

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL MEETING**

**13 September 2017**

**REPORT FROM CABINET**

**Purpose of the Report**

To provide information to the Council on issues considered by the Cabinet at meetings held on 9 and 29 June and 20 July 2017 and to enable Members to ask related questions.

Members may submit questions on the report to the Director of Legal Services by 12 noon on 12 September 2017.

**Information and Analysis**

**9 June 2017**

**1. FINANCIAL CONTRIBUTIONS FOR HIGHWAY IMPROVEMENTS – FORMER SHIREBROOK COLLIERY SITE**

The Strategic Director - Economy, Transport and Communities reported on a financial contribution to be paid to the County Council to fund highways improvements and also to add the funding to the Capital Programme 2017-18.

**Decision**

Cabinet (1) noted the payment of a developer contribution of £310k in accordance with a Section 106 Agreement between the developer, Bolsover District Council and the County Council towards highway improvement works needed to mitigate the effects of the Shirebrook Colliery development; and (2) approved the inclusion of the funding in the Highway Authority's 2017- 18 Capital Programme for the Council to use for the design and implementation of the improvement scheme, subject to the terms of the Section 106 Agreement.

**2. CABINET PROCEDURES**

The Director of Legal Services invited Cabinet to review the way in which it conducted its business in relation to public questions.

## **Decision**

Cabinet agreed to cease the arrangements for public questions at Cabinet meetings.

### **3. URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE**

The Chief Executive reported on an urgent decision taken in accordance with the Scheme of Delegation contained in the Council's Constitution which related to the creation of an enhanced resource school facility at Hill Top Primary School, Ashbourne.

## **Decision**

Cabinet noted the report.

### **4. LOAN ARRANGEMENTS WITH DERBYSHIRE DEVELOPMENTS LIMITED (DDL)**

The Strategic Director – Corporate Resources sought agreement to the making of two loans to Derbyshire Developments Limited (DDL), one for working capital purposes, the second to fund site acquisition and development and to advise Cabinet of potential costs around site development and the treatment of Minimum Revenue Provision (MRP) payments.

## **Decision**

Cabinet (1) agreed to a working capital loan and site development loan to DDL based on the terms proposed in the report subject to negotiation by the Director of Legal Services with the Company; (2) agreed that all site development loans to be considered only after the consideration of a detailed business case by Cabinet; (3) agreed to the suggested funding of any site development works by the Council; and (4) noted the position on possible MRP payments.

### **5. DERBYSHIRE SECOND HOMES PROGRAMME**

The Strategic Director – Adult Care sought approval for the programme covering the use of the £0.566m Second Homes budget for Amber Valley, Derbyshire Dales, High Peak and South Derbyshire District Councils for 2017-18 and 2018-19.

## **Decision**

Cabinet approved the programme covering the use of the £0.566m Second Homes for Amber Valley, Derbyshire Dales, High Peak and South Derbyshire District Councils for 2017-19.

### **6. UPDATE ON DERBYSHIRE YOUTH COUNCIL (DYC) ACTIVITIES APRIL 2016 – MARCH 2017**

The Strategic Director – Children's Services informed Cabinet of the priorities and activities of the DYC and development of a Participation Strategy for Derbyshire Children's Services.

## **Decision**

Cabinet (1) noted the priorities and activities of the DYC 2016-18 and development of a participation strategy for Derbyshire Children's Services; and (2) noted that the Elected Member with responsibility for young people would be seeking to meet with DYC to discuss their priorities further.

### **7. EXTENSION OF AGE RANGE AT HARPUR HILL PRIMARY SCHOOL**

The Strategic Director – Children's Services reported on the outcome of a pre-publication consultation carried out by the School following discussion with the Authority, on a proposal to extend the age range of the School from 4-11 years to 3-11 years, in order that it could offer nursery provision, and to consider whether or not to proceed to the publication of Statutory Notices to extend the School's age range.

## **Decision**

Cabinet (1) approved the Statutory Notice at Appendix 1 to the report; (2) approved the publication of the Statutory Notice and to proceed to a formal consultation in respect of the proposal to extend the age range from 4-11 to 3-11 at Harpur Hill Primary School; and (3) agreed to write to the private nursery provider informing them of the proposal and seeking their comments.

## **29 June 2017**

### **8. A515 ASHBOURNE BYPASS**

The Strategic Director - Economy, Transport and Communities sought approval to the carrying out of investigation and preparatory work into a possible north-south bypass of Ashbourne.

