

MINUTES of a meeting of **CABINET** held on 1 February 2018 at County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

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

Declaration of Interest

There were no declarations of interest.

32/18 MINORITY GROUP LEADERS' QUESTIONS

There were no Minority Group Leaders' questions.

33/18 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 11 January 2018 be confirmed as a correct record and signed by the Chairman.

34/18 CABINET MEMBER MEETINGS – MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Strategic Leadership, Culture and Tourism – 5 January 2018
- (b) Young People – 9 January 2018
- (c) Council Services – 10 January 2018
- (d) Highways, Transport and Infrastructure – 11 January 2018
- (e) Adult Care – 18 January 2018

35/18 CORPORATE PARENTING COMMITTEE - MINUTES RESOLVED to receive the minutes of the meetings of the Corporate Parenting Committee held on 31 October and 12 December 2017.

36/18 VEHICLE MANAGEMENT SYSTEM (Highways, Transport and Infrastructure) The Strategic Director Economy, Transport and Environment sought approval for the supply of a replacement Vehicle Management System (VMS), under Protocol 2a of the Council's Financial Regulations, using the Crown Commercial Service (CCS) Vehicle Telematics Framework Agreement (RM3754), and to commence consultation with Trade Unions and employees.

At the Cabinet meeting on 8 June 2017, approval was granted, in principle, for the commencement of a procurement process for a replacement VMS for all Council vehicles, consisting of around 541 items of vehicle and plant. VMS had been used within the Council in various forms since 2004, primarily within the highways arena. The current contract was due to expire on 31 May 2018 and a replacement was being sought for a full fleet adoption.

A project team had been established to undertake a new VMS procurement and all available options had been appraised with the decision to use the CCS, a central Government executive agency framework to deliver the solution - RM3754 Vehicle Telematics, further details of which were presented.

Consideration had been given to how the roll-out of VMS across the fleet would be financed. A key element to determining this was the amount of up-front investment required at the commencement of the contract, which in turn was dependent upon whether the Council chose to purchase outright (as per the existing VMS), or lease on a long-term basis.

Based on the feedback received from the responses, there was no significant advantage either way, although one supplier said that they would have to increase their costs slightly to cover their financing of such an approach. Taking all aspects into consideration, leasing was seen as a more preferable approach for a fleet-wide implementation, as the up-front cost was minimised. The summary of the soft market testing returns had been shared with the wider project stakeholders for their input and consideration, and to ensure the VMS functionality from the soft market testing returns supports their departmental requirements. In summary, the information provided by the five suppliers, from the soft market testing exercise, had satisfied the Council that the CCS Framework was a viable option for the procurement of a replacement VMS.

The proposal to use the CCS Framework had been supported by a business case, including options appraisal which had been approved by the Director of Finance and ICT and the Director of Legal Services. The award of contract using the CCS Framework would be delegated to Strategic Director under the officer's scheme of delegation as per Protocol 2b of the Council's Financial Regulations.

RESOLVED to (1) approve the use of the Crown Commercial Service Framework RM3754 (vehicle telematics framework agreement) for the procurement and supply of a replacement Vehicle Management System for all Council vehicles;

(2) approve the commencement of a six week consultation exercise with Trade Unions and employees; and

(3) note that a further report would be presented to Cabinet in due course, seeking approval to award the contract to the preferred provider.

37/18 MEETING THE REQUIREMENTS OF THE CODE OF PRACTICE FOR WELL MANAGED HIGHWAY INFRASTRUCTURE (Highways, Transport and Infrastructure) The Strategic Director Economy, Transport and Environment advised Cabinet of the need to develop a risk based approach to highway infrastructure management and maintenance so as to ensure the Council, as local highway authority, meets the requirements of the Code of Practice for Well Managed Highway Infrastructure.

The first Code of Practice for Highways Maintenance was endorsed by the Local Government Association, published in 1983, and had subsequently been revised at intervals to take account of new and emerging developments in technology, policy and good practice. Many of the key themes of the original Code, including the need for a robust regime of safety inspection and a planned investment programme based on whole life costs, were fundamental to highway maintenance. These were retained throughout the different editions and included in the 2005 edition of this Code. This latter Code had been the basis of the Council's approach to, and support of, its maintenance practice and strategies.

