

MINUTES of a meeting of **CABINET** held on **22 October 2013** at County Hall Matlock.

PRESENT

Councillor A Western (in the Chair)

Councillors D Allen, J Dixon, K Gillott, C Neal and B Ridgway.

Councillor K P Morgan also attended the meeting.

Apologies for absence were submitted on behalf of Councillor A I Lewer.

276/13 QUESTIONS SUBMITTED BY MEMBERS OF THE PUBLIC

Ms C Dyson asked the following question:-

Derbyshire Consortium of Home-Start Schemes has been actively working for more than 6 months reviewing how our service can be provided across the whole County. We would aspire to provide home visiting support to families, including those with high level needs, initially in areas of high deprivation. How does this vision fit with Derbyshire County Council's view of family support?

Councillor Gillott responded to the question stating that the services provided by Home-Start did fit with the Council's vision of family support, although he added that any provision also had to be delivered by highly skilled and appropriately trained staff and that there needed to be evidence to support the impact the service was having in terms of outcomes. The Council's financial position of having to implement the £157m in cuts being imposed upon the Authority over the next 5 years by the Coalition Government would clearly affect its ability to deliver this vision and may mean that the Council would have to make compromises on elements of that vision as a result. Reviews of service provision that were being undertaken were as a result of contracts coming to an end.

A supplementary question was asked about the consultation process that was being undertaken and this was answered by Councillor Gillott.

277/13 QUESTIONS SUBMITTED BY MINORITY GROUP LEADERS

The following questions had been submitted in writing by Councillor A I Lewer and the Chair indicated that a written response to the questions would be made:

Item 7(c) – CAYA Capital Programme Joint Funding Initiatives in schools - Can schools still use contractors of their choice to access funds under the

'Joint Funding' initiative, as was previously the case, or do they have to use DCC Property Services?

Item 7(g) – Expansion of an Advice Service in Children's Centres - Does Cabinet recognise the danger in using already committed Public Health resources as a new or separate funding stream, with these funds appearing to be used not infrequently when there is a new spending opportunity?

Item 7(i) – The Derbyshire Challenge Fund - How does Cabinet explain establishing a fund using money that has not even been saved yet ('Smarter' Purchasing) and includes money (Civic Cars) that has already been announced as a 'saving' to justify Cabinet pay increases?

The following questions had been submitted by Councillor K P Morgan:

Item 7(f) – Department for Education Consultation on Changes to the System of School Organisation - In the light of the recent announcement by the Shadow Schools Minister, Tristram Hunt, and his support for Academies, and in the light of the recent amended motion sent to the Government in July which appeared to contradict this stance, can the Executive Member please make clear the County Council's stance on this issue?

Item 7(i) – the Derbyshire Challenge Fund - It seems an odd situation to me that when County Councillors have a Leadership Allowance to develop Excellence in the Community and the Young Achievers, many of whom get little thanks for what they do, that the endpoint of all this councillor work to enhance community engagement is disregarded. Given that the Capital programme for Children and Young Adults has a projected underspend of £930,000, does it not make sense to vire £30,000 and retain the awards ceremony for all people in all our communities?

278/13 **MINUTES** **RESOLVED** that the Non-Exempt minutes of the meeting of Cabinet held on 1 October 2013 be confirmed as a correct record and signed by the Chair.

279/13 **CABINET MEMBER MEETINGS** **RESOLVED** To receive the Non-Exempt minutes of the Cabinet Member meetings as follows:-

- a) Children and Young People – 1 October 2013
- b) Jobs, Economy & Transport – 1 October 2013
- c) Strategic Policy and Budget – 1 October 2013
- d) Council Services – 3 October 2013
- e) Health and Communities – 7 October 2013

280/13 **CAPITAL BUDGET MONITORING TO MONTH FIVE OF 2013/14** (Council Services) The Council's Capital Schemes Budget was approximately £480m with the latest monitoring showing a forecast

underspend over the life of the projects of £5.04m. A position statement and information on key variances was outlined.

RESOLVED to note the current position on the monitoring of Capital Schemes.

281/13 PROCUREMENT OF A UTILITY INVOICE RECONCILIATION SERVICE (Council Services) Approval was sought to invite tenders for the provision of a specialist utility invoice validation and reconciliation service to identify and generate refunds from the County Council's energy and water suppliers for any potential historic billing errors that may have occurred.

