

**MINUTES** of a meeting of **CABINET** held on 16 November 2017 at County Hall, Matlock.

## **PRESENT**

Councillor B Lewis (in the Chair)

Councillors A Dale, A Foster, C A Hart, T King, S Spencer and J Wharmby.

### **Declaration of Interest**

Councillor Simon Spencer, Cabinet Member for Highways, Transport and Infrastructure declared a prejudicial interest in item 6 (f) Off-Street Parking Places Order – Peak District National Park Authority as a landowner in an associated area. He withdrew from the meeting during its consideration.

### **322/17      MINORITY GROUP LEADERS' QUESTIONS**

There were no Minority Group Leaders' questions.

**323/17      MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 26 October 2017 be confirmed as a correct record and signed by the Chairman.

**324/17      CABINET MEMBER MEETINGS – MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Health and Communities – 19 October 2017
- (b) Council Services – 26 October 2017
- (c) Highways, Transport and Infrastructure – 26 October 2017
- (d) Strategic Leadership, Culture and Tourism – 26 October 2017
- (e) Economic Development and Regeneration – 3 November 2017

**325/17      BUDGET MONITORING 2017-18 (AS AT 31 AUGUST 2017)**  
(Strategic Leadership, Culture and Tourism) The Director of Finance and ICT reported on the Revenue Budget position for 2017-18 as at 31 August 2017.

The report gave details of the controllable budget position by Cabinet Member Portfolios as at 31 August 2017. Further reports would be considered at Cabinet Member meetings, Audit Committee and Council in accordance with the Budget Monitoring policy and Financial Regulations. There were overspends on the Young People and Economic Development and Regeneration portfolios. The projected outturn compared to controllable budget and individual portfolio positions were summarised in the report.

A portfolio underspend of £1.521m was forecast after the use of Earmarked Reserves to partly fund Young People and the use of the General

Reserve to support local bus services. Any underspends in 2017-18 would be used to manage the budget in 2018-19.

The Risk Management Budget had an underspend of £7.403m, however this balance would support the management of a balanced budget in future years.

Details of additional grant income received in-year had been reported to Cabinet on 20 July 2017 and this resource would be used to help manage the budget in future years as detailed in the Five Year Financial Plan.

Interest on balances was estimated to break even by the year-end and whilst the interest base rate remained at 0.25%, the Council continued to utilise a range of investments to maximise its income.

Details of the Council's Earmarked Reserves balances as at 31 August 2017 were detailed in Appendix One of the report and the recent review of the Council's reserves' balances had been reported to Cabinet on 26 October 2017.

**RESOLVED** to note the 2017-18 budget monitoring position as at 31 August 2017.

**326/17      TO SEEK APPROVAL FOR THE ADOPTION OF THE REVISED FINANCIAL REGULATIONS** (Strategic Leadership, Culture and Tourism)

The Director of Finance and ICT asked Cabinet to consider the proposed amendments to the Financial Regulations and then recommend them for Full Council approval.

A detailed revision of the Council's Financial Regulations had taken place in 2014. Whilst the changes had been implemented and were working well, it was felt appropriate to revisit and review them. The emphasis had been to examine the areas where 'lower level', routine decisions could be delegated to officers, to reduce the number of reports taken to Portfolio meetings, and also to address the need for Departments to be able to respond in a timely manner to purchasing decisions.

These changes would be underpinned by a revised scheme of delegation which would set out the requirements required to ensure compliance with the revised regulations.

Details of the key areas recommended for change were given in the report.

**RESOLVED** to commend the approval of the proposed amendments to the Financial Regulations to Council.

**327/17      SUPPLY OF WORKWEAR – CONTRACT AWARD** (Council Services) The Strategic Director - Commissioning, Communities and Policy sought approval to award a contract for the Supply of Workwear for a period of two years, from 1 December 2017, with an option to extend for two further twelve month periods, up to a maximum duration of four years to 30 November 2021, subject to an annual performance review.

A procurement exercise had been undertaken and details of this were presented in the report.