The latest iteration of the Code, published October 2016, adopted a risk based approach and included thirty-six recommendations, but was not prescriptive. It was based on the Department for Transport's (DfT) encouragement to Local Highway Authorities (LHA) developing good asset management practice and provided the mechanism to support this.

Adopting the recommendations of the new Code and providing a risk based approach, should reduce the opportunity for legal challenge over the safety of the highway network, thereby reducing the number of claims against the Council. It should also support the Council's Incentive Fund banding, maintaining maximum annual block maintenance funding allocation. Adopting the new Code would help to deliver the Council Plan objective to "repair and Improve the condition of Derbyshire roads". Work had already commenced to meet the requirements of the new Code in the form of the asset management work undertaken to date, further details of which were presented.

RESOLVED to (1) approve the development of a suite of documents to provide a robust risk based approach to the maintenance and management of the highway infrastructure network, to be developed in conjunction with the Cabinet Member for Highways, Transport and Infrastructure; and

(2) agree to receive a further report to approve the New Code of Practice once the documents had been finalised.

38/18 AWARD OF GRANT FUNDING TO ACTIVE PARTNERS FOR THE PROVISION OF FUNDING TO ACTIVE DERBYSHIRE (Health and Communities)

The Director of Public Health sought approval to award grant funding to the Active Partners Trust in order for them to support the Public Health priority of increasing physical activity levels across Derbyshire.

Cabinet agreed on the 20 July 2017, to transfer funding and staffing associated with County Sports Partnership (CSP's), into the 'Active Partners Trust' (APT). This organisation was a new shared legal entity for 'Active Derbyshire' (formally Derbyshire Sport) and 'Active Notts' (formally Sport Nottingham). This new organisation, APT, was a Company Limited by Guarantee and was registered as a charity with the Charity Commission for England and Wales.

The former Derbyshire Sport, working closely with the former Sport Nottinghamshire, developed this new initiative in response to the Sports England national strategy 'Towards an Active Nation', further details of which were presented.

The report also noted the agreement, in principle, for on-going financial support by each of the District and Borough authorities to this new legal entity, and that all Derbyshire Local Authority Partners' funding would be ring-fenced to be spent in Derbyshire.

Previously, core funding of £104k per year was provided to Derbyshire Sport by the Economy, Transport and Communities (ETC) department. The responsibility for that funding was now with Public Health, and it was proposed to make grant payments to the new legal entity, APT, of £31k for the final three months of 2017-18, as payments for the first nine months had already been made as part of the transfer of undertakings. This figure of £31k, included the final three months of the ETC payment, and £5k previously agreed from Public Health to support Active Derbyshire marketing. Funding worth £104k would then be made available for each of the following two years for 2018-19 and 2019-20 (subject to APT meeting the standards and outcomes required by the Council), to ensure future success of Active Derbyshire to promote the increase in activity levels across Derbyshire.

In addition to the funding outlined above, Public Health had previously agreed an additional £65k of funding to Active Derbyshire (Derbyshire Sport at the time), as part of the Derbyshire Inactivity Fund. This "one-off" additional amount of funding would be paid to Active Derbyshire to cover work that would be undertaken between January and March 2018. The funding would enable APT to be more effective in providing services to promote activity across Derbyshire. APT would encourage activity and would not be competing with other profit making organisations in Derbyshire. It was more likely that the success of encouraging more activity would result in greater participation at a number of sporting and community based venues in the County. A Service Level Agreement would be developed between Public Health and APT, which would outline the required actions and performance measures between the parties.

RESOLVED to approve the award of grant funding totalling £304k to APT over a twenty seven month period, in order for it to support the Public Health priority of increasing physical activity levels across Derbyshire.

39/18 **SCHOOL REVENUE FUNDING SETTLEMENT 2018-19** (Young People)
The Strategic Director – Children's Services informed Cabinet of the School Revenue Funding Settlement for 2018-19 and sought approval to a number of decisions to enable mainstream school budgets to be determined. Further detail was presented in terms of the overall settlement, the initial costs based on current multipliers/new formula data, further allocations to schools, a summary of proposals and delegation (re-pooling of funding).

