

MINUTES of a meeting of the **CABINET MEMBER FOR COUNCIL SERVICES** held on 9 July 2013 at County Hall, Matlock

PRESENT

Cabinet Member – Councillor B Ridgway

Also in attendance - Councillor J Owen

8/13 **MINUTES RESOLVED** that the minutes of the meeting held on 18 June 2013 be confirmed as a correct record and signed by the Cabinet Member.

9/13 **MEMBERS' ALLOWANCES 2012-13** The County Council had a duty under Statutory Instrument 1021/2003 to publish each year details of amounts paid to Councillors under the provisions of Section 18 of the Local Government and Housing Act 1989.

The appendix attached to the report detailed the payments made to Members under the Council's Members' Allowances Scheme during 2012-13.

RESOLVED to note the report.

10/13 **POLLUTION LEGAL LIABILITY RISK IDENTIFICATION**
Approval was sought to the development and maintenance of a central repository detailing land which the Council owned or had a statutory or contractual responsibility for maintaining and upon which there was or may be contaminated materials. This was required in order to carry out an effective risk assessment of the extent of contamination and the associated risks, to formulate a risk mitigation strategy and to determine if additional insurance was required.

The Council could be exposed to pollution claims which could include third party personal injury claims and/or clean-up costs relating to any (actual or alleged) pollution released from the Council's land or arising from its' historical activities. A pollution claim was a claim arising from the sudden and accidental or gradual contamination of land such as clean-up costs, personal injury, claims for diminishment of property value, nuisance, along with the legal costs and expenses related to the incidents.

The need to establish the extent of any risk the Council faced had been demonstrated by a number of high profile cases where landowners had been held liable for illnesses/diseases caused by pollution, some examples of these were provided in the appendix to this report.

The types of activities which the Council undertook, that could lead to such claims, were:

- a) being involved in planning project works that could release pollution –
 - i. Regeneration or economic development of brownfield sites
 - ii. investigation or remediation of sites under the Contaminated Land Strategy
- b) the acquisition of land where activities that caused contamination may have historically occurred.
- c) previous activities could have caused contamination
 - i. whether or not the Council still owned the land.
 - ii. Waste management operations, closed landfill sites
- d) Inability to identify “responsible persons” to carry out or reimburse the Council for remediation when acting as the enforcing authority.

In attempting to identify the risk to which the Council was exposed, land and property records had been examined. It was found that much of the known data was anecdotal in nature and held in numerous different ways. Under the Council’s Brownfield Action Plan there should be records of all relevant land in the County. If this could be matched with Council owned land it would assist the risk identification process.

It was known that the Council has responsibility for a number of sites where historical activities would expose the Council to potential claims. These sites included former industrial collieries, gasworks, cokeworks, tar pits and former/closed landfill locations, Grassmoor Lagoons was one such location on the site of a former cokeworks which had underground tar tanks/pits, deep sludge pits and potentially contaminated groundwater .

To identify, assess and evaluate the Council’s exposure to contaminated land, a register of all land owned by the Council or in which the Council had an interest needed to be developed. This register also needed to detail any and all contamination risks, including any restoration/remedial projects, cross referenced with details of the Council’s Brownfield Action Plan. The Council currently had details of some sites of concern, but this information was by no means comprehensive and so an accurate assessment of the current risk could not be undertaken.

The Council did not seem to have this information in a readily available form at present. It was estimated that, using current information as a starting point, it would take four months to produce the information at an estimated internal resource cost of around £24,000. Any costs would be met from the Insurance Budget.

RESOLVED that further investigatory work was carried out to develop a register of the risk in order to determine an appropriate mitigation strategy.

11/13 REMEDIAL WORKS TO CHESTERFIELD MEADOWS SCHOOL AND HOPE VALLEY COLLEGE A new sports hall facility at the Meadows School constructed around 2003 included MDF wall linings whose fixings had proved to be inadequate due to inappropriate fixing details, failure of adhesives and the constant impact exerted by secondary school sports. Architects within County Property had now designed a repair solution to this problem which involved removing and replacing these linings with an alternative lining and fixing which they were confident would be suitable.

Work was required to the music and drama block at Hope Valley College. The College had continuously expressed concern that due to the proximity of other facilities, the soundproofing was not suitable for purpose. Following investigation, officers accepted the soundproofing did not work to an acceptable level and there needed to be a solution to limit the noise to lesser levels than there were at present. Architects had now designed a repair solution to this problem.

RESOLVED that approval be given to the new wall boarding at the Chesterfield Meadows School and to the sound insulation works at the Hope Valley College School as outlined in the report.

12/13 'SKYPE' AND FLEXIBLE WORKING PILOTS As part of a larger Council cost saving programme, there had been a pilot with a limited number of staff to use "Skype", a communication and collaboration tool. The product could be used anywhere there was an Internet connection. This enabled staff to share and work collaboratively on documents and client case notes, avoiding the time and cost involved in attending meetings. The product supported the objectives of the Smarter Travel Programme within the Changing the Way Derbyshire Works (CWDW) programme and would contribute towards reducing Derbyshire's carbon footprint.

There were two versions of Skype, one of which was free to register and use, and provided simple one-to-one video conferencing and collaboration facilities. There was a "premium" version which cost £2.99 per user per month based on a year's subscription. The premium version enabled video sessions

between several users (pragmatically up to a maximum of five people) and additional collaboration and support services.

The pilots had shown that its use would be especially beneficial and cost effective for groups of staff who were geographically dispersed, such as area offices, yet needed to communicate and meet on a regular basis. Each video conferencing session was fully encrypted end to end for the duration of the call. Transformation Services could only monitor the fact that a video conferencing session was underway. Managers must therefore ensure that their staff used the Skype tool in an acceptable manner, and that use/abuse was dealt with in the same way as the use of eg Internet/email.

It was proposed that senior management teams in Service Departments wishing to extend the Skype product to more of their staff, worked with Transformation Services to ensure deployment was managed in an organised way without threatening the viability of existing ICT systems.

A further pilot was underway on Microsoft's Office Communicator Server (OCS) which could more closely integrate email, telephony, document sharing/collaboration and instant messaging into one Windows based tool. Around 50 staff were currently piloting the collaboration functions in OCS. The latest version of the OCS product, Microsoft Lync 2013, also incorporated video conferencing including group video meetings. In addition, Microsoft had recently bought Skype, and video conferencing would be more closely integrated into Lync products. It was proposed to bring a future report to Members once the OCS pilot has been concluded.

RESOLVED to (1) approve the extension of the Skype pilot to other Council users in a managed way as described in the report;

(2) note that Service Departments would pay directly for any subscription costs incurred on Skype;

(3) note that Transformation Services would advise Departments on any technical limitations on their proposed Skype roll-outs; and

(4) note that Transformation Services would bring a further report to Members on Microsoft Office Communicator Server/Lync once the pilot had been concluded.

13/13 **EXCLUSION OF THE PUBLIC** **RESOLVED** to exclude the public from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of exempt or confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 18 June 2013 (contains exempt information).
2. To consider the exempt report of the Director of Finance on Vendor Invoice Management (VIM) request to award contract for VIM upgrade (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
3. To consider the exempt reports of the Director of Property on:-
 - a) Etwall Primary School
 - b) Goodsmoor Road/Wordsworth Avenue, Sinfin
 - c) Sale by auction – 1 School House, Slack Lane, Heath
 - d) Former Stanton Vale Special School site, Ilkeston
(contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))