Such utility brokers provided the service at no upfront cost, with any potential recovered money shared between the broker and their client. Therefore, if no refunds were discovered, there would be no fee to share and no payment to the utility broker. Utility brokers that had contacted the Council offering their services had quoted potential refunds ranging from 0.1% to 10% of total energy and water spend and most suggest that refunds would be split on an equally shared basis. However, it was suggested that to ensure the Council received best value from such a service, a tendering exercise be undertaken to procure a utility broker to undertake this service and that all refunds be shared as follows:-

For refunds up to and including the first £20,000, the Council would retain 60% of the refund;

For refunds above £20,000, the Council would retain 80% of the refund.

RESOLVED (1) to approve the procurement of a utility broker to undertake historic invoice validation and obtain refunds from utility providers;

(2) that any savings generated be directed into the Derbyshire Challenge Fund from which energy efficiency bids will be awarded in line with Council priorities;

(3) to note that a further report would be submitted to Cabinet once any refund amounts have been identified and agreed; and

(4) to note that any refunds relating to schools' energy bills would be repaid to them.

282/13 CAYA CAPITAL PROGRAMME – JOINT FUNDING INITIATIVE FOR SCHOOLS (Children and Young People) Approval was sought to a further schedule of joint funded proposals submitted by schools which would be funded from the budget approved in the 2013/14 CAYA Capital Programme.

The following projects were submitted for approval:-

School	Project	Total cost	LA Contribution
Unstone St Marys Infants	Internal refurbishments to hall, classroom, nursery and entrance	£10,800	£5,400
The Green Infant	Toilet refurbishment and 2 new classroom floors	£11,100	£5,550
Belper School	Window replacement	£270,400	£135,200
Darley Dale Primary	Playground/car park and fence refurbishment	£65,000	£32,500
John Flamsteed	Boundary wall repairs	£20,000	£10,000
Middleton Primary	Refurbishment of main building	£31,500	£15,750
Morley Primary	Toilet refurbishment – second phase	£12,700	£6,350
Somerlea Park Junior	Re-plastering/pointing to hall & dining room	£15,300	£7,650
Chapel-en-le-Frith CE VC Primary	Refurbishment of nursery	£34,000	£17,000
Corfield Infant	Damp proofing, pointing & plasterwork repairs	£10,700	£5,350
Gamesley Early Excellence Centre	Rebuilding nursery garden wall	£13,200	£6,600
TOTAL		£494,700	£247,350

RESOLVED that approval be granted to the joint funded projects as detailed above with funding being split equally between the schools and the Authority, resulting in a charge of £247,350 on the total available budget of £1,205,891, found from the £1,123,000 approved in the 2013/14 Children and Younger Adults Capital Programme together with savings of £82,891 from approved 2012/13 joint funded schemes.

283/13 CHILDREN IN CARE AND CARE LEAVERS STRATEGY AND IMPROVEMENT PROGRAMME 2013/15 (Children and Young People)

The Children in Care and Care Leavers Strategy and Improvement Programme set out Derbyshire's ambition to enable children in care and care leavers to be "the best they can be". It sought to combine desired outcomes with increasing the impact of service delivery and embedded practice developments, strengths and challenges throughout.

Cabinet was particularly asked to consider:-

Whether the vision accurately describes Derbyshire's approach?
How best to strengthen Corporate Parenting further?

In addition to the Executive Summary; should there be a child and young person friendly and/or public facing document?

RESOLVED (1) to agree the Children in Care and Care Leavers Strategy and Improvement Programme; and (2) to confirm that the vision contained in the document does accurately describe Derbyshire's current approach, that the strengthening of the Corporate Parenting role be continually pursued and that there should be a child and young person friendly version of the document prepared and that this should be led by young people themselves.

284/13 PRIORITY SCHOOL BUILDING PROGRAMME – ALFRETON GRANGE (Children and Young People) In October 2011 Cabinet approved a bid to the Department for Education with respect of the Priority School Building Programme which was aimed at replacing schools which were in the worst condition. In May 2012 the DfE informed the Authority that its bid with respect to Alfreton Grange had been approved. In May 2013 the DfE announced that Alfreton Grange would be procured using an updated version of PFI known as PF2 alongside other schools in the Midlands.

