

**MINUTES** of a meeting of **CABINET** held on 11 January 2018 at County Hall, Matlock.

## **PRESENT**

Councillor B Lewis (in the Chair)

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

### **Declaration of Interest**

There were no declarations of interest.

### **01/18      MINORITY GROUP LEADERS' QUESTIONS**

There were no Minority Group Leaders' questions.

**02/18      MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 7 December 2017 be confirmed as a correct record and signed by the Chairman.

**03/18      CABINET MEMBER MEETINGS – MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Health and Communities – 30 November 2017
- (b) Young People – 5 December 2017
- (c) Council Services – 7 December 2017
- (d) Highways, Transport and Infrastructure – 7 December 2017
- (e) Strategic Leadership, Culture and Tourism – 11 December 2017
- (f) Adult Care – 14 December 2017
- (g) Economic Development and Regeneration – 18 December 2017

**04/18      CONSULTATION ON DRAFT EQUALITY AND DIVERSITY STRATEGY AND REVISED EQUALITY AND DIVERSITY POLICY** (Health and Communities) The Strategic Director – Commissioning, Communities and Policy sought approval to undertake consultation on the Council's draft Equality and Diversity Strategy and revised Equality and Diversity Policy.

It was reported that the Council had adopted its current equality objectives in 2011, following the introduction of the amended public sector duties under the Equality Act 2010. It had been agreed to regularly review objectives and develop an action plan and action plan for their implementation. At the same time the Council had updated its Equality and Diversity Policy and an undertaking had been given to regularly review and update the Policy to ensure it remained fit for purpose.

Since 2011, a number of additional changes had been introduced in law which expanded further the rights of citizens to fair treatment. UK attitudes had continued to

change and Derbyshire had become more diverse. Following an internal review of the current Equality and Diversity Strategy and Policy by the Diversity and Inclusion Board, work had taken place to develop a new draft Equality and Diversity Strategy and there would be a few changes to the Policy.

The new draft Strategy would ensure that equality objectives supported the delivery of priorities set out in the authority's new Council Plan.

The draft Equality and Diversity Strategy and Revised Equality and Diversity Policy were attached to the report.

It was proposed that a six week period of consultation would be undertaken following approval of the draft documents by Cabinet.

**RESOLVED** to approve the draft Equality and Diversity Strategy and Policy for consultation with stakeholders.

**05/18      ARRANGEMENTS FOR EXTERNAL VALIDATION AGAINST THE EXCELLENT LEVEL OF THE EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT** (Health and Communities) The Strategic Director, Commissioning, Communities and Policy sought approval for the authority to undergo an external assessment for the "Excellent" level of the Equality Framework for Local Government.

The Equality Framework for Local Government (EFLG) is a performance, improvement and benchmarking tool which many local authorities in England and Wales had adopted to map progress of their organisation in terms of equality and diversity. The framework was based on three levels of achievement, developing, achieving and excellent and the Council had reached the 'Achieving' level in 2009 following a validation process. The Local Government Association (LGA) had changed the external validation process in 2009 and since that time all validation had comprised of a self-assessment and a peer challenge.

The peer challenge was divided into two parts, firstly the Council had to submit its self-assessment, narrative and supporting evidence to the peer team. The second stage was a three day on-site visit.

The Council would need to prepare a narrative self-assessment for submission to the peer team that included a statement of its progress against the requirements of the "Excellent" level of the Equality Framework. The narrative would have to set out the case to be awarded the "Excellent" level and would need to provide peers with a clear and detailed account of the Council's equality achievements and outcomes. This would be complimented by a suite of evidence which demonstrated how the relevant criteria had been met.

Following initial discussions with the Local Government Association, the three day peer visit had been arranged for 9<sup>th</sup> to 11<sup>th</sup> May 2018. An indicative Timetable and associated costs were presented in the report.

**RESOLVED** to approve the proposals to undertake an external peer challenge for the “Excellent” level of the Equality Framework for Local Government between the 9<sup>th</sup> to the 11<sup>th</sup> May 2018.

**06/18      ADOPTION OF INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTI-SEMITISM** (Health and Communities)

The Strategic Director – Commissioning, Communities and Policy sought approval to adopt the working definition of anti-Semitism and to set out the next steps for the Council.

