reviewed by the Council's Valuer in consultation with the estate agents prior to any offer being accepted. Should the disposal be by public auction, the guide and reserve prices to apply at auction would be set by the Council's Valuer in consultation with the Auctioneers prior to the auction.

It was moved by Councillor Steve Bull, seconded by Councillor Geoff Stevens, MBE and

RESOLVED 1. That the freehold of the Bankcroft Centre, Ashbourne as shown on the plan attached at Appendix 1 to the report be offered for sale on the open market by an estate agent experienced in the sale of such sites on the terms outlined in section 3 of this report.
(unanimously)

2. That should the above disposal be by public auction, authority be delegated to the Council's Valuer to set the guide and reserve prices in consultation with the Auctioneers.
3. That the purchasers are responsible for the District Council's reasonable legal costs.

306/14 – COUNCILLOR TRAINING AND DEVELOPMENT PLAN

The Committee considered a report which set out the recommendations of the Member Development Working Group for an Induction/Training and Development Programme for the new Council following the elections on 7 May 2015.

In addition to the current list of mandatory training, (incorporated into the training plan), the MDWG considered that IT security and Data Protection should also be added to that list given the high priority and level of risk involved. It was considered that Planning training should also be mandatory for all Councillors.

All Members of the new Council would be required to use an iPad for the conduct of business and all other equipment would need to be returned for reuse, in line with the schedule set out in the report.

It was moved by Councillor Garry Purdy, seconded by Councillor Judith Twigg and

RESOLVED
(unanimously)

1. That the Councillor Training and Development Plan for the first 6 months following the elections in May 2015, as set out in paragraph 2.1, be approved.
2. That training in IT Security and Data Protection is added to the approved list of mandatory training for all Councillors, along with Planning training.
3. That the arrangements for the return and re-issue of ICT equipment set out in paragraph 3.2 be approved
4. That a report be presented to a future meeting of the Committee to review the effectiveness of the induction training and to formalise training for priority 2 and 3 topics.

307/14 – WHITE PEAK CYCLE LOOP LAND AND PROPERTY MATTERS

Councillor Lewis Rose, OBE, left the meeting at 7.25pm prior to discussion of this item.

The Committee considered a report updating that given in December 2014, and recommending agreement to the route of the proposed White Peak Cycle Loop between Northwood and Rowsley, approval of terms for a land swap and 2 land disposals at Northwood and the dedication and /or lease of this section of the Cycle Loop to Derbyshire County Council.

A report was presented to the 11 December 2014 meeting of the Corporate Committee which delegated authority to the Estates and Facilities Manager to agree the exact line of the route between points A and G; heads of terms for a land swap, and 3 small site disposals at Northwood to enable the route of the Cycle Loop between points A and C, pending a further report to a future meeting of this Committee.

Details of progress to date were set out in the report and in an updating report that was tabled at the meeting. It was proposed to bring reports on changes to Peak Rail's lease and the route of the Cycle Loop south from point A to Matlock to a future meeting of this Committee.

The terms to be agreed for the various land transactions in the report would be on the basis of Market Value and as such would comprise the best price reasonably obtainable for the land.

The relevant Ward Members and Local Council's together with Peak Rail PLC had been consulted on the contents of the report, and a consultation response had been received from Rowsley Parish Council to the effect that they objected to the destruction to protected habitats and trees which they considered would be caused by the scheme.

In addition to various general expressions of interest in development sites / opportunities across the district and the expressions of interest forming part of this report, specific expressions of interest had been received in relation to one of the sites / properties included in this report (land to the r/o The Shalimar, Northwood).

