

PUBLIC

MINUTES of a meeting of **CABINET** held on 10 January 2017 at County Hall, Matlock.

PRESENT

Councillor A Western (in the Chair)

Councillors: D Allen, A Botham, D Collins and P J Smith.

Also in attendance – Councillors C Bisknell, B Lewis and D Lomax.

Apologies for absence were submitted on behalf of Councillor J A Coyle.

1/17 MINORITY GROUP LEADERS' QUESTIONS

Councillor B Lewis asked the following questions:

Agenda Item 7(b) - Derbyshire Economic Review – December 2016

Despite significant investment over 30 years or more on reducing the youth unemployment rate in key areas like Bolsover and Erewash, there is a large section of an overall small percentage where there is a persistent issue of getting young people off benefits and back into work and radical solutions are required to tackle this issue and so what is the Leader and this administration doing to address it?

Councillor A Western, Leader and Cabinet Member for Strategic Policy, Economic Development and Budget responded that despite unprecedented budget cuts to public services by the Government, there had been a downward trend in youth unemployment across Derbyshire in recent years. There were however, some parts of the County such as Bolsover and Erewash, in which youth unemployment and long-term youth unemployment remained higher than the Council would like.

The Council had worked closely with Chesterfield and Derby colleges and the DWP to develop an approach which aligned and integrated delivery to support employers, young people and training providers for the first time.

The Council had recruited more than 350 apprentices since 2012 despite the introduction of the new Apprenticeship Levy by the Government which brought additional costs to the Council of approximately £2.2m. The Council was working hard to ensure it maximised the opportunity and used its access to the Levy fund wisely, for example, by employing apprentices directly and focusing on vulnerable young people such as care leavers and those with learning disabilities.

The successful introduction of the I Step Up programme in 2015 as a pilot in Bolsover and North East Derbyshire had assisted young people who potentially could become unemployed, to develop their confidence and employability skills by providing targeted training and interview experience, working closely with employers. The pilot proved successful and, as a result, it had been rolled out to other areas in the County.

European Social Funding of over £38m had also been utilised to provide an employment support programme in targeted areas of Derbyshire and Nottinghamshire for cohorts of residents from age 16 upwards, with a further £51m still to be contracted.

Councillor Western was confident that, even with the serious budget pressures being imposed by Government, the Council had already made great strides in addressing the issues around youth and long-term unemployment generally, and the on-going work and specific programmes such as I Step Up would help tackle the geographical hotspots. Tesco had recently announced it was closing its distribution centre in Barlborough and Councillor Western indicated that the Council would be looking closely at what support could be provided to those losing their jobs.

Agenda Item 7(c) - Household Waste Recycling Centre (HWRC) Services - Proposed Changes

There are common sense ways of tackling the need for delivering savings and this does not appear to be one of them, so could the Cabinet member answer the following:

In creating the restriction in Proposal 1, which if applied by other neighbouring authorities (ironically in a time of principles supposedly underpinned by 'devolution' and shared services and Combined Authorities) would create significant problems for a lot of Derbyshire residents accessing Uttoxeter HWRC for e.g., how does this help with recycling, reducing fly-tipping and the public purse?

With regard to Proposal 2 how will burdening the public and the authority with new bureaucracy encourage recycling and save money?
And with regard to Proposal 3 is it the intention of the County Council to divest itself of some costs by increasing fly-tipping and therefore 'passing it on' to boroughs and districts instead?

Will the Cabinet Member therefore consider withdrawing this poorly thought out proposal that will create more problems than it will solve?
Finally, the Sinfin Plant was supposed to contribute to a significant cost reduction to this authority by reducing the amount going to landfill, could the Cabinet Member explain why this is not the case and what the problems currently are?

Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure responded that a decision on proposal 1 to restrict use of Derbyshire HWRCs to Derbyshire residents had yet to be taken and would be the subject of a

separate report to Cabinet. Controls had been recently introduced by Nottinghamshire County Council and the County Council would monitor and review the outcomes.

In practice Derbyshire residents should only use Derbyshire sites and, in times of resource pressures, many local authorities were reviewing their HWRC policies. However, before any decision was taken the implications of any new policies and controls would be discussed with neighbouring authorities.

