

**MINUTES** of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 10 January 2017 at County Hall, Matlock

**PRESENT**

Councillor D Allen – Cabinet Member

Also in Attendance – Councillor C A Hart

An apology for absence was submitted on behalf of Councillor Julie Hill

**1/17**        **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 13 December 2016 be confirmed as a correct record and signed by the Cabinet Member.

**2/17**        **SAFE STORAGE AND DISPENSING OF PETROLEUM** Until recently, any ‘petroleum dispensing site’ had to be licensed with the local authority and comply with licensing requirements to ensure the safe storage of petroleum spirit and drainage systems to ensure that, in the event of a spillage, petroleum did not get into the local drainage system. The Petroleum (Consolidation) Regulations 2014 had replaced the licensing regime with a certification system. Any person wishing to store and dispense petroleum had to apply to the Petroleum Enforcement Authority (PEA), ie Derbyshire County Council, for a Petroleum Storage Certificate (PSC). There were currently 119 petroleum dispensing sites across Derbyshire, and the Trading Standards Division had a programme of inspections to storage sites to check on compliance with the licensing requirements.

The Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) placed duties on employers to ensure that people were protected from the risk of fire, explosion and other hazards arising from the presence of a dangerous substance. At petrol dispensing sites, DSEAR required site operators to undertake a range of actions. Trading Standards Officers carried out routine visits to petroleum storage sites to check that they were being operated and maintained safely. Trading Standards officers were authorised to act as Inspectors under the Health and Safety at Work, Etc Act 1974, and in this capacity officers could issue legal notices requiring operators to carry out improvements or to prohibit activity. Since re-assuming enforcement duties, the Trading Standards service had carried out 128 inspection visits to petroleum sites within Derbyshire. In 57 cases, non-compliances had been identified and there had been a further 57 follow-up visits to check that satisfactory remedial action had been taken. Examples were given of non-compliances found on inspection, and two incidents had been brought to the attention of Trading Standards.

Since April 2014, Derbyshire Trading Standards Service had overseen the installation and certification at three new petroleum dispensing sites. In the case of new sites, particular attention was paid to below-ground infrastructure during construction. Further checks were carried out prior to the issue of a PSC. Installation of new tanks had also been overseen at two existing sites during major refurbishments. There had been a total of 37 site visits to check site works and that Prescribed Material Changes as required to be notified to the PEA had been carried out satisfactorily.

Information about petrol storage sites was occasionally requested. Subject to authorisation from the landowner/site operator, Derbyshire Trading Standards Service responded to such requests, and made a charge for providing the information. There had been 47 environmental requests since charging had been introduced in 2014, and there had been income of £1,517 (2014/15), £2,083 (2015/16) and £651 (2016/17 to date).

**RESOLVED** to note the report.

**3/17      NATIONAL AUDIT REPORT PROTECTING CONSUMERS FROM SCAMS, UNFAIR TRADING AND UNSAFE GOODS** Following changes made by Government to the enforcement regime, it had commissioned the National Audit Office (NAO) to carry out a further review of the Consumer Landscape. The report had been published on 15 December 2016, and the key facts from the review were highlighted. The estimated consumer detriment was £14.8billion per annum compared to an estimate of £6.6billion in 2011, and the cost of consumer protections of £165m was a reduction from the 2009/10 figure. It was suggested that there had been a 56% reduction in Trading Standards officers since 2009. In Derbyshire, the total net budget for trading standards for 2016/17 was £1.3m, which was a reduction of 56% compared to 2009/10, and there had been a 34% reduction in the total establishment.

A summary of the key findings from the report were provided. These appeared to be positive about the changes to the Consumer Landscape in terms of tackling consumer detriment in a more coordinated and intelligence led way. However, the reduction in local authority funding for trading standards was having an impact on local enforcement. The report also found that there was a lack of data about the totality of consumer detriment and the impact of consumer protection work. One of the consequences of a reduction in resource for Derbyshire Trading Standards Service had been the reduction in support for individual members of the public who needed advice about faulty goods or services that they had purchased. However, the Service still prioritised support for vulnerable older people, would seek to assist local residents who were unhappy with a Derbyshire Trusted Trader, and still had a statutory duty to investigate breaches of any criminal legislation assigned to the local authority.