A total of 122 suppliers expressed an interest in the contract, following which 19 bids had been received by the tender deadline of 2 August 2017. Out of these 19 bids, two suppliers had been deemed non-compliant at the Selection Questionnaire stage. Three suppliers had been deemed non-compliant in meeting the specification and the remaining 14 suppliers had met the standards outlined.

Only one bid had been received for Lot 4 School Crossing Patrol Uniform, by Burlington Uniforms Ltd. This bid had been deemed non-compliant. A new tender process would be undertaken for Lot 4, the outcome of which would be reported to a future Council Services Cabinet Meeting.

Details of the evaluation process for each lot were given in the report.

**RESOLVED** to approve the award of a contract for the Supply of Workwear to the following providers for a period of two years from 1 December 2017, with an option to extend for two further twelve month periods, up to a maximum duration of four years to 31 November 2021, subject to an annual performance review for a total contract value of £1.4m:

Lot 1: Construction and Outdoor Workwear to **1<sup>st</sup> Coverall Company Ltd**;  
Lot 2: Catering and Personal Care Uniforms to **1<sup>st</sup> Coverall Company Ltd**;  
Lot 3 Corporate Office Wear to **Arden Winch & Co Ltd**.

**328/17      USE OF A NON-DCC FRAMEWORK FOR SAP SUPPORT REQUIREMENTS** (Council Services) The Strategic Director – Commissioning, Communities and Policy sought approval under Protocol 2 of the Council's Financial Regulations to utilise Crown Commercial Services (CCS) Framework RM3804 (Technology Services) (the "**RM3804 Framework**") to procure an Application Managed Service (AMS) for the Council's SAP system.

The existing AMS contract provides expert support to the Council for functional and technical matters relating to the Council's SAP system on a business as usual basis, e.g. day to day system operation to resolve system problems, and for additional project work to facilitate system development projects.

The Council has a requirement to procure a replacement for its existing AMS, currently provided by Capgemini. Cabinet on 24 November 2015 agreed to extend the existing contract by up to 24 months from 1 April 2016 until 31 March 2018 to allow the Council to consider its external support requirements and undertake a procurement exercise as appropriate.

SAP is a business critical system that provides the Council's core HR, Financial and payroll systems and external support is essential to ensure the continued operation of the system.

The main aim of the new contract would be to continue to ensure the Council has access to technical experts over a given contractual period providing consistency of support.

Lead times for the delivery of the new AMS could be lengthy. In order to reduce the delivery time and establish a compliant procurement process, officers had concluded that the most appropriate route to market would be to use the CCS RM3804 Framework. This Framework would provide a level of commercial assurance as detailed in the report.

The proposed contract under the CCS Framework would be for a maximum contract term of 5 years from 1 April 2018 and a further report would be submitted to Cabinet for the award of the contract.

**RESOLVED** to approve the use of CCS Framework RM3804 (Technology Services) to procure an Application Managed Service (AMS) under Protocol 2 of the Council's Financial Regulations.

**329/17      DERBY AND DERBYSHIRE ROAD SAFETY PARTNERSHIP – APPROVAL OF SPEED MANAGEMENT PROTOCOL ENGINEERING TECHNICAL ANNEX** (Highways, Transport and Infrastructure) The Strategic Director – Highways, Transport and Infrastructure sought approval of the Derby and Derbyshire Road Safety Partnership Engineering Technical Annexes to the proposed Speed Management Protocol (SMP).

In order to progress the development of the proposed Derby and Derbyshire Road Safety Partnership SMP, policies and procedures for all partner organisations would need to be reviewed and compiled into a series of technical annexes. The annexes would need to reflect the current practice and priorities of each of the partner organisations in dealing with speed related matters.

The intention of the Derby and Derbyshire Road Safety Partnership, Engineering Technical Annex would therefore be used to categorise all engineering measures available and to identify the circumstances where such measures would and would not be used.

