

MINUTES of a meeting of **CABINET** held on 14 March 2017 at County Hall, Matlock.

PRESENT

Councillor A Western (in the Chair)

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

Also in attendance – Councillor B Lewis

Apologies for absence were submitted on behalf of Councillor D Lomax.

85/17 PUBLIC QUESTIONS

There were no public questions.

86/17 MINORITY GROUP LEADERS' QUESTIONS

There were no Minority Group Leaders' questions.

87/17 MINUTES RESOLVED that the non-exempt Minutes of the meeting of Cabinet held on 21 February 2017 be confirmed as a correct record and signed by the Chair.

88/17 CABINET MEMBER MEETINGS – MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member Meetings as follows;

- (a) Children's Service – 7 February 2017
- (b) Highways, Transport and Infrastructure – 7 February 2017
- (c) Adult Social Care – 15 February 2017
- (d) Council Services – 16 and 27 February 2017
- (e) Health and Communities – 21 February 2017
- (f) Strategic Policy, Economic Development and Budget – 21 February 2017.

89/17 COUNCIL PLAN UPDATE 2017-18 (Strategic Policy, Economic Development and Budget) The Chief Executive reported on the Authority's Council Plan Update 2017-18 and to recommend approval of the Plan by full Council.

As part of an annual programme, the Plan had been reviewed and an update for 2017-18 had been produced to ensure the Plan remained fit for purpose. The changes were a light touched refresh and a new Council Plan would be developed for 2017-2021. The Plan set out how the Council was

focussing efforts on the four Council priorities and outlined the Council's key achievements from the previous year and priority actions for 2017-18.

RESOLVED to recommend to full Council the approval of Council Plan update 2017-18.

90/17 DEPARTMENTAL SERVICE PLANS 2017-18 (Strategic Policy, Economic Development and Budget) The Chief Executive sought approval for the Departmental Service Plans for 2017-18. The Service Plans set out how each department would contribute to the Council Plan 2014-17 priorities and they described how departments would deliver these priorities and how success or impact would be measured. The local transport Capital Programme that was usually included in the Appendix to the Economy, Transport and Communities Service Plan would be presented to Cabinet at the meeting scheduled for 4 April 2017.

RESOLVED to (1) approve the 2017-18 Departmental Services Plans;

(2) approve the Service Plans to be submitted to full Council for endorsement and;

(3) delegate authority to the Cabinet Member for Highways, Transport and Infrastructure to approve details of minor variations to the list of Countryside Service Capital Schemes.

91/17 CAPITAL BUDGET MONITORING TO MONTH 9 2016-17 (Strategic Policy, Economic Development and Budget) The Director of Finance informed Cabinet of the latest budget monitoring position for open Capital Schemes. The current budget was approximately £670m, with the latest budget monitoring showing the forecast overspend over the life of projects of £1.663m. A position statement by department was attached at Appendix 1 to the report.

RESOLVED to note the current position of the monitoring of Capital Schemes.

92/17 WATER DE-REGULATION – APPROVAL TO USE A NON DERBYSHIRE COUNTY COUNCIL FRAMEWORK (Council Services) The Strategic Director – Corporate Resources sought approval to access a non-County Council Framework to be established by Crown Commercial Services (CCS) for the procurement of water and waste water retail services once the industry was de-regulated from 1 April 2017.

From 1 April 2017 non-domestic customers will be able to choose their supply of water and waste water retail services whereas at present they were currently automatically supplied by the regional water company. The de-

regulation of non-domestic water supply and waste water retail services was intended to improve customer services through better metering, billing and by providing access to additional services such as water efficiency audits, which would reduce consumption and cost. Competition would also hopefully provide financial savings. Organisations, including the Council, would be able to procure a single supplier rather than having sites supplied by different water companies based on their geographical location, thus reducing administrative time and costs.