The NAO made a number of recommendations in its report, and these were primarily that BEIS should seek to identify the amount of consumer detriment, work with the Department for Communities and Local Government and other Government departments to identify the level of risk and how it might best be addressed, and provide funding on a longer term basis.

**RESOLVED** to note the report.

**4/17      EMOTIONAL HEALTH AND WELLBEING SURVEY OF YOUNG PEOPLE** In 2015, a survey had been commissioned by Public Health of all young people in Year 8 across Derbyshire focussing on their emotional health and wellbeing. The survey had been undertaken by The Training Effect who specialised in work with young people on risky behaviours and social norms.

28 schools had taken part in the survey, which was 58% of all secondary schools in Derbyshire and a total of 3,034 young people. The survey results were presented, and showed that Year 8 pupils were similar to young people in other local authorities, although there were a higher number in Derbyshire who had tried cigarettes and alcohol. The number of young people feeling sad most days correlated with national prevalence data of mental health problems. Schools had received reports with their own data and comparable data from across the county, and this had allowed them to focus on any areas of concern so that early intervention and prevention work could be more targeted. Schools had also received social norm resources, which promoted the positive health messages relating to Derbyshire young people.

The survey would be repeated with Year 8 pupils in 2017/18 to give a greater understanding of young people's views and behaviour and to identify any key points of change. In addition, the 2016 Year 8 cohort would be tracked through to Year 11 to provide data that would allow officers to understand when behaviour changes took place and when any support and education would have the greatest impact. A total of four Year 8 surveys and three tracking surveys would be undertaken, and each would be analysed and presented to the Council and each participating school. Further surveys would continue in line with the current contract and within a value that did not exceed £50,000 in total - £20,000 in 2016/17, £20,000 in 2017/18 and £10,000 in 2018/19 – subject to the availability of funding, identified from the Public Health Children's Substance Misuse budget.

**RESOLVED** to note the update on the recent Year 8 Derbyshire Emotional Health and Wellbeing survey, delivered by The Training Effect.

**5/17      FOOD BANK PLUS** Cabinet had previously approved a programme of interventions that were designed to prevent food poverty in

Derbyshire. The Feeding Derbyshire programme had been operational since September 2015 and was an official pilot of the Feeding Britain strategy. In September 2016, Cabinet had approved a programme of non-recurrent investment in prevention interventions in 2016/17 and 2017/18, and this had included the Food Bank Plus proposals. Grant funding of £112,200 had been approved to pilot the model in Derbyshire. The Food Bank Plus model aimed to address the underlying issues that caused food bank clients to need an emergency food parcel, and this involved providing a range of services at the food bank, such as advice on debt, benefits, employment and housing. Employment support was being developed through the Building Better Opportunities programme, and so was not within the remit of the Food Bank Plus model.

In October 2016, Financial Action and Advice Derbyshire (FAAD) had distributed application forms and guidance to all Food Banks across Derbyshire to invite them to apply for Food Bank Plus funding, and nine applications had been submitted. A decision making panel had met to review the applications, and all had been provisionally approved subject to further information being provided on some applications. The exact allocation to each applicant would be confirmed on receipt of the required information and further updates on progress would be reported.

The budget for the Food Bank Plus programme was £112,200, and the aim of the scheme was that it became self-sustaining and independent of Council funding by March 2019. The cost of the grant would be met from the Public Health Prevention Fund. A grant agreement would be used to set out the terms and conditions for which the grant was made. The recipients of the grant were not contractually obliged to deliver services, although the Council would seek to claw back the grant in appropriate circumstances were there to be significant non-performance.

**RESOLVED** to note the report and to approve grant funding of £112,200 to the nine food banks to provide Food Bank Plus models, as part of the sustainable solutions to food poverty in Derbyshire.

**6/17      IMPROVING THE PHYSICAL HEALTH OF INDIVIDUALS WITH A SERIOUS MENTAL ILLNESS** Approval was sought to continue with the existing Derbyshire County Council Public Health funding of £30,000 to Hardwick CCG as the lead commissioner of services to improve the physical health of individuals with a Serious Mental Illness (SMI) across Derbyshire, for a period of one year to cover the financial year 2017/18.