In order to facilitate this, it had been necessary to combine and update all existing technical policies in relation to any engineering measures that might be deployed in resolving speed related matters, as well as defining the conditions or criteria that would be applied for each type of measure. The measures employed and accompanying description and criteria within the Technical Annex were detailed in the report. The approval of the Annexes would provide a clear step towards a more consistent and transparent approach to Economy, Transport and Communities Highways Traffic and Safety Engineering at this early stage of the development of the Speed Management Protocol.

**RESOLVED** to approve the Derby and Derbyshire Road Safety Partnership, Engineering Technical Annexes to the proposed Speed Management Protocol.

**330/17      OFF-STREET PARKING PLACES ORDER – PEAK DISTRICT NATIONAL PARK AUTHORITY** (Highways, Transport and Infrastructure) The Strategic Director, Economy, Transport and Environment sought approval for the County Council to make and introduce a new Off-Street Parking Places Order on behalf of the Peak District National Park Authority (PDNPA) for car parks that are in Derbyshire.

A request had been received from the Peak District National Park Authority for the County Council to make and introduce a new Off-Street Parking Places Order on its behalf for its car parks in Derbyshire. The Council's Civil Enforcement Area and Special Enforcement Area, granted by the Secretary of State in 2008-09 did not allow the County Council to carry out enforcement outside Derbyshire, therefore only car parks in Derbyshire could be enforced. The Peak District National Park Authority might be seeking support from other councils regarding enforcement of its remaining car parks.

It was proposed that the County Council would assist the Peak District National Park Authority in the management of its car parks, and in particular, the enforcement of parking restrictions, in accordance with the power contained in Section 33(4) (b) of the Road Traffic Regulation Act 1984 and using the Traffic Management Act 2004 Part 6.

The Parking Order would include the following car parks:

<b>Car park name</b>	<b>Location</b>
Alsop Station	Near Alsop en le Dale
Bakewell Station	Bakewell
Bowden Bridge	Near Hayfield
Hartington Station	Near Hartington
Hollin Bank	Stanage
Hurdlow	Near Buxton

Mapleton Lane	Near Ashbourne
Millers Dale	Near Tideswell
Parsley Hay	Parsley Hay
Tideswell Dale	Near Tideswell
Tissington	Near Tissington
Torside	Near Longdendale
White Lodge	Taddington
Wyedale	Topley Pike

Tariffs would be set by the Peak District National Park Authority and current proposals were:

<b>Tariff structure</b>	<b>Proposed Charge (£)</b>
Up to 1 hour	1.50
Up to 2 hours	2.50
Up to 4 hours	4.00
All day	4.75
Coaches (where permitted) 2 hours	4.00
Horse boxes/lorries up to 2 hours	4.00
Horse boxes/lorries all day	7.00
Motorcycles all day	1.50
Blue badge holders	Free
Cycles	Free
<b>Permits</b>	
Visitors Permit (annual)	40.00
Single horse box permit (annual)	40.00
Holiday permit (week)	15.00

Officers of the Parking Services Section and the Legal and Committee Services Division would prepare a draft a draft Order, plans and schedules in. All costs incurred would be recharged to the National Park Authority.

It was proposed that the Peak District National Park Authority would continue to be responsible for all costs associated with the maintenance of the car parks including signing and lining. The Peak District National Park Authority would keep all of the Pay and Display revenue and pay the County Council for the enforcement time required. The County Council would retain the net income from all of the parking tickets recovered. Any objections received to the proposed Order would be reported to the National Park Authority for their views but determination would be a matter for the County Council as the intended Order making Authority.

**RESOLVED** to approve that consultation and other procedures for making an Off-Street Car Parking Order, on behalf of the Peak District National Park Authority, as set out in the report, be commenced.

**331/17      IMPACT OF NEW DEPARTMENT FOR TRANSPORT**  
**GUIDANCE ON THE REGULATION OF SECTION 19 PERMITS ON THE**  
**COUNTY COUNCIL AND COMMUNITY TRANSPORT ORGANISATIONS**  
(Economy, Transport and Environment) This report was withdrawn.

