

MINUTES of a meeting of **CABINET** held on 16 April 2013 at County Hall, Matlock.

PRESENT

Councillor A I Lewer (in the Chair)

Councillors J A Allsop, J P Harrison, Mrs C A Hart, C W Jones, B Lewis, M V Longden, K L Parkinson and S A Spencer.

Councillor S Flitter also attended the meeting.

Declarations of Interest

Councillors J P Harrison and C W Jones declared an interest in Agenda Item 6d – New Recycling Service – South Derbyshire District Council – Potential Diversion Savings as Members of South Derbyshire District Council.

109/13 ITEMS RAISED BY THE MINORITY GROUPS No matters were raised by the Minority Groups.

110/13 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 26 March 2013 be confirmed as a correct record and signed by the Chairman.

111/13 CABINET MEMBER MEETINGS RESOLVED to receive the non-exempt minutes of Cabinet Member Meetings as follows:

- a) Leadership and Culture – 26 February 2013
- b) Technology and Recycling – 14 March 2013
- c) Highways and Transport – 19 March 2013
- d) Finance and Management – 25 March 2013
- e) Public Health – 25 March 2013

112/13 AUDIT CHARTER (Finance and Management) Cabinet considered a report of the Assistant Director of Finance (Audit) and RIPA Monitoring Officer regarding the introduction of the new Public Sector Internal Audit Standards which were effective from 1 April 2013 and the resultant Audit Charter which was a specific requirement of the Standards. A copy of the Standards and the Audit Charter were attached as Appendices 1 and 2 respectively, to the report.

RESOLVED that (1) the content of the Public Sector Internal Audit Standards be noted; and

(2) the Audit Charter be approved as Authority policy.

113/13 AMENDMENT OF CORE CONTRIBUTION FUNDING TO CRESWELL HERITAGE TRUST – 2013-14 (Highways and Transport) The Strategic Director – Environmental Services sought Cabinet approval to

increase the core funding to Creswell Heritage Trust for 2013-14 from £38,000 to £50,000.

The County Council currently made an annual contribution to the core costs of the Trust of £38,000 with a similar contribution being received from Nottinghamshire County Council. From 2013-14, Nottinghamshire County Council had indicated that it wished to increase its core funding contribution from £38,000 to £50,000 to help the Trust during what Nottinghamshire anticipated would continue to be a difficult trading period. It had therefore approached the County Council to do the same.

RESOLVED that (1) the increase in the County Council's core funding payment to Creswell Heritage Trust from £38,000 to £50,000 for the financial year 2013-14 be approved;

(2) the additional funding be met from Environmental Services underspend for 2012-13; and

(3) the increased contribution be made subject to Nottinghamshire County Council matching the increased contribution and confirming it would match Derbyshire County Council's commitment of £40,000 already approved to support the Trust in its ambitions to secure World Heritage Site Status for the site.

114/13 FLOOD PREVENTION WORK AT MANNERS BALANCING POND, ILKESTON (Highways and Transport) The Strategic Director – Environmental Services sought Cabinet approval to add the flood prevention works at Manners Balancing Pond, Ilkeston to the Capital Programme for 2013/14.

As part of the monitoring and inspection regime laid out by the Reservoirs Act 1975, Manners Pond was inspected by a Government appointed inspector in 2009, with the result that the inspector called for a Flood Study to be undertaken to determine whether the site could safely pass the size of flood required for its urban setting. The Flood Study was completed in 2010 and its conclusion was that the site would not be able to pass a 1 in 10,000 year flood event without the risk of structural damage. The site had been designed in the 1980s to withstand only a 1 in 100 year flood event and the recommended solution in the Flood Study was to elevate the ground level at either extremes of the existing embankment, where flood water would preferentially flow and cause damage.

The two areas of land where the works were required were owned by Erewash Borough Council and Network Rail and discussions had been entered into and permission to undertake survey works on their land had been granted. The County Council's engineers had visited the site and had proposed a solution which comprised earthworks to extend the length of the dam and re-profiling of the surrounding ground to provide additional height at

either end of the embankment. Abandoned rails and timber sleepers would also require removal.

The estimated total costs of these works would be £70,000. Approval was therefore sought for the works to be added to the Capital Programme for 2013-14. The costs of the works could be met from the countryside commuted sums and the Countryside Service Revenue Budget 2013-14.

RESOLVED that the flood prevention works at Manners Balancing Pond, Ilkeston be added to the Capital Programme 2013-14.

115/13 NEW RECYCLING SERVICE – SOUTH DERBYSHIRE DISTRICT COUNCIL – POTENTIAL DIVERSION SAVINGS (Technology and Recycling) The Strategic Director – Environmental Services reported that a request had been received from South Derbyshire District Council for a financial contribution of £250,000 to purchase wheeled bins with inner caddies for implementation of its new recycling collection service which was scheduled to commence on 3 June 2013.