It was reported that in December 2016, the Government had formally adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism, the first country in Europe to do so. The definition, although not legally binding would be an important tool for public bodies to understand how anti-Semitism manifests itself in the 21<sup>st</sup> century as it gave examples of the kind of behaviours which could constitute anti-Semitism.

The definition states:

*“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

The Secretary of State for Communities and Local Government had written to local authorities in May 2017, asking them to adopt the working definition of anti-Semitism, which a number of Councils had now already adopted.

There had recently been more incidences of anti-Semitism and it continued to be a problem in the UK. Derbyshire did not have an easily identifiable Jewish community and therefore people living in Derbyshire could and did experience anti-Semitism and hate crime. The small size of the Jewish community in Derbyshire made it potentially more vulnerable to acts of anti-Semitism.

In order to support the Council’s adoption of this definition, the Council would incorporate commitment to opposing anti-Semitism into relevant policies and consideration would be given to this in the delivery of services. Additionally, the Council’s website would be updated accordingly and a press release would be issued to notify the general public.

Once the definition had been formally adopted, the Council would write to the Secretary of State and local Jewish institutions to inform them of the actions taken by the Council.

**RESOLVED** (1) to adopt the working definition of anti-Semitism and agree the next steps as detailed in the report;

(2) that the report be presented to the next meeting of the Council for information.

**07/18      FUTURE ARRANGEMENTS FOR PLANNED PROPERTY**

**MAINTENANCE AT ELVASTON CASTLE COUNTRY PARK** (Highways, Transport and Infrastructure) The Strategic Director Economy, Transport and Environment presented a report which informed Cabinet of the successful completion of the process to create a single budget and management structure for Elvaston Castle Country Park and sought approval for new arrangements for planned property maintenance in the future.

Members were reminded that at its meeting in April 2017, Cabinet had approved the consolidation of the Elvaston Castle budget within the Economy Transport and Communities Department (Minute Reference 165/17 refers). It was reported that the management teams of the then Corporate Resources and the new Economy, Transport and Environment (ETE) departments had worked with staff and trade unions to ensure that the transfer had been achieved without any disruption to services to the public.

The rationale for this consolidation had been to bring all staff and resources that related to Elvaston into one place in preparation for its ultimate transfer to the embryonic Elvaston Castle and Gardens Trust, at some point in the future, to manage the Estate.

Following discussions, a budget virement of £415,000 had been agreed which included adequate provision for staffing, landscape maintenance, buildings maintenance and security costs. In the process of negotiations it had been agreed that Elvaston would no longer have access to the Corporate Planned Maintenance Programme as once the Estate was in the management of the Trust it would not have access to these funds. The Planned Maintenance Programme had historically contributed towards the projects on site and the report gave details of contributions made from 2016. An average amount had been calculated over the last three years and this had been incorporated into the budget of £415,000.

The budget now allocated to Elvaston Castle Maintenance included funds which would cover works required on a year on year basis and it would also be available to fund projects which might require significant funding. It was noted that expenditure in some years might be lower than the allocated budget and therefore in order to fulfil the requirements to improve and maintain Elvaston it would be necessary to create an Elvaston Castle reserve for any surplus revenue budget within each financial year. This would create and build a source of funding to enable ongoing maintenance and to fund one off larger projects.

**RESOLVED** to approve that an earmarked reserve, for Elvaston Castle, be created to hold any revenue budget not utilised within a financial year to offset future Estate maintenance and larger projects funding requirements.

**08/18      DELIVERING ECONOMIC GROWTH THROUGH ENTERPRISE AND INVESTMENT SERVICES** (Economic Development and Regeneration) The Strategic Director – Economy, Transport and Environment sought approval for an additional core budget of £200,000 per annum for the delivery of enhanced services to support economic growth in Derbyshire.

The Council had recognised its key role in the promotion and securing of economic growth and prosperity across the county and wider region, either directly or in partnership. The Council Plan closely aligned to the Derbyshire Economic Strategy Statement which had been in place since 2014 and this provided a framework for the economic development of the county.