## **Decision**

Cabinet agreed to (1) the carrying out of Stage 1 (option appraisal development) work on a possible A515 Ashbourne Bypass, as set out in the report; (2) procure consultants to help develop proposals and options; (3) initiate a programme of local stakeholder engagement, including local businesses, residents and Members of Parliament; and (4) receive a further report on its completion recommending the next steps.

### **9. ADJUSTING INVESTMENT IN SIGHT REHABILITATION SERVICES**

The Strategic Director – Adult Care sought approval to adjust the investment in rehabilitation and support services for people who had a visual impairment and to implement changes arising from a review of sensory services funded through grants.

## **Decision**

Cabinet approved the re-profiling of investment in rehabilitation and support services for people who had a visual impairment and to the following actions be taken:

- Adult Care increases investment in an existing contract with Sight Support Derbyshire that provided sight rehabilitation and information services by £20k from 1 October 2017;
- Adult Care ended a contribution of £39k to a joint grant that was paid to Sight Support Derbyshire on 30 September 2017; and
- Planning work with the individuals affected by the proposed changes begins on 7 July 2017.

### **10. IMPLEMENTATION OF NEW CARE WORKER CONTRACTS WITHIN DIRECT CARE HOMES FOR OLDER PEOPLE**

The Strategic Director – Adult Care reported on the outcomes of the review of the voluntary transfer of Care Assistant and Night Care Assistant staff onto the new Care Worker contract that was approved by Cabinet in June 2015, and sought approval for the implementation of proposed contractual changes to conditions of employment for Care Assistants and Night Care Assistants within Direct Care Homes for Older People.

## **Decision**

Cabinet (1) noted the outcomes of the review of the position with relation to the voluntary transfer onto Care Worker contracts by existing Care Assistant and Night Care Assistant staff; and (2) approved the commencement of a

dismissal and engagement process with the remaining staff in order to enable the department to fully implement the restructure arrangements agreed by Cabinet in June 2015.

## **20 July 2017**

### **11. COUNCIL PLAN 2017 – 2021**

The Chief Executive invited Cabinet to consider and approve the draft Council Plan 2017-2021 for consultation.

#### **Decision**

Cabinet approved the draft Council Plan for consultation.

### **12. REVENUE OUTTURN 2016-17**

The Director of Finance and ICT reported on the final outturn position for 2016-17.

#### **Decision**

Cabinet (1) noted the departmental outturn position for 2016-17; (2) noted the position on General and Earmarked Reserves; (3) approved the creation of an Earmarked Reserve for high needs strategic funding of £0.305m; (4) approved the allocation of underspend amounts to Portfolios; and (5) noted that the requests for further use of underspends would be subject of further Cabinet reports.

### **13. REVISED BUDGET 2017-18 AND FIVE YEAR FINANCIAL PLAN**

The Chief Executive and Director of Finance and ICT updated Cabinet on changes to the Revenue Budget 2017-18 and the Five Year Financial Plan and on proposed budget savings to be recommended to Council.

#### **Decision**

Cabinet recommended to Council that it (1) note the changes to funding received since the Council approved the budget in February 2017; (2) approve the allocation of base budget and one-off funding to departments for 2017-18 and future years; (3) approve the allocation of £1m from Earmarked Reserves to support grants to the voluntary sector; (4) note and approve the revised Five Year Financial Plan; (5) note the General Reserve projections; and (6) note the budget saving proposals as detailed in Appendix 1 to the report.

#### 14. DERBYSHIRE ECONOMIC REVIEW – JUNE 2017

The Chief Executive presented the latest Quarterly Economic Review to June 2017.

##### **Decision**

Cabinet noted the report.

#### 15. REFINANCING OF THE DERBYSHIRE SCHOOLS BUILDING SCHOOLS FOR THE FUTURE PROGRAMME

The Strategic Director – Corporate Resources requested approval for the Council to conclude the refinancing of the Derbyshire Schools Building Schools for the Future (BSF) programme and to enter into the relevant legal documentation associated with this.

##### **Decision**

Cabinet authorised the refinancing of the Derbyshire BSF Programme and the management and completion of that refinancing by the Director of Finance and ICT under the delegations given via the Council's Treasury Management Strategy and further authorised the Director of Legal Services to sign and execute the necessary documents to facilitate the refinancing. In particular, Cabinet authorised:

- (a) execution of the deed of variation to the Project Agreement and entry into the Lender's Direct Agreement;
- (b) the issuing of necessary certificates under section 3 of the Local Government (Contracts) Act 1997 in respect of the PA DoV and the Lender's Direct Agreement; and
- (c) the signing and execution of any other documents required for the refinancing;

in all cases with authority to the Director of Legal Services to sign such documents in accordance with the Council's Standing Orders.