The capital investment required for the purchase of wheeled bins and caddies by the District Council was approximately £1m and the District Council was seeking a contribution towards this cost from the County Council. An analysis of additional tonnage estimated to be diverted from landfill up to 2014-15 and the potential cost savings had been undertaken, details of which were presented at Appendix 1 to the report. In order to determine the potential cost savings in South Derbyshire that could be made by the County Council as Waste Disposal Authority, the previous collection scheme tonnages were being compared against the new scheme's estimated tonnages and multiplied by the relevant management costs.

In the long-term, over the eight year contract term, the project would help the County Council avoid increasing costs of landfill estimated to be over £1m. On the basis of an "Invest to Save" project, the business case of providing a financial contribution to the District Council existed and offered potential "win-win" for both Councils. There was a high degree of confidence that the District Council's forecast improvement in recycling and composting, and thus the diversion of waste from landfill, would be achieved.

If the contribution of £250,000 was provided to the District Council, the actual savings generated in the first twelve months of operation would not meet this cost. However, the estimated £1m avoided cost of disposal over the eight year period of the collection contract should be considered. Taking account of this, and the District Council's historical and continued high performance and commitment to waste recycling and composting, it was proposed that a financial contribution of £200,000 be made to the District Council from the Waste Management Review Budget to support the purchase of wheeled bins.

RESOLVED that (1) the changes in service proposed by South Derbyshire District Council and the potential improvement in recycling and composting, and cost savings the service would generate, be welcomed;

(2) the allocation of £200,000 funding to South Derbyshire District Council to support the purchase of wheeled bins for the implementation of its new recycling service be approved; and

(3) the funding be allocated in two stages:

(i) an initial contribution of £100,000 and

(ii) the remaining contribution based on the satisfactory introduction of the new waste collection scheme.

116/13 UPDATE ON THE PROVISION OF SOLAR PV FOR CORPORATE AND SCHOOL BUILDINGS (Technology and Recycling) The Director of Property updated Cabinet on the provision of Solar PV on Council buildings and outlined recent changes in national legislation regarding the Feed in Tariffs. The report detailed the current situation in respect of the proposed introduction of Solar PV at County Hall, Dove Holes Depot, the Eco Centre, Chesterfield Library and Denby Depot.

RESOLVED to note (1) the progress made to date on the provision of Solar PV on Corporate and School buildings;

(2) the recent changes to Feed in Tariffs;

(3) the Feed in Tariffs income would now repay capital borrowing but not the associated interest charges; and

(4) that the Director of Property would continue to look at the business case for the installation of Solar PV on a site by site basis.

117/13 CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME (CAPITAL MAINTENANCE AND BASIC NEED) 2013-14 (Education) The Strategic Director - Children and Younger Adults and the Director of Property sought approval for a list of schemes to be included in the Children and Younger Adults Capital Programme 2013-14. The Department for Education had allocated £12.436m for Capital Maintenance projects and £9m spread over two financial years (2013-2015) for Basic Need projects. These allocations would enable the Authority to address the most urgent issues identified in the Asset Management Plan.

The Capital Maintenance funding was for a single year allocation for 2013-14 and was not subject to restrictions on the type of capital work on which it was spent, but it was expected that the funding would be used to address urgent issues identified in the School Asset Management Plan. This allowed the Authority to prioritise capital projects, either improvement or major maintenance, to keep schools serviceable and functional. The Department for

Education was currently undertaking a national survey of school buildings and the results of this would inform future years' capital maintenance allocations.

The Basic Need funding from the Department for Education was to provide additional school places. The Department had helped local authorities to forward plan by confirming a two year allocation for new projects to start in 2013-14 and 2014-15. A number of infant and primary schools were now beginning to show a rising trend in pupil intake numbers at reception age, but in many schools, the additional pupils could be accommodated comfortably as a result of declining numbers over the last few years. As pupils in the primary sector increased over the coming years, there would be an increase in demand to provide additional school places.

As there was no ring-fencing between these two allocations, the programme may be managed and monitored as a single allocation, but part of this was to be set aside to address Basic Need priority schemes in 2014-15. These priorities would be considered later in the year following the September 2013 admissions. It was proposed that £4.5m be set aside to address the 2014-15 basic need priorities which would leave £16.936m to be allocated to 2013-14 priority projects.

Priorities had now been determined and the projects recommended for approval were detailed in Appendices A and B to the report. Appendix A listed the most urgent condition-related works totalling £8.056m and Appendix B incorporated the projects which would be regarded as modernisation and basic need schemes totalling £7.765m. Total budget costs of these projects was £15.813m and it was proposed that an allocation of £1.123m be approved to continue with the Joint Funding Initiative which enabled schools to bid for 50% funding support from the Authority to undertake priority schemes which would improve the condition of their school site/buildings and help reduce the backlog of maintenance works listed in the Asset Management Plan.

RESOLVED that (1) the allocations for projects listed in Appendices A and B to the report be approved as a charge totalling £15.813m on the Children and Younger Adults Capital Programme 2013-14;

(2) an allocation of £1.123m be approved to continue with the Joint Funding Initiative introduced in 2012-13, whereby schools could bid for 50% funding support from the Authority to undertake capital projects which would improve the condition of their site/buildings; and

(3) the balance of funding of £4.5m be set aside to address Basic Need priorities in 2014-15.