CCS was collaborating with other procurement bodies including the Eastern Shires Purchasing Organisation, Yorkshire Purchasing Organisation, North East Purchasing Organisation, West Mercier Energy, the Energy Consortium and the Ministry of Defence, to provide public sector organisations with an EU compliant route to market for water supply, waste water services and ancillary services to support water efficiency savings. Working in collaboration, these public procurement bodies would bring to the market the largest public sector framework agreement in the UK and increase buying power which would help drive down price, providing a value for money contract for public sector organisations.

The proposed CCS Framework included access to the full range of water supply and sewerage services that were currently provided by the Regional Water Supplier. The CCS Framework Agreement would run for three years, with the option to extend for a further twelve months with customer call-off contracts taking place any time during the Framework period and be let for up to a maximum of four years. A further competition would need to be carried out under the Framework once it was established and a subsequent report would be presented to Cabinet to seek approval to award the contract.

RESOLVED to (1) to approve the use of a non-Derbyshire County Council Framework being established by CCS to undertake a procurement exercise for the Council's future water supply, waste water services and ancillary services to support water efficiency savings; and

(2) note that a further report would be submitted to Cabinet to seek approval to award a contract following a mini-competition between suppliers on the CCS Framework Agreement.

93/17 PUBLIC HEALTH LOCALITY PROGRAMME INVESTMENT ALLOCATION (Health and Communities) The Director of Public Health sought approval for on-going investment in the Public Health Locality Programme 2017-18 and for release in the 2017-18 investment for the Programme to locality Health and Wellbeing Partnerships to deliver against the priorities outlined in each Locality Action Plan.

Investment across all eight partnerships was monitored through an outcome framework and a comprehensive report highlighting progress and achievements for 2016-17 from all the localities would be reported after the end of the 2016-17 financial year. The report provided an overview of achievements during the period April – December 2016.

Locality allocations for 2017-18 had been revised to achieve a 10% saving on the overall locality budget. The allocations to each locality were determined using a weighted formula, taking into account the population size and under 75 mortality rate to achieve equitable distribution of resources across the County. The report also detailed the next steps for 2017-18. The budget for the locality programme in 2017-18 was £0.890m and this money had been identified within the Public Health Grant 2017-18.

RESOLVED to (1) note the progress made by the Public Health Locality Programme to date in 2016-17 and to agree to the dissemination of the annual locality progress reports to the Cabinet Member - Health and Communities, each of the Local Area Committees and locality Health and Wellbeing Partnerships;

(2) approve the on-going funding of the Public Health Locality Programme in 2017-18; and

(3) approve the release of the locality investment for 2017-18 to Locality Partnerships to deliver the priorities set out in the Public Health Locality Plans.

94/17 PROPOSED CHANGES TO OPENING HOURS AT THE DERBYSHIRE RECORD OFFICE (Health and Communities) The Strategic Director – Economy, Transport and Communities informed Cabinet of the outcome of a public consultation about proposed changes to the opening hours at the Derbyshire Record Office and sought approval to introduce revised opening hours with effect from 1 June 2017.

Details of the consultation exercise and the outcome of the consultation were presented in the report. Based on the feedback received as part of the process, it was proposed that the Derbyshire Record Office closes on Mondays and opened at 9.30am - 5.00pm Tuesdays - Fridays, and 9.30am - 4.00pm on the last Saturday of each month with effect from 1 June 2017, allowing time to ensure that the proposed changes in opening hours could be widely publicised to current and potential users.

An Equality Impact Assessment had been undertaken, a copy of which was detailed at Appendix A to the report. Members confirmed that they had read the Assessment.

RESOLVED to (1) approve the change in opening hours at the Derbyshire Record Office to Tuesday-Friday 9.30am – 5.00pm and the last Saturday of the month, 9.30am – 4.00pm with effect from 1 June 2017; and

(2) agree that a paper be presented to a future meeting with proposals for a revised staffing structure at the Derbyshire Record Office.

95/17 PROPOSED CHANGES TO THE OPENING HOURS AT BUXTON MUSEUM AND ART GALLERY (Health and Communities) The Strategic Director – Economy, Transport and Communities sought approval to undertake a six week public consultation exercise on a proposal for reduced opening hours at Buxton Museum and Art Gallery and, dependent on the outcome of the consultation, consider proposals for a revised staffing structure reflecting any changing in hours that were agreed.