The PF2 mechanism had been introduced by the Treasury following a review of PFI. In addition to changes to how the projects were structured and financed, the "soft services" were removed from the contracts. As a consequence, it was unlikely that any staff would transfer to the private sector under TUPE. The schools/Authority would continue to employ cleaners, caretakers and catering staff although maintenance staff would be provided by the private sector.

Another major change was that the procurement would be led by the DfE who would enter into contracts and legal commitments would eventually be required of the Authority/school and these would be entered into at the end of a long procurement process. In advance of this, the Education Funding Agency was requiring both the school and the Authority to enter into a Memorandum of Understanding which set out the responsibilities of the parties to support the project, including financial support. The MoU also set out the financial parameters of the project and the school needed to agree to make an annual contribution from its delegated budget for the services provided.

In 2011/12, prior to the announcement of the Priority School Building Programme, the Authority had set aside two budgets of £1.4 million and £165,000 within its Capital Programme to carry out improvement works at Alfreton Grange. Since the announcement of PSBP, works charged against these budgets had been kept to a minimum and currently around £1.35m remained uncommitted. It was proposed that these unspent funds were

capped and reallocated to the Grange project on a priority basis for works/supplies which the PSBP would not cover.

The project for Alfreton Grange was 100% new build. The school had been informed that if it chose to retain any buildings, its new build project would be reduced by the same amount. However, the Authority had the option of retaining buildings on the site although it would have to meet any costs associated with creating a non-school use. One building on site was a teaching block that was built in 1995 and was in good condition. It was proposed that a feasibility study be carried out to determine the practicalities of retaining this building for use as a new location for a Support Centre.

The Published Admission Number for Alfreton Grange was 186 with a net capacity of 1,036 with currently 677 on roll. The EFA had agreed to rebuild the school with a capacity of 850 representing 700 11-16 places and 150 16+ places. This gave the school sufficient capacity to grow through rising birth rate or increased popularity. The school's Published Admission Number would need to change to correspond with the new capacity and the EFA required the consultation on this change to be carried out before the project went ahead.

RESOLVED (1) that the Authority enter into a Memorandum of Understanding with the Education Funding Agency to provide a new school at Alfreton Grange;

(2) that existing funds be reallocated to this project as outlined above;

(3) that the feasibility of the Authority retaining one of the existing buildings at Alfreton Grange be investigated and a further report be submitted to Cabinet on this; and

(4) that consultation take place on reducing the Published Admission Number for Alfreton Grange from 186 to 140 be carried out.

285/13 DEPARTMENT FOR EDUCATION CONSULTATION ON CHANGES TO THE SYSTEM OF SCHOOL ORGANISATION(Children and Young People) The DfE was consulting on changes to the system of school organisation and a copy of the consultation document was presented. There were 3 broad elements to the proposed consultation which were:

1. Giving the individual maintained schools the freedom to make certain changes without a statutory process;
2. Streamlining the statutory process;
3. Academies were not subject to the same restrictions as maintained schools with regard to changes but they did have to seek the approval of the

Secretary of State. The consultation was proposing to remove this requirement for some changes.

Overall, the proposals were not supported and comments on each were outlined in the report for submission in response to the consultation.

RESOLVED that a response to the consultation be made to the Department for Education in accordance with the report.

286/13 EXPANSION OF AN ADVICE SERVICE IN CHILDREN'S CENTRES (Children and Young People) Approval was sought to put out to tender the provision of a generic advice service to ensure coverage at one day per week within all Children's Centres in partnership with Public Health. Following an options appraisal, it was proposed that the one day per week advice service be offered in a way that was most accessible for families. Referrals could be made by Children's Centre staff and requested by families themselves.

An audit of benefit appeals from the advice provision within GP surgeries showed that it referred approximately 250 appeals a year to Derbyshire County Council's Welfare Benefits Advice and Information Service. Some individuals were also referred to the Derbyshire Unemployed Workers Centre. In acknowledgment of managing the cost of these appeals, there was provision in the Public Health budget to contribute to these costs up to March 2015. This meant that the WBIAS and the DUWC could contribute to the advice service offered in Children's Centres and GP surgeries by dealing with up to 500 appeals a year. The specialist appeals service would increase the capacity of advice provision in Children's Centres and would significantly increase the success rate of the appeals that were made. The outcome of this investment would be increased income for the families whose appeals were successful.