A decision on proposal 2 to require vans, trailers and pickups used for personal use to apply for a free permit to use the HWRCs had yet to be taken and would be the subject of a separate report. Steps would be taken to ensure that any scheme that was developed created minimum administrative burdens and costs.

As outlined in the report, there was no conclusive evidence of a direct correlation between restrictions at the HWRCs and fly-tipping, however, anecdotal evidence from other authorities, which had implemented similar charging schemes, had shown no notable impact. Furthermore charging for this waste was preferable to discontinuing it altogether, allowing a valued service to continue for those who wished to use it, at a reasonable cost.

Councillor Collins indicated that he would not withdraw this proposal as suggested by Councillor Lewis. Considerable thought and detail had gone into developing the proposal and it was believed it would deliver the desired outcomes. A number of local authorities had implemented similar schemes which appeared to work well including Leicestershire, Devon and North Yorkshire County Council's, all of which were Conservative controlled.

The Waste Contract which included the development of the Sinfin Plant, was developed to provide the Council with certainty of cost during the twenty five year lifetime of the contract. Although it had always been understood that future disposal costs would increase year on year, the cost of sending waste to Sinfin would be less than the cost of sending waste to landfill. It would also help the Council to manage its budget and protect us from future rises in the cost of landfill. The Sinfin Waste Treatment Centre was due to be delivered by the end of the year and would provide a long-term sustainable waste solution for disposing of waste that isn't recycled.

2/17 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 13 December 2016 be confirmed as a correct record and signed by the Chair.

3/17 CABINET MEMBER MEETINGS – MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Council Services – 5 December 2016
- (b) Children's Services – 6 December 2016
- (c) Highways, Transport and Infrastructure – 6 December 2016

- (d) Health and Communities – 13 December 2016
- (e) Strategic Policy, Economic Development and Budget –13 December 2016

4/17 DERBY AND DERBYSHIRE COMPACT (Strategic Policy, Economic Development and Budget) The Chief Executive sought approval to consult on the draft refreshed Derby and Derbyshire Compact. The Compact had originally been developed by the County Council and the Voluntary and Community Sector in 2003. Given the increased levels of joint working across Derbyshire and the developments that had taken place since the original Compact was approved, a joint Derbyshire Compact Refresh Task Group had been established to refresh the Compact taking into consideration local need and circumstances. A copy of the refreshed Compact was attached at Appendix A to the report.

Moving forward, Derbyshire County Council and Derby City Council had agreed to work together to ensure alignment with new commissioning structures currently in place which included Clinical Commissioning Groups, the Police and Crime Commissioner and the Local Enterprise Partnership. It was proposed that the draft Compact now go out for consultation for a period of twelve weeks. Once completed, all feedback from the consultation process would be used to inform the final agreed version of the Compact which would be subsequently be brought back to Cabinet for approval.

RESOLVED to (1) note the development of the draft refreshed Derby and Derbyshire Compact for consultation; and

(2) receive a further report regarding the Compact following consultation with relevant stakeholders.

5/17 DERBYSHIRE ECONOMIC REVIEW – DECEMBER 2016 (Strategic Policy, Economic Development and Budget) The Chief Executive presented the latest quarterly Economic Review to December 2016 which provided an overview of the current economic conditions in the County and summarised key economic trends to support broader discussions and policy developments across the Authority. The Review also supported and facilitated delivery of partnership activity, most notably through the Derbyshire Economic Partnership, the D2N2 Local Enterprise Partnership and the D2N2 Infrastructure and Investment Board.

RESOLVED to note the information presented within the Derbyshire Economic Review – December 2016 and that the findings be used for future service planning and policy development.

6/17 HOUSEHOLD WASTE RECYCLING CENTRE SERVICES – PROPOSED CHANGES (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities advised Cabinet of the outcome of public consultation on proposals to achieve future cost savings and income generation

from the operation of Household Waste Recycling Centres (HWRC) to contribute towards the County Council's overall budget reduction by 2021.

In order to achieve the first phase of savings required in 2017-18, the way in which the County Council delivered HWRC services was being reviewed. Three initial proposals had been identified which would combine savings and income generation through restricting access and introducing charges.

- (a) Proposal 1 – Restrict the use of Derbyshire HWRCs to Derbyshire residents.
- (b) Proposal 2 – Require vans, trailers and pick-ups used for personal use to apply for a free permit to use HWRCs.
- (c) Proposal 3 - Charge for non-household waste, such as soil, bricks and rubble.