Details of the main factors shaping future economic growth policy and delivery were presented in the report. These had been used to shape New and Enhanced Enterprise and Investment Services which would enable the Council to effectively deliver Council Plan priorities and meet the challenges and opportunities afforded. It was proposed that additional resources of £200,000 per annum would be provided to the base budget of the Economy and Regeneration Service. The new “Enterprise and Investment budget would complement the existing allocated budget for economic regeneration activity. These resources would also be aligned closely to the existing Derbyshire Economic Partnership budget and used to secure greater economies of scale and impact in the inward investment and business support activity delivered through the work of the Derbyshire Economic Partnership Board which had recently been re-established.

The detail of how the additional resources would be allocated would be considered by the Strategic Director – Economy, Transport and Environment in conjunction with the Cabinet Member – Economic Development and Regeneration and would be subject to the ongoing service review of the Economy and Regeneration Division.

The report summarised the focus of the proposed new and enhanced services

**RESOLVED** (1) to note the commitment to support economic growth as set out in the Council Plan and the evolving international, regional and local policy context global challenges to growth;

(2) to approve a revenue allocation of £200,000 per annum for a new “Enterprise and Investment” budget under the Economy and Regeneration Service; and

(3) that responsibility for the detailed allocation of resources be delegated to the Strategic Director – Economy, Transport and Environment following consultation with the Cabinet Member – Economic Development and Regeneration.

**09/18      MUSIC EDUCATION HUB GRANT 2017 - 2020** (Young People) The Strategic Director for Children’s Services presented a report which informed Cabinet of Derby and Derbyshire Music Partnership’s role in administering the Music

Education Hub grant to encourage collaborations between key local and regional music organisations in order to deliver high quality music education provision in and out of Derbyshire and Derby City schools.

Authority was sought for the Derby and Derbyshire Music Partnership to devolve funds of up to £25,000 per approved delivery partner organisation in order that each might fulfil its role in the local delivery of the National Plan for Music Education.

Cabinet approval was sought for an ear marked reserve to hold the management account surpluses of the Derby and Derbyshire Music Partnership.

It was reported that Music Education Hubs were groups of organisations who worked together to create joined-up music education provision, were responsive to local need and fulfil objectives detailed in the National Plan for Music Education.

The Hubs were co-ordinated by a Hub 'lead organisation which was Derby and Derbyshire Music Partnership who took responsibility for the finances and governance of the Hub. Delivery Partners were the organisations who were involved in the frontline delivery of the National Plan for Music Education.

The allocation of Hub funding for Derbyshire was £1.400m for 2017/18 and a detailed spending plan was attached to the report.

**RESOLVED** to (1) note the work of the Derby and Derbyshire Music Partnership;

(2) approve the Derbyshire and Derbyshire Music Partnership to devolve funds of up to £25,000 per approved delivery partner organisation in order that each may fulfil its role in the local delivery of the National Plan for Music Education;

(3) approve the creation of an earmarked reserve to which account surpluses will be transferred from 2017/18 onwards.

**10/18      CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 – S106 PROJECT ALLOCATIONS** (Young People) Cabinet was informed of the receipt of recent Section 106 developer contributions and approval was sought for the allocation of those contributions to projects in line with the individual Section 106 agreements.

Cabinet considered a report which gave details of the Section 106 developer contributions which had been received by the Authority or were available to claim from the District/Borough Councils. Appendix A to the report set out the details of the funds available and projects identified.

**RESOLVED** to note the receipt/availability of Section 106 funding and approve allocations to the following projects outlined in Appendix A to the report as follows:

- Charlotte Nursery and Infant School: £194,000;

- Etwall Primary School: £3,086;
- Heath Primary School: £68,394;
- Repton Primary School: £105,756;
- Tibshelf Community School: £326,347.

**11/18      OUTCOME OF THE INFORMAL CONSULTATION ON THE PROPOSAL FOR A NEW PRIMARY SCHOOL TO SERVE THE HIGHFIELDS FARM DEVELOPMENT, FINDERN** (Young People)

The Strategic Director for Children's Services presented a report which gave the outcome of the initial consultation to consider the establishment of a new primary school at Highfields Farm, Findern.

It was reported that at its meeting on 14<sup>th</sup> September 2017, Cabinet had previously approved a consultation on a proposal to open a new primary school on the major development at Highfields Farm in South Derbyshire. The consultation had been undertaken and the report gave details of the responses that had been received. There had been strong support for having a new school on the development and a response from the Authority's Early Years team had indicated the need to consider early years' provision as part of the new school.