RESOLVED to (1) note the Schools Block settlement for 2018-19;

- (2) note the responses from schools and academies to the LA's consultation proposals;
- (3) agree to set an MFG rate of 0% per pupil for both sectors for 2018-19;
- (4) agree to allocate funding to schools on the basis of the formula multipliers as set out in Appendices 2 and 3;
- (5) approve a 3% per pupil cap on gains for both sectors for 2018-19;
- (6) approve that the residual Schools Block budget remains uncommitted in 2018-19;
- (7) approve the creation of an earmarked free school reserve to meet future support costs as set out in sections 2.5.2 and 2.5.3;
- (8) agree that any underspend against the uncommitted 2018-19 Schools Block budget be transferred into the earmarked reserve in (vii) above;
- (9) agree not to create a growth fund for good or outstanding schools with temporary falling rolls;
- (10) agree to the request from the Schools Forum to de-delegate and top-slice funding from maintained schools' 2018-19 budgets as set out in section 2.6;
- (11) allow any matters of detail relating to schools' delegated budgets to be resolved by the Strategic Director for Children's Services in consultation with the relevant Cabinet Members; and
- (12) note that further reports would be brought on the Central School Services, Early Years and High Needs Blocks.

40/18 CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 JOINT FUNDING INITIATIVE FOR SCHOOLS (Young People) The Strategic Director - Children's Services sought approval to a schedule of joint-funded projects submitted by schools as a charge on the budget approved in the 2017-18 Children's Services Capital Programme.

On 20 July 2017, as part of the 2017-18 Children's Services Capital Programme, Cabinet agreed to allocate £500k to continue with the Joint Funding Initiative introduced in 2012-13. This initiative 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 also to improve the safeguarding of children, or to help with the creation of school places utilising existing accommodation. This initiative helped to reduce the backlog of school condition improvement works which was a national and local priority for capital investment.

The Joint Funding Initiative had proved to be very popular with schools, with 309 projects approved to date. Last year, the maximum project amount that schools could bid for was reduced from £50k to £30k (maximum school contribution £15k), so that more schools would benefit from the funding available.

The Authority had received new bids for projects from fifty three schools, details of which were set out in the Appendix to this report, with the Authority contribution required for all projects being £457,406.

RESOLVED to approve the joint-funded projects as detailed in the Appendix to the report, with funding being split equally between the schools and the Authority, resulting in a charge of £457,406 against the Children's Services Capital Programme.

41/18 PROCUREMENT OF EARLY YEARS PROVISION (Young People) The Strategic Director - Children's Services sought approval to undertake a procurement exercise to identify and secure the services of an early years' provider to operate early years' day-care provision in the vacated Children's Centre buildings located on the Coton-in-the-Elms Primary and Tupton Primary school sites; the former Brimington Children's Centre; and the former Pupil Referral Unit on the Bolsover Secondary School site.

RESOLVED to (1) approve that a procurement exercise be undertaken to identify and secure the services of an early years provider to operate early years day-care provision in the vacated buildings located on Coton-in-the Elms Primary, Tupton Primary and Bolsover Secondary school sites and the Brimington Children's Centre site, in order to assist the local authority to deliver the thirty hours' free early years education entitlement; and

(2) receive a further report seeking approval to award the contract to the successful provider.

42/17 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 11 January 2018.
3. To receive the Exempt Minutes of Cabinet Member meetings as follows:-
 - (a) Young People – 9 January 2018
 - (b) Council Services – 10 January 2018
 - (c) Highways, Transport and Infrastructure – 11 January 2018

(d) Adult Care – 18 January 2018

4. To consider Exempt Reports as follows:

- (a) Report of the Strategic Director – Economy, Transport and Environment on Marketing Peak District and Derbyshire – Business Plan and Financial Contribution 2017-20 (Strategic Leadership, Culture and Tourism) (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 – Commissioning, Communities and Policy on Use of a Non-Derbyshire County Council Framework for the Supply of ICT Hardware (Council Services) (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 – Commissioning, Communities and Policy on Integrated Care and Library Scheme at Belper (Council Services) (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 – Economy, Transport and Environment on the Award of Passenger Transport Contracts (PTU175 AND PTU177) (Highways, Transport and Infrastructure) (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 – Economy, Transport and Environment on Cromford Canal, Whatstandwell – Retaining Wall (Highways, Transport and Infrastructure) (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 – Economy, Transport and Environment on an Urgent Decision Taken by the Head of Paid Service on the Award of Contract for the Collection of Recycling and Waste from Derbyshire County Council Premises (Highways, Transport and Infrastructure) (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 Home from Hospital Services – Proposal to Increase and Extend Grant Funding (Adult Social Care) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).