RESOLVED to approve (1) a six week consultation on options for revised opening hours at Buxton Museum and Art Gallery;

(2) that the results of the consultation and an Equality Impact Analysis be presented to a future meeting of Cabinet prior to any decision being made as to the changes to the opening hours at Buxton Museum and Art Gallery; and

(3) subject to the outcome of the consultation and Cabinet's decision, proposals for a revised staffing structure at the Buxton Museum and Art Gallery be developed and reported to Cabinet for consideration.

96/17 FUNDING FOR INNOVATION: CO-OPERATIVE INTELLIGENT TRANSPORT SYSTEMS – ACCEPTANCE OF GRANT FROM THE DEPARTMENT OF TRANSPORT (Highways, Transport and Infrastructure) Cabinet were asked to note the Chief Executive's use of his urgent powers to accept a grant of £237,500 for the Council's successful Pre-Emptive Traffic Management bid submitted as part of the Department for Transport's Funding for Innovation: Co-Operative Intelligent Transport Systems Programme and to add to scheme to the 2017-18 Capital Programme.

RESOLVED to (1) note the decision of the Chief Executive, using his urgent powers to accept a £237,500 grant from the Department of Transport; and

(2) approve the addition of the grant to the 2017-18 Capital Programme.

97/17 CAPITAL FUNDING TO SUPPORT THE REFURBISHMENT OF KITCHENS AS PART OF THE UPGRADE OF VENTILATION SYSTEMS: UPGRADE OF CATERING EQUIPMENT PROGRAMME 2016-19 (Children's Services) The Strategic Director – Children's Services sought approval for capital expenditure on:

(a) non-routine replacement and upgrading of school kitchen equipment as part of a scheduled upgrade to ventilation systems within Derbyshire schools; and

(b) capitalisation of routine replacement of catering equipment exceeding the value of £10k when appropriate.

Approval was also sought to establish an earmarked reserve for the funding of the above.

Details of the individual schools which were expected to have ventilation scheme upgrades and estimates of spend were shown at Appendix 1 to the report. The costs detailed were estimates at this stage and each project would only go ahead if it was within 10% of the estimate. A contingency of £30,100 was included within the total to ensure sufficient resources.

RESOLVED to approve (1) the non-routine replacement and upgrading of kitchen equipment as detailed in the report as part of the scheduled upgrade to ventilation systems within Derbyshire schools;

(2) the capitalisation of routine replacement catering equipment exceeding the value of £10k when appropriate; and

(3) that the estimated expenditure be added to the 2016-17 Children's Services Capital Programme and a revenue earmarked reserve be established for the funding.

98/17 HIGH NEEDS BLOCK BUDGETS 2017-18 (Children's Services)
The Strategic Director sought approval to the Authority's proposed High Needs Budget for 2017-18, further details of which were presented in the report.

RESOLVED to (1) note the report;

(2) agree to fund the High Needs places as set out at Appendix 1 to the report;

(3) agree the High Needs Block Budgets as set out in Appendix 2 to the report;

(4) agree the top-up rates for 2017-18 as set out in Appendix 3 to the report;

(5) agree to release funding from the DSG Cash Reserves to provide placement resources for special schools and PRUs' redundancy costs and additional school improvement services; and

(6) agree to the request from special schools and PRUs' representatives on the schools forum to top slice funding from special schools and PRU budgets for redundancy costs in 2017-18.

99/17 EARLY YEARS BLOCK BUDGETS 2017-18 (Children's Services) The Strategic Director – Children's Services sought approval to the Early Years Block Funded Budgets within the Dedicated Schools Grant (DSG) for 2017-18, further details of which were presented in the report.

RESOLVED to (1) note the increase in the funding rate for disadvantaged 2 year olds to £5.20 per hour;

(2) approve the proposed Early Years Formula Multipliers for 2017-18 as detailed in the report;

(3) note the support from the schools forum to the Central Budget set out at Appendix 2 to the report and confirm the budgets for 2017-18; and

(4) note the updated position with regard to likely funding and spending levels and provider rates as detailed in Appendix 1 to the report and in the report.