Cabinet had agreed to undertake a public consultation on proposals to be carried out and details of the consultation and its outcomes were presented in the report and at Appendix 3 to the report.

Taking into account consultation feedback and further analysis of the options, it was proposed that service changes for the implementation of charges for construction and demolition waste be taken forward with further reports being presented at a later date. Further details on the application of the charges was also presented in the report.

The next step in the project would be for contract documents to be varied to enable the contractors to prepare and implement the necessary service changes with effect from 3 April 2017, or as soon as practical thereafter, with the implementation date being subject to completing all contractual variations of the current contractors in a timely manner and allowing sufficient advance notification to residents.

RESOLVED to (1) note the results of the public consultation on proposed service changes to HWRCs:

(2) approve the implementation of charges for the deposit of construction and demolition of waste (non-household waste) at HWRCs with effect from 3 April 2017, or soon as practical thereafter as detailed in the report; and

(3) delegate authority to the Strategic Director – Economy, Transport and Communities, in consultation with the Cabinet Member for Highways, Transport and Infrastructure, to make any further necessary decisions in order to implement the measures set out in the report to achieve the required savings, including the making of any consequential amendments to the HWRC operators contracts.

7/17 PROVISION OF HIGHWAYS AND TRANSPORT PROFESSIONAL CONSULTANCY SERVICES (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities sought approval under Protocol 2 of

the Council's Financial Regulations, to extend the use of the Midlands Highway Alliance (MHA) Framework Contract for the supply of highway and transport consultancy services to April 2018, with an option to extend for a further year to April 2019.

The MHAs Professional Services Partnership 2 (PSP2) Framework arrangements with AECOM were originally for three years with the option to extend for a further year, subject to satisfactory performance. This meant the current arrangements were established until at least April 2018, with an option to continue to April 2019. The past two years' use of AECOM through the PSP2 had proved successful in delivering the scale of the County Council's Capital Programme and in providing solutions to technically complex problems in the highways service. With capital funding levels looking to remain buoyant in future years, the need to top-up in-house resources would remain for the foreseeable future. The relationship with AECOM allowed for a partnership to be developed encouraging a collaborative relationship with greater flexibility in use of resources and a better approach to problem solving. It was therefore proposed that AECOM's services be secured for the remainder of the MHA Framework which was set to run to at least April 2018. Should the MHA decide to extend AECOM's contract on the framework to April 2019, it was also proposed that the County Council's use of the PSP2 Framework be extended by the same period.

Whilst AECOM had provided the bulk of the external consultancy services since April 2015, additional arrangements were put in place to secure resources from six consultants on the Eastern Shires Purchasing Organisation (ESPO) Framework 664. This was intended to increase the options available to the Council to minimise the risk of not achieving the Council's ambitious programmes of work over the next few years. This had proved useful on two projects over the past two years and the intention would be to continue with this arrangement. However, the framework would come to an end in early 2017 and, while a new framework was being tendered at present, it was too early to advise Cabinet of the selected consultancies and new fee charges. It was therefore intended to bring a separate report to Cabinet once the details of the new ESPO Framework were clear.

RESOLVED to approve, under Protocol 2 of the Council's Financial Regulations;

(1) the continued use of the MHA Professional Services Partnership to engage with AECOM for the supply of highways and transport consultancy services until April 2018, with the option to extend to April 2019 should the MHAs contract be similarly extended; and

(2) the submission of regular update reports to the Cabinet Member for Highways Transport and Infrastructure on the use of Consultancy Services from the PSP2 Framework.

8/17 D2N2 SUSTAINABLE TRAVEL PROGRAMME PROJECT (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities sought Cabinet approval for the County Council, as scheme promotor, to accept grant funding from the Derby, Derbyshire, Nottingham, Nottinghamshire (D2N2) Local Enterprise Partnership (LEP) Local Growth Fund (LGF) for a package of cycling and walking infrastructure improvements in Ilkeston, Dronfield and Unstone, to agree revised financial arrangements and allocation to the Canal and Rivers Trust for the upgrade of the Erewash Canal towpath. Further details of all the programme proposals were presented in the report.