**332/17      PASSENGER TRANSPORT DRIVER TRAINING INITIATIVE**  
(Highways, Transport and Infrastructure) The Strategic Director - Economy, Transport and Environment sought approval, for an initiative to help existing and potential minibus drivers increase their skills and qualifications.

For several years, transport operators had expressed concern about the difficulty of recruiting and retaining suitably qualified minibus drivers. The County Council has a particular interest in drivers of small and medium sized vehicles (i.e. up to 16 seats) as these vehicles are suitable for conversion to improve accessibility. These vehicles were used extensively for the provision of transport for eligible service users. Mini buses were also used for the provision of transport for students with Special Educational Needs and Disabilities. Additionally any future reviews of public transport undertaken might identify a need for more flexible forms of transport which might be more appropriately provided by smaller vehicles.

The County Council had around 140 contracts for transport which require the use of vehicles between 9 and 16 seats, these contracts were all awarded through the process of competitive tendering. In Derbyshire, the Community Transport Organisations (CTOs) were important providers of small vehicle transport and accounted for around half of all Adult Care transport services and a much smaller proportion of education transport.

In order to comply with the regulations, all operators would need to ensure that their drivers had a relevant licence and a Driver Certificate of Professional Competence (Driver CPC) and all companies seeking to undertake work for the County Council would need to be fully compliant with the regulations. An important aspect of this would be the need for driver training and proposed scheme has been devised which was outlined in the report. The report gave details of associated costs and requirements in respect of the proposed scheme and Cabinet was asked to authorise minor adjustments as it develops.

**RESOLVED** to (1) approve the Passenger Transport Driver Training Initiative, as outlined in the report, at an estimated cost of £260,000;

(2) authorise payments to be made in accordance with the scheme;  
and

(3) authorise the Strategic Director – Economy, Transport and Environment in consultation with the Cabinet Member for Highways, Transport

and Infrastructure to approve minor changes that may be needed as the scheme is developed and implemented.

**333/17      SOUTH DERBY GROWTH ZONE** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval for the County Council to play a defined role in the preparation and delivery of infrastructure required as part of a major land-use planning and regeneration initiative.

The report explained that the concept of a ‘South Derby Growth Zone’ had emerged from a number of initiatives and aspirations for regeneration, land use and infrastructure planning to the south of Derby City and adjoining parts of South Derbyshire district. A plan which showed the location of the Growth Zone and envisaged development was attached to the report. In total, the Growth Zone would be capable of providing over 3,000 additional homes and over 5,000 additional jobs. The high quality of development was regarded by partners as vital for to the success of the Growth Zone concept. There would be a number of key infrastructure challenges which would need to be addressed such as education provision, flood prevention, green and sustainable transport along with some key highway connections.

Full details of the project and its delivery were given in the report.

**RESOLVED** to (1) note the intention of Derby City Council, South Derbyshire District Council and private-sector partners to work on the delivery of the South Derby Growth Zone;

(2) agree in principle to the participation of the County Council in those aspects of project delivery as set out in the report;

(3) authorise the Strategic Director – Economy, Transport and Environment, liaising with the Director of Legal Services, to enter into necessary agreements consistent with this involvement; and

(4) note that further reports will be presented to Cabinet as plans for the project are developed.

**334/17      A61 WHITTINGTON MOOR ROUNDABOUT IMPROVEMENTS – ENGAGEMENT OF BALFOUR BEATTY THROUGH SCAPE NATIONAL FRAMEWORK** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval, under Protocol 2 of the Council’s Financial Regulations, to use the Scape national procurement framework for the delivery of improvements to the A61 Whittington Moor roundabout.



The County Council was a shareholder and a founder member of Scape, which offers local authorities and other public bodies across the UK access to six different procurement Frameworks for the built environment. At its meeting on 13 December 2016 (Minute reference 390/16 refers), Cabinet had agreed to the award of works to Balfour Beatty, under the Scape Civil Engineering and Infrastructure Framework, for retaining wall repairs, surface dressing and specialist highway repairs at various locations across the County. The business case for using Scape had been prepared as part of that report and had been approved by the Director of Finance and The Director of Legal Services.