118/13 THE BUILDING OF A MOUNTAIN BIKE TRAIL AT WHITEHALL CENTRE – INCLUSION IN THE CAPITAL PROGRAMME (Young People)

The Strategic Director – Children and Younger Adults sought approval to include in the Capital Programme Asset Management Plan, the construction of a mountain bike trail at the Whitehall Centre. In order to develop the facilities

at the Centre available to schools, community and youth groups, the Centre had made a successful bid for £20,000 match funding grant to Sport England in order to create and build a single track, off-road bike track of approximately 1km in length. Currently the Centre did not have the appropriate facility on site or easy availability in the locality to give the necessary level of experiences for novices or to develop skills in a progressive way, or in ways that met the needs of different physical abilities or disabilities for some young people.

The creation of a mountain bike/cycle track would greatly assist in the continued development of cycling in the programme and would build upon the already successful cycle ability training programme that the Centre currently provided for schools and young people.

Three quotations had been received and all were of approximately the same financial amount of £40,000, as detailed in Appendix 1 to the report.

RESOLVED that the inclusion in the Asset Management Plan/Capital Programme 2012-13 of a project for the construction of an off-road mountain track be approved at a cost of £40,000, along with the transfer of £20,000 to an earmarked reserve in the current financial year to fund the balance of expenditure which was not financed by the external capital grant.

119/13 INCOME MAXIMISATION SERVICE (Young People) The Strategic Director – Children and Younger Adults sought approval for a six month extension to the contract with North East Derbyshire Citizens Advice Service to co-ordinate a County-wide Income Maximisation Service within Derbyshire.

In June 2008, a three year contract was entered into with North East Derbyshire Citizens Advice to co-ordinate the delivery of a County-wide Income Maximisation Service to families across Derbyshire. This included offering benefits advice, debt management advice, housing advice and fast-track advice for families experiencing domestic violence. The contract was extended for two years in April 2011 and was due to expire on 31 March 2013. A six month extension of the contract was requested in order to align the services received under it to a wider review of services being undertaken by Public Health, as it moved some of its functions into the County Council. This wider review included services addressing Income Maximisation.

RESOLVED that a six month extension to the contract with North East Derbyshire Citizens Advice Service for the co-ordination of a County-wide Income Maximisation Service be approved for the period 1 April 2013 to 30 September 2013.

120/13 FEE LEVEL INCREASES FOR INDEPENDENT SECTOR CARE SERVICES (Adult Care) The Strategic Director – Adult Care sought approval for the proposed fee increases for independent sector care homes, specialist

care home placements, day care placements in care homes and home care fees.

In recognition of cost pressures, it was proposed to increase the fees by 2% back-dated to 1 April 2013 on the basis detailed in the report. The estimated additional cost due to the proposed increase in fee levels across all sectors totalled £1.856m.

RESOLVED that the proposed fee increases of 2% for independent sector care homes, day care placements in care homes and home care payments for 2013-14 be approved.

121/13 PAYMENTS TO COMMUNITY AND VOLUNTARY ORGANISATIONS 2013-14 (Adult Care) The Strategic Director – Adult Care sought Cabinet approval for payments to community and voluntary sector organisations for the period 2013-14 as detailed in Appendices 1 and 2 to the report.

RESOLVED that the proposed allocation of £3.218,516 to community and voluntary sector organisations for 2013-14 be approved as detailed in Appendices 1 and 2 to the report.

122/13 CORE REVENUE FUNDING TO D2N2 LOCAL ENTERPRISE PARTNERSHIP The Chief Executive sought Cabinet approval for a £125,000 Revenue contribution to support the D2N2 Local Enterprise Partnership during the financial years 2013-14 and 2014-15.

RESOLVED that a revenue contribution of £125,000 to support D2N2 Local Enterprise Partnership for the financial years 2013-14 and 2014-15 be approved as detailed in the report (£62,500 per annum for two years).

123/13 EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED to exclude the public from the meeting during the consideration of the remaining items on the Agenda to avoid the disclosure of the kind of exempt information contained in the following summary of proceedings.

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

- 1) Confirmation of the exempt minutes of the meeting of Cabinet held on 26 March 2013.
- 2) Receipt of the exempt minutes of Cabinet member meetings as follows;
 - a) Leadership and Culture – 26 February 2013
 - b) Technology and Recycling – 14 March 2013
 - c) Finance and Management – 25 March 2013

- 3) Consideration of the report of the Director of Property on the Re-wire and Refurbishment of County Hall South Block, Matlock (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- 4) Report of the Director of Property on Tenders for the Supply of Softwood Timber (CPB001) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- 5) Consideration of the report of the Director of Property on Corporate Property Asset Management Team Staffing Budget (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- 6) Consideration of the report of the Director of Property on the Relocation of Staff from St. Helena Complex, Chesterfield (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- 7) Consideration of the joint report of the Director of Property and the Strategic Director – Adult Care on the Acquisition of a Site at the Former Leabrooks Miners Welfare, Greenhill Lane, Leabrooks for the Delivery of an Extra Care Housing Scheme (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).