County Council contributions to the Chesterfield Railway Station access and Ilkeston Gateway were eligible for retrospective funding from 2016-17 LGF grant. The four D2N2 local authorities had agreed that the County Council was able to recover a total of £1.040m of its LTP contributions from 2016-17 split as follows: Chesterfield Railway Station access (£730k) and Ilkeston Gateway (£310k). The other three D2N2 authorities would recover a share of the remaining 2016-17 LGF grant. The financial arrangements would not affect the total amount spent on each individual project, but they would reduce the level of support the County Council had made to the Chesterfield Railway Station access and a corresponding increase in the County Council contribution to the Dronfield and Unstone Cycle Network. Details of the funding arrangements without retrospective funding and with retrospective funding represented in Tables 2 and 3 of the report respectively.

It was recommended that Cabinet accepted the D2N2 grant of £1.040m from 2016-17 and recycle it towards the delivery of the Dronfield and Unstone and Ilkeston Gateway packages in 2017-18 and 2018-19. This would then be supplemented by direct grant of £1.060m towards the same projects during the period 2018-19 with details of the spending profile being presented in Table 4 in the report.

The Canal and Rivers Trust had indicated that it was able to deliver the second phase of the Erewash Canal towpath upgrade, commencing on site in February 2017. The total cost of this had been established through the engagement of the contractor and was £0.432m. It could therefore proceed if the County Council, as scheme promotor, made available £0.120m of recycled LGF grant in 2016-17 and £0.312m LGF grant in 2017-18. The use of recycled LGF in 2016-17 was preferable to a claim against the LGF grant to build-in flexibility to the delivery programme should there be delays in construction due to colder weather during the winter months. The contribution would be fixed and, in exchange for this, the Canal and Rivers Trust would commit to the delivery of the specified scheme (and would retain responsibility for future maintenance of the asset). Its contractor was procured through its national engineering and construction contract and had been selected from six applicants following a pre-qualification process, in accordance with the requirements of the Official Journal of the European Union Utilities Contracts Regulations 2006. It was therefore recommended that Cabinet agreed to the allocation of a total of £0.432m to the project as detailed in the report and delivered by the Canal and Rivers Trust.

RESOLVED to agree (1) to accept, as scheme promotor £2.1m D2N2 LGF grant towards the implementation of a package of pedestrian and cycling infrastructure measures in Chesterfield, Dronfield and Ilkeston as detailed in the report;

(2) to accept revised financial arrangements as detailed in Appendix 3 in the report, to recover from 2016-17 LGF grant, £1.040m against elements already delivered through 2016-17 County Council LTP capital expenditure and to reallocate LTP funding to the delivery of the D2N2 sustainable travel projects in Dronfield and Ilkeston;

(3) as scheme promotor, to a total allocation of £432k from 2016-17 and 2017-18 D2N2 sustainable travel programme to the Canal and Rivers Trust for a second phase of upgrades to the Erewash canal and towpaths; and

(4) the addition to the Capital Programme of the Dronfield and Unstone cycle route and the second phase of the Ilkeston Gateway

9/17 EXCLUSION OF THE PUBLIC FROM THE MEETING RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider Minority Group Leaders' Questions (if any)
2. To confirm the Exempt Minutes of the meeting of Cabinet held on 13 December 2016.
3. To receive the Exempt Minutes of Cabinet Member meetings as follows:
 - (a) Council Services – 5 December 2016
 - (b) Children's Services – 6 December 2016
4. Report of the Strategic Director – Economy, Transport and Communities on the Contract for the Supply of Library Books and DVDs (Health and Communities) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
5. Report of the Strategic Director – Economy, Transport and Communities on the Review of Community Safety and Emergency Planning Economy, Transport and Communities Department (Health and Communities) (contains information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matters arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority).
6. Report of the Strategic Director – Adult Care on the Independent Community Advocacy Services – Award of Contract (Adult Social Care) (contains

information relating to the financial or business affairs of any particular person, including the Authority holding that information).

7. Report of the Strategic Director – Adult Care on the Recovery and Peer Support Service – Award of Contract (Adult Social Care) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
8. Report of the Strategic Director Children’s Services on the Approval to Award a Contract for the Second Phase of a Replacement School for Aldercar High School (Children’s Services)(contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).