100/17 INDEPENDENT SECTOR CARE HOME FEES 2017-18 (Adult Social Care) the Strategic Director – Adult Care sought approval to (1) increase fees for Independent Sector Home Care from 1 April 2017 by 4.35% on all hourly rates;

(2) to increase all travel/visit rates by 4.35% from 1 April 2017;

(3) make an inflationary payment of up to 4% for specialist home care placements where evidence was provided of inflationary pressures; and

(4) introduce a new standard flat rate payment of £71.10 for sleep-in provision in support of living services from 1 April 2017.

The Derbyshire Home Care Association represented many of the Home Care Providers and has had requested, on behalf of its members, that the Council consider an increase in fees for 2017-18 to assist with meeting costs association with particularly the continued promotion of the National Living Wage. Adult Care had also received additional requests from other providers not represented by the Association. Details of cost pressures highlighted by the Home Care Providers were presented in the report along with the

Council's response. The Strategic Director – Adult Care had met with representatives of the Association to discuss the proposals and they were generally supportive of the proposed fees.

The proposals were summarised at Appendix 1 to the report and they focussed on the basic fee rates for the provision of Home Care. The Council also funded Specialist Home Care Services for people who lived in supported living care settings. Supported living was an alternative to residential care, providing home care support and accommodation to people who were assessed as eligible for Adult Care Services. In the supported living service, the housing provider and support provider were separate, and the client was a tenant. Accommodation was homely not institutional, with client's contributing directly to daily tasks around their home.

Specialist Home Care Providers received higher hourly fee rates that reflected the greater investment in staff and training to meet an individual's needs and it was proposed that an increase in payments of up to 4% could be agreed with providers that provided specialist home care provision in supported living care settings where they could evidence that their costs had increased.

The Council currently contracted in exceptional circumstances, for a staff member to be present at night between 10.00pm – 7.00am, in a client's home to provide support if required. The staff member was provided with a place to sleep and would provide assistance to client's when and if required. The Council had calculated that a nine hour sleep-in shift at National Living Wage with employers National Insurance Contribution and payment of pension at 1% would result in a service value of £71.10 per night. There were currently a number of providers with different agreed sleep-in rates ranging from £45 - £65 per week which was all below the Council's proposed rate of £71.10. Due to the size of the proposed increase in fee rate, it was proposed to pay all providers this flat rate sleep-in of £71.10 rather than negotiate individual rates. There was an overall financial impact of £322,929 per annum equivalent to an increase of over 8% for sleep-in.

RESOLVED to agree (1) the proposed fee increases for independent sector home care fees from 1 April 2017 of 4.35% and all hourly rates for home care;

(2) an increase of 4.35% on all travel/visit rates from 1 April 2017;

(3) to make an inflationary payment of up to 4% for specialist home care placements where evidence is provided of inflationary pressures;

(4) introduce a new standard flat rate payment of £71.10 for sleep-in provision in supported living services from 1 April 2017.

**101/17 VOLUNTARY COMMUNITY MENTAL HEALTH SUPPORT
SERVICE REVIEW** (Adult Social Care)

The Strategic Director – Adult Care sought approval for proposed changes following the review of the Voluntary Community Mental Health Support Service (VCMHSS) and the resultant decision of Southern Derbyshire and Erewash Clinical Commissioning Groups (CCGs) to decommission the service.

In March 2016, Cabinet agreed to extend grant funding to March 2017 for the VCMHSS to enable a review of the service and engagement with clients. The service was jointly funded by Southern Derbyshire, Erewash CCGs and Derbyshire County Council with a contract being held by Hardwick CCG.

As part of a reviewing the service, Health and Adult Care Commissioners had looked at the monitoring information provided for this service and other similar services that were available in the same areas. The service provided was very similar to that offered by the County-wide Dementia Support Support Service and the Mental Health Recovery and Peer Support Services which provided on-going social inclusion groups and needed to expand within the Amber Valley and Erewash areas. It was therefore proposed that the Dementia Support Service should take over the delivery of the VCMHSS Groups as 80% of the clients had dementia/memory issues and those clients with functional mental health needs would be supported to attend the Mental Health Recovery and Peer Support Groups or other alternative provisions. This would ensure that people with dementia and mental ill health who lived in Amber Valley and Erewash would have access to broadly the same level of service provision.