It was reported that plans for improvements to Whittington Moor roundabout had been in preparation for some time. The roundabout sits on the A61 north of Chesterfield town centre and its operation is of prime importance to the highway network in and around the town, as well as a diversion route from the nearby M1 motorway. The roundabout suffers from a high accident rate because of its size and conflicting traffic movements. Plans to reduce accident levels and frequent delays have been considered.

Funding for the project would be mostly from the D2N2 (Derby, Derbyshire, Nottingham and Nottinghamshire) Local Enterprise Partnership with a contribution of £3.24M towards the estimated £4.86M total project cost. The balance of the funding would be found from local contributions from the County Council's capital resources.

Consultants AECOM were in the process of drawing up options before agreeing a solution with the County Council before preparing detailed plans to allow the construction of the works. Traditionally contractors would be appointed once the design documents had been completed, however, there would be a number of advantages for the confirmation of Balfour Beatty as the main works contractor and these were detailed in the report along with associated costs. It was therefore recommended to Cabinet that Balfour Beatty should be appointed through Scape to engage early with AECOM to carry out works at Whittington Moor roundabout once the design documents had been completed.

**RESOLVED** to approve, under Protocol 2 of the Council's Financial Regulations, the use of Balfour Beatty through the Scape Civil Engineering and Infrastructure Framework for the delivery of improvements to the A61 Whittington Moor Roundabout.

**335/17      DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2017:**  
**PROTECTING THE HEALTH OF DERBYSHIRE** (Health and Communities)  
This report was withdrawn.

**336/17      YOUNG PEOPLE'S SUBSTANCE MISUSE OUTREACH**

**SERVICE** (Health and Communities) Cabinet considered a report which sought approval for the procurement of a contract of two years plus the option to extend by one year for the delivery of a young people's outreach service to commence on 1 June 2018.

The report referred to the findings of the Home Office report in respect of Drug misuse by young adults and gave details based on data from Local Alcohol Profiles for England in May 2017. Statistics did show an increase for both areas with regard to young people and the levels of anti-social behaviour in Derbyshire had also increased compared to the previous 12 month period.

This was a concern, and the prevention of harmful alcohol and drug use was a key concern for improved public health and the reduction of crime and anti-social behaviour.

The proposed young people's outreach service would deliver interventions to reduce harm around substance misuse and associated risky behaviours. The target audience, though not restricted, would be those aged 16-25 years old. The service would work with individuals and groups of individuals across urban and rural communities in Derbyshire.

The report gave details of the overall aims of the service and identified three place based areas in Derbyshire as suitable targets.

**RESOLVED** to approve the procurement of a contract of two years plus the option to extend by one year for the delivery of a young people's outreach service to commence on 1 June 2018, as detailed in the report.

**337/17      CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18**

**S106 PROJECT ALLOCATIONS** (Young People) The Strategic Director – Children's Services informed Cabinet of the recent Section 106 developer contributions and sought Cabinets' approval for the allocation of those contributions to projects in line with the individual Section 106 agreements.

The report presented gave details of the Section 106 contributions that had been received by the Authority or were available to claim from the District/Borough Councils. Appendix A to the report detailed the schools which would benefit from the investment together with the planned projects and contributions. The associated financial implications were also provided.

**RESOLVED** to (1) approve the receipt and availability of S106 funding;

(2) approve the allocations to the following projects:

- Brockwell Nursery and Infant School - £90,850;
- Brockwell Junior School - £117,200;
- Clowne Infant and Nursery School and Clowne Junior School - £70,261;
- Kirk Langley Primary School - £1,014,880;
- Croft Infant School/Woodbridge Junior School - £351,455.