#### 16. SMOKING IN PREGNANCY

The Director of Public Health sought permission to reallocate funds currently used to fund the pregnancy financial incentive scheme vouchers to increase the capacity of stop smoking support available for pregnant smokers.

## **Decision**

Cabinet approved the discontinuation of the pregnancy financial incentive with the funds reinvested into the smoking cessation pregnancy programme as part of the Live Life Better Derbyshire service.

### **17. RE-PROCUREMENT OF DERBYSHIRE INTEGRATED SEXUAL HEALTH SERVICE**

The Director of Public Health reported on the Final Report: Consultation on the Derbyshire Integrated Sexual Health Service Re-procurement, June 2017: Findings and Recommendations and on the Equality Impact Analysis Report, May 2017: Findings and Recommendations. The report also advised Cabinet of the development of the Derbyshire Sexual Health Strategy 2017-2020.

## **Decision**

Cabinet approved the Final Report; Consultation on the Derbyshire Integrated Sexual Health Service Re-procurement June 2017: Findings and Recommendations and the Equality Impact Analysis May 2017; Findings and Recommendation and noted the development of the Derbyshire Sexual Health Strategy 2017-2020.

### **18. SCHOOLS DEVOLVED FORMULA CAPITAL (DFC) 2017-18**

The Strategic Director – Children's Services reported on the Government's DFC grant allocation for 2017-18 totalling £2.529m, sought approval to incorporate the 2017-18 DFC grant into the Children's Services Capital Programme, and to inform schools and support centres of their DFC allocations.

## **Decision**

Cabinet approved (1) the incorporation of the 2017-18 DFC grant totalling £2.314m on to the Children's Services Capital Programme; and (2) the individual DFC allocations for 2017-18 being confirmed to schools and support centres, as outlined in the Appendix to the report.

### **19. CHILDREN'S SERVICES CAPITAL PROGRAMME S106 ALLOCATIONS**

The Strategic Director – Children's Services informed Cabinet of the receipt of recent Section 106 developer contributions and requested approval

for the allocation of those contributions to projects in line with the individual Section 106 agreements.

### **Decision**

Cabinet noted the receipt of S106 funding and approved allocations of:

- (a) £22,748 towards a MUGA and internal remodelling at Field House Infant School;
- (b) £22,748 towards the creation of support spaces at Hallam Fields Junior School;
- (c) £30,397 for internal remodelling to create a library of outdoor learning space at Heanor Langley Infant School;
- (d) £18,944 for a group space at Duffield Meadows Primary School;
- (e) £52,980 for the creation of science laboratories at The Ecclesbourne School;
- (f) £325,721 for improved PE facilities at Belper School;
- (g) £284,975 for two new classrooms at Heath Primary School; and
- (h) £22,798 towards two new classrooms at Etwall Primary School.

### **20. NEW PRIMARY SCHOOL AT CHELLASTON FIELDS**

The Strategic Director – Children’s Services updated Cabinet on the progress with the new primary school at Chellaston Fields, requested authority for the project development fund and the transfer of S106 capital to the developer in preparation of the construction of the School.

### **Decision**

Cabinet (1) noted that the Chellaston Fields Academy was due to open in September 2019; (2) approved the funding of the project development funding of £0.213m; and (3) approved the payment of £600k to Howes Percival LLP as required under the terms of the Swarkestone Road S106 agreement.

### **21. CHILDREN’S SERVICES CAPITAL PROGRAMME 2017-18**

The Strategic Director – Children’s Services sought approval to the Children’s Services Capital Programme and allocations to individual projects for 2017-18.

### **Decision**

Cabinet approved the Capital Programme as detailed in Appendices A, B and C to the report.



**Other Considerations**

In preparing this report the relevance of the following factors has been considered: - equality of opportunity; environmental, health; financial, human resources; legal and human rights; prevention of crime and disorder, property, social value and transport considerations.

**Background Papers**

Cabinet papers – 9 and 29 June and 20 July 2017.

**RECOMMENDATION**

That the report be noted.

**Councillor B Lewis  
Leader of the Council**