Although the responses to the consultation had been limited, building on the site was in its early stages. Local schools had been consulted and the consultation document was available on the County Council's website. It was noted that there would be further opportunities for discussion with local communities as the school was designed and developed as the legislative process required further consultation.

The next step for the Authority would be to advise the developer of its intention to establish a new school on the site and invite 'expressions of interest' from potential academy sponsors.

The report referred to the relevant financial implications that had been considered.

**RESOLVED** to (1) note the outcome of the consultation and approve the initiation of the process to seek a sponsor for the new school by issuing an invitation to potential sponsors to submit an expression of interest; and

(2) agree that a new school be built on the development at Highfields Farm.

**12/18      FORWARD PLAN OF PROCUREMENT PROJECTS FOR ADULT CARE AND PUBLIC HEALTH** (Adult Care and Health and Communities)

The Strategic Director for Adult Care sought Cabinet approval for the Adult Care department's forward procurement plan for the period January 2018 to September 2019.

Cabinet considered a report which, in accordance with the Councils Financial Regulations, set out the forward procurement plans for Adult Care and Public Health

for the period covering January 2018 to September 2019. The report gave details of the procurement requirements above £25,000 which were scheduled to commence over the period. The projects identified would be the subject of a procurement process in accordance with the procedures set out in the Council's Financial Regulations.

Any additional procurement requirements identified that were not included in the plan would be presented to Cabinet or Cabinet Member, as appropriate, for approval prior to commencing the procurement process.

**RESOLVED** to approve the Adult Care department's forward procurement plans in respect of projects for Adult Care and Public Health for the period January 2018 to September 2019.

**13/18      THE DERBYSHIRE JOINT HEALTH AND SOCIAL CARE ADULT AUTISM STRATEGY 2017-2020** (Adult Care) The Strategic Director for Adult Care presented a report which informed Cabinet of the Joint Derbyshire Adult Autism Strategy (2017-2020) and sought approval for the specific actions for Derbyshire County Council that had been identified in the Strategy.

It was reported that a refresh of the previous strategy (2014) had been undertaken to incorporate additional statutory requirements and emerging local priorities. The new strategy had been devised in accordance with statutory guidance which had been issued in 2015.

The new joint Adult Autism strategy provided an overarching framework for Derbyshire County Council, Derby City Council and the Derbyshire Clinical Commissioning Groups. It identified priority areas based on the national requirements and local findings. The responsibilities of organisations across health and social care had been identified to support continued progress and there was an expectation that Each organisation would develop a local action plan to implement the agreed priorities.

The revised strategy which included a proposed 16 point action plan for the Council was attached to the report.

**RESOLVED** to (1) note the refreshed Derbyshire Joint Health and Social Care Adult Autism Strategy 2017-2020; and

(2) approve the Council Action Plan outlined in the Derbyshire Joint Health and Social Care Adult Autism Strategy;

**14/17      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 7 December 2017.
3. To receive the Exempt Minutes of Cabinet Member meetings as follows:-
  - (a) Young People – 7 November 2017;
  - (b) Adult Care – 9 November and 14 December 2017;
  - (c) Council Services – 16 November and 7 December;
  - (d) Highways, Transport and Infrastructure – 7 December 2017.
4. To consider Exempt Reports as follows:
  - (a) Report of the Strategic Director – Commissioning, Communities and Policy on the Replacement of the Pensions Administration System in Collaboration with Leicestershire County Council (Council Services) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  - (b) Report of the Strategic Director – Economy, Transport and Environment on Safety Fencing Maintenance and Repair Works (Highways, Transport and Infrastructure) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  - (c) Report of the Strategic Director – Children's Services on the Approval to award a contract for a classroom extension and external covered play area at Charlotte Infant and Nursery School (Young People) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  - (d) Report of the Strategic Director – Adult Care on the Activity Recording and Scheduling Solution – Award of Contract (Adult Care) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  - (e) Report of the Strategic Director – Adult Care on the Autism Spectrum Conditions Self-Management and Education Support Award of Contract (Adult Care) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  - (f) Report of the Strategic Director – Adult Care on Hard of Hearing Services in the North and South of Derbyshire Award of Contract (Adult Care) (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 – Adult Care on the Reorganisation of Housing Related Support and Needs and Intelligence functions (Adult Care) (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 – Adult Care on an Urgent Decision taken by the Head of Paid Service (Adult Care) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).