**338/17      ACCOMODATION AND SUPPORT SERVICES FOR CHILDREN IN CARE, 16 AND 17 YEAR-OLD HOMELESS YOUNG PEOPLE, CARE LEAVERS AND UNACCOMPANIED ASYLUM-SEEKING CHILDREN**

(Young People) Cabinet approval was sought to undertake a procurement exercise for the provision of accommodation and support services for Children in care, Care Leavers, 16 and 17 year old homeless young people and unaccompanied asylum-seeking children. The proposed contract would be for a period of three years with the option to extend the contract twice by periods of up to two further years with a maximum total of seven.

It was reported that the number of children in care was rising and costs were increasing as local authorities sought new placements to accommodate a national rise in the children in care population, particularly amongst teenagers. Most local authorities would also receive an initial cohort of Unaccompanied Asylum-Seeking Children (UASC) who would be Children in Care and would subsequently become care leavers. An increasing percentage of placements for Children in Care were being made in the private and independent sector. There were currently 150 Children in Care in Derbyshire aged 16 and over.

The report gave details of the number of young people who needed accommodation and support in Derbyshire per annum. It referred to the number of young people leaving care each year who had a legal entitlement for a leaving care service. It detailed the County Councils commitment to care and referred to the National Transfer Scheme. Derbyshire County Council also took approximately 40 late entrants into care each year a proportion of whom required supported or semi-independent accommodation.

The report referred to the current arrangements and gave details of the needs assessment undertaken. The outcome of the needs assessment was that care leavers had said that they want more of what is already available; self-contained units of accommodation, supportive and knowledgeable staff and accommodation in areas where young people were in care and want to live. It had been noted that there was currently a lack of suitable accommodation in the Amber Valley area.

Commissioning proposals had been drawn up and were detailed in the report.

**RESOLVED** to approve the proposal to undertake a procurement exercise for the provision of accommodation and support services for Children in Care, Care Leavers, 16 and 17 year old homeless young people and unaccompanied asylum-seeking children for a period of three years, as outlined in the report.

**339/17      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 26 October 2017.
3. To receive exempt minutes of Cabinet Member meetings as follows;
  - (a) Health and Communities – 19 September 2017
  - (b) Council Services – 26 October 2017
  - (c) Highways, Transport and Infrastructure – 26 October 2017
  - (d) Strategic Leadership, Culture and Tourism – 26 October 2017
4. To consider exempt reports as follows;
  - (a) Report of the Strategic Director – Commissioning, Communities and Policy on the Award of a Contract for the Servicing and Maintenance of Industrial Doors, Gates, Barriers and Roller Shutters (Council Services) (Contains information relating to the financial business affairs of any particular person, including the Authority holding that information).
  - (b) Report of the Strategic Director – Economy, Transport and Environment on the Supply of Photo Electric Control Units for Street Lighting (Highways, Transport and Infrastructure) (Contains information relating to the financial or business affairs of a particular person, including the Authority holding that information).
  - (c) Report of the Strategic Director – Economy, Transport and Environment on the Supply of Dry Roadstone Materials Framework Contract (Highways, Transport and Infrastructure)

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

- (d) Report of the Strategic Director – Economy, Transport and Environment on the Supply of Coated Roadstone Materials Framework Contract (Highways, Transport and Infrastructure) (Contains information relating to the financial or business affairs of a particular person, including the Authority holding that information).
- (e) Report of the Strategic Director – Economy, Transport and Environment on the Approval to award a Contract for the Collection of Waste from Derbyshire County Council Premises (Highways, Transport and Infrastructure) (Contains information relating to the financial or business affairs of a particular person, including the Authority holding that information).
- (f) Report of the Director of Public Health on the Provision of Infant and Toddler Nutrition Peer Support Service (Health and Communities) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (g) Report of the Strategic Director Commissioning, Communities and Policy on the Tender for Derbyshire County Council Property Services to Provide Facilities Management and Property Maintenance Services to High Peak Borough Council and Staffordshire Moorlands District (Council Services) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (h) Report of the Strategic Director for Children's Services on an Urgent Decision taken by the Head of Paid Service (Young People) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).