As part of the Quality and Outcomes Framework, GP practices maintained a register of individuals with schizophrenia, bipolar affective disorder and other psychoses. At 31 March 2016, there were an estimated 6,025 individuals recorded on the registers of GP practices in Derbyshire. As

the majority of people with a SMI lived in the community, it was essential that primary and secondary care services worked together to look after both their mental and physical health. Within Derbyshire, a collaborative approach had been used to support the Healthy Body, Healthy Mind programme, which had provided specialist support to primary and secondary care services to improve the physical health of people with serious mental illness.

Hardwick CCG was the lead mental health commissioning organisation and commissioned services from Derbyshire Healthcare NHS Foundation Trust (DHcFT) on behalf of all Derbyshire CCGs. The CCGs contributed £50,000 and Public Health contributed £30,000 towards the service each year, and the specification for improving the physical health of individuals with a SMI had been jointly developed by Hardwick CCG and Public Health. The CCGs had recently agreed a further £50,000 funding for 2017/18 to build and further develop work.

Crucial to improving the physical health of people with SMI was for their physical health care needs to have parity with the mental health support they received. The joint funding had been instrumental in supporting the development of a system approach in Derbyshire to address this. There had been the strengthening and addressing of physical health needs in primary care and in particular the delivery of annual health checks for individuals with SMI. DHcFT had also been supported to develop and implement systems which promoted the prevention and early diagnosis, treatment and management of physical health problems as part of the overall support and care of people with SMI. Examples of achievements were given.

The provision of additional funding would enable the work to continue to roll out across primary care, specialist mental health services and community lifestyle services. Performance between GP practices and mental health teams still varied across Derbyshire, including variation in the completeness of physical health checks amongst GP practices. Continuing the existing County Council funding for a period of one year, together with the CCG funding, would contribute to improving the physical health of individuals with a SMI across Derbyshire. The proposed service specification for 2017/18 was detailed. The importance of meeting the physical health needs of individuals with SMI featured within the mental health workstream of Derbyshire's Sustainability and Transformation Plan, and would therefore be included as part of the implementation of the mental health business cases from 2017 onwards.

A total of £30,000 was required to continue the service for 2017/18, and would come from the Public Health budget. The funding would be passed to Hardwick CCG through the payment of an invoice from the CCG as laid out in the Council's Financial Regulations.

**RESOLVED** to approve continuing the funding of £30,000 to Hardwick CCG as the lead commissioner of services to improve the physical health of individuals with a SMI across Derbyshire for a further period of one year in 2017/18.

**7/17      BUDGET MONITORING MONTH 7 2016/17** The gross budget for the Health and Communities portfolio was approximately £56m, and the budget monitoring was projecting an underspend for Public Health of £1.981m. The Communities element was projecting an overspend of £0.282m. There was £0.333m of Public Health funding available for Communities, and this included £0.033m from the Public Health Prevention Fund for the 'Heart of Derbyshire' project in the Trading Standards division. If not for this funding then the Communities overspend position before the use of underspends would be £0.615m - £0.256m attributable to Trading Standards and £0.359m for the remainder of the Communities budget. The use of earmarked reserves would reduce the projected overspend to £0.042m and further savings would be identified to address this.

The key variances were reported, and included an underspend in Public Health. The Public Health function was mainly funded by a Ring-Fenced grant of £42.670m. This was following a 2.24% reduction in the value of the Grant for 2016/17, which equated to £0.981m. The underspend at year end would be transferred into the Public Health Reserve and would fund committed investment in Prevention work over two years. The key areas of underspend in Public Health were detailed. There was a projected overspend in Libraries and Heritage.

The Department's Earmarked Reserves totalled £2.026m, and budget reductions totalling £1.247m had been agreed by Full Council as part of the approval of the 2016/17 budget. In addition, there was an amount of £0.380m unallocated reductions from previous years. The total cut allocation for 2016/17 was, therefore, £1.627m. A table showing performance against target was presented. Where there was a shortfall on a specific scheme, this would be met by underspends elsewhere in the budget, reserves and Public Health funding.

**RESOLVED** to note the position on the 2016/17 Revenue Budget