The options appraisal also identified an opportunity to reinstate a welfare benefits training function for public and voluntary sector workers in Derbyshire. The funding for the training function could be met from an underspend in a Public Health budget until March 2015.

RESOLVED (1) to agree to go out to tender for the provision of a generic advice service within Children's Centres to extend the provision as outlined in the report;

(2) to approve the financial contribution for appeals to the Welfare Benefits Advice and Information Service and the Derbyshire Unemployed Workers Centre of £25,000 in 2013/14 and £50,000 each in 2014/15 from the Public Health budget;

- (3) to approve the reinstatement of the Welfare Benefits Advice and Information Service training service from the Public Health budget of £23,750 in 2013/14 and £47,500 in 2014/15; and
- (4) that these services be monitored and evaluated with recommendations for future investments to be made from April 2015.

287/13 FRAMEWORK AGREEMENT FOR TAXI AND SMALL VEHICLE SPECIALIST PASSENGER TRANSPORT SERVICES (Jobs, Economy and Transport) Approval was sought to establish a framework agreement for Taxi and small vehicle specialist passenger transport services.

Contracts usually ran for a period of up to 5 years although recently in the lead up to the introduction of the new framework agreement, contracts had normally been awarded for no more than 12 month periods. This arrangement would continue until the framework agreement commenced on 1 January 2014. It was intended that the framework agreement would streamline passenger transport booking arrangements and should lead to service efficiencies.

The outcome of the tendering process was reported and a total of 250 operators were successful in their submission. It was proposed to award contracts from the framework agreement for the period 1 January 2014 to 31 December 2017.

A number of the unsuccessful operators currently undertook special needs services for the Authority and it was proposed to allow them to carry on with current contracts until the expiry date or the contract was terminated, whichever was the earlier date. To terminate these contracts prior to their expiry would have a detrimental effect on delivering statutory services to vulnerable children and adults.

RESOLVED (1) to approve the establishment of a framework agreement for taxi and small vehicle passenger transport service as outlined in the report; and

(2) to note that some existing contracts would continue beyond 1 January 2014 in the best interests of service continuity, until the contract terminates or the contract expiry date is reached, whichever is the earlier.

288/13 THE DERBYSHIRE CHALLENGE FUND (Strategic Policy and Budget) It was proposed to establish the Derbyshire Challenge Fund to ensure that there were sufficient one-off funds available to pump prime changes that deliver significant savings and to assist in the process to keep track of the savings achieved towards the overall target of £157m.

The Derbyshire Challenge Fund – Invest to Save was an aspect of the fund which would be established, and built up, by making one-off contributions

such as year-end underspends. The “Tell Mags” campaign would provide staff with a single point of contact to share their ideas on how the Council could make savings. From these suggestions, it was anticipated that with some one-off pump-priming support to investigate and develop and implement change, significant budget savings could be achieved. The Derbyshire Challenge Fund would provide an invest to save opportunity as well as demonstrating to staff that, where possible, their suggestions were valued and progressed to help deliver savings to meet the Council’s target.

RESOLVED to approve the establishment of the Derbyshire Challenge Fund to create a reserve for the pump-priming of initiatives designed to generate further savings and to help to monitor the Council’s achievement towards the overall savings target of £157m.

289/13 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. Consideration of Minority Group questions.
2. Confirmation of the exempt minutes of the meeting of Cabinet held on 1 October 2013.
3. Receipt of the exempt minutes of Cabinet Member meetings as follows:-

(a)	Children and Young People	1 October 2013
(b)	Jobs, Economy and Transport	1 October 2013
(c)	Council Services	3 October 2013
4. Consideration of exempt reports as follows:-
 - (a) Implementation of the National Single Status Agreement - Schools – Chief Executive, Strategic Director Children and Younger Adults, Director of Human Resources and Director of Finance (containing information relating to labour relations matters)
 - (b) Award of Passenger Transport Contracts ‘Rainbow 1’ Evening and Sunday Service Contracts – Acting Strategic Director