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

RESOLVED
(unanimously)

1. That the proposed route for the section of the White Peak Cycle Loop between a point to the south of Derwent Lane, Northwood (point A, Appendix 4 to the report) and the A6 off Old Station Close Rowsley (point G, Appendix 5 to the report) is agreed.
2. That the land swap with the owner of the Ashbrook Roofing site as indicated in the plan at Appendix 2 to the report on the basis of the terms outlined in the updating report is approved.
3. That the freehold disposal of the area of land labelled A,B and C on the plan at Appendix 3 to the report to the neighbouring house owners on the basis of the terms outlined in the updating report is approved.
4. That the appropriate Highway Dedication/Creation agreements are entered into with DCC to allow the section of the Cycle Loop between point A (Appendix 4 to the report) and E (Appendix 5 to the report) to be constructed, used and maintained as a multi-user trail with pedestrian and cycling rights on a permanent basis.
5. That the section of the Cycle Loop of width 3 metres between points E and G on Appendix 5 to the report is let to DCC by way of a 35 year lease at a rent of £1 per annum if demanded with a

break clause operable at 18 months’ notice to allow Peak Rail to extend their line to Rowsley sidings subject to various conditions being met.

6. That members note that the proposed lease in paragraph 5 above comprises an undervalue transaction as permitted by the General Disposal Consent 2003.
7. That on the basis that all 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.

308/14 – ILLUMINATIONS REVIEW

The Committee considered a report that set out the progress of the Matlock Bath Illuminations review. A review team was established in October 2014 and comprised officers from across the Council. Engagement with staff involved in the event, colleagues with specific expertise, as listed in the report, along with several key external representatives had taken place. The process had helped identify several opportunities to work more efficiently and increase interest in the event by enhancing the customer experience.

A further report on the performance of the new approach would be brought to a future Committee later this year.

The main opportunities for delivering efficiencies and for enhancing the customer experience were detailed in the report, and a table of recommended prices for 2015 was set out as follows:-

Saturday		Sunday	
On-the night	£6.00	On-the-night	£5.00
Advanced/Online	£5.00	Advanced/Online	£4.00
Concession (on-the-night)	£5.00	Concession (on-the-night)	£4.00
Concession (Advanced/Online)	£4.00	Concession (Advanced/Online)	£3.00
Child (<16yrs)	FREE	Child (<16yrs)	FREE

Further details regarding the pricing structure for 2015 were set out in the report.

It was proposed that detailed monitoring takes place of the implementation of the proposals set out in the report, to identify their impact. A report of this would be brought back to a future Committee for consideration.

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

RESOLVED That the following outcomes from the Review as outlined in Section
(unanimously) 2 of the report be approved and implemented as follows:

Duration

- a. Reduce the length of the event (remove 6 September from programme)
- b. Increase the number of firework nights
- c. New opening night should be 12 September
- d. Dates for the 2015 event are 12 September until 31 October

The Offer

- e. The 'Opening Night' will be a media and preview night
- f. Fireworks every Saturday night, apart from the 'Opening Weekend'
- g. Introduce themed events, especially 31 October which will have a 'Halloween' theme and fancy dress competition
- h. Consider 'all ticket' events for the most popular nights
- i. Increase online and 'purchased in advance' sales

Fees & Charges

- j. Introduce a different fee for Saturdays and Sundays
- k. Introduce a reduced fee for online purchases
- l. Children (under 16's) will continue to attend for FREE
- m. Concessions (National Retirement Age) will be offered a £1.00 discount
- n. A 20% discount will be offered to groups of 25 or more

General

- o. Encourage more local businesses and accommodation providers to support the event
- p. A percentage of any surplus funds be reinvested into the event

309/14 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Jacquie Stevens, seconded by Councillor David Frederickson and

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

310/14 – ARREARS FOR WRITE-OFF

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

Members were advised that any debt would be reinstated where further information subsequently came to light that allowed further recovery action to be pursued.

CIPFA guidelines recommended that bad debts should be identified and written off from the accounts as soon as possible.

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

It was moved by Councillor Geoff Stevens seconded by Councillor David Frederickson and

RESOLVED That the arrears for individual amounts exceeding £1,500 listed in
(unanimously) Appendix 1 totalling £60,606.86 be written off.

MEETING CLOSED – 7.49PM

CHAIRMAN