The VCMHSS Groups currently only operated in Amber Valley and Erewash, meaning that in other areas of the County people did not have access to the same type of support. The key rationale for decommissioning the service was therefore to remove this historical inequity and provide a consistent county-wide service offer. The VCMHSS service was intrinsically linked to another British Red Cross Service, the Dementia Respite Support Service, for which funding had been included in the tender for carers support. The VCMHSS only offered short-term support, whereas the Dementia Support Service Groups were on-going.

Details of engagement sessions were presented in the report with feedback detailed at Appendix A of the report. An Equality Impact Assessment (EIA) had been completed using the feedback gathered at the engagement events and the information submitted by the provider, further details of which were attached at Appendix B to the report. Members confirmed that they had read the EIA.

RESOLVED to approve and support the outcome of the review of the VCMHSS and the resultant decision of Southern Derbyshire and Erewash CCGs to cease grant funding and decommission the service, noting that this would involve working with partners in the CCGs to ensure alternative provision was made available for the clients when grant funding ended on 31 March 2017.

102/17 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 at Cabinet held on 21 February 2017.
3. To receive the exempt minutes of Cabinet Member meetings as follows;
 - (a) Children's Services – 7 February 2017
 - (b) Highways, Transport and Infrastructure – 7 February 2017
 - (c) Health and Communities – 21 February 2017
 - (d) Council Services – 27 February 2017
4. Report of the Strategic Director – Corporate Resources on the award of a framework contract for the provision of demolition services (Council Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).
5. Report of the Strategic Director – Corporate Resources on the provision of income and cash collection services (Council Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).
6. Report of the Strategic Director – Corporate Resources on the award of a contract for the supply of landscape machinery (Council Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).
7. Report of the Strategic Director – Corporate Resources on the award of a framework contract for the supply of glass and glazing sundries (Council

Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

8. Report of the strategic Director – Corporate Resources on the award of a Framework Contract for the provision of modular buildings (Council Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

9. Report of the Director of Public Health on Public Health Prevention Funding Investment – Perinatal Mental Health Service (Health and Communities) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

10. Report of the Director of Public Health on the restructure of the Public Health Department including transfer of staff to the Council (Health and Communities) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

11. Report of the Strategic Director – Economy, Transport and Communities on Shirebrook Academy change of sponsor (Highways, Transport and Infrastructure) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

12. Report of the Strategic Director – Economy, Transport and Communities on the acquisition of land for a proposed second A61 access to the Avenue major development site, Wingerworth (Highways, Transport and Infrastructure) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

13. Report of the Strategic Director – Economy, Transport and Communities on the Extension of Contracts and future arrangements for the production and supply of Gold Cards and b_ line cards (Highways, Transport and Infrastructure) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

14. Joint Report of the Strategic Director – Economy, Transport and Communities, the Strategic Director – Children's Services and the Strategic Director – Adult Care on the Dynamic Purchasing System for Taxi and Small Vehicles Specialised Passenger Transport Services (Highways, Transport and Infrastructure) (Contains information relating to the financial and business

affairs of any particular person, including the Authority holding that information).

15. Report of the Strategic Director – Economy, Transport and Communities on the supply of ready mixed concrete framework (Highways, Transport and Infrastructure) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

16. Report of the Strategic Director – Economy, Transport and Communities on the supply of dry and coated road stone materials framework – contract extension (Highways, Transport and Infrastructure) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

17. Report of the Strategic Director – Children's Services on residential care – children in care provision (Children's Services) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).

18. Joint Report of the Strategic director – Adult Care, the Strategic Director – Economy, Transport and Communities and the Strategic Director – Corporate Resources on the revised integrated specialists facilities scheme at Belper: Business Case approval (Adult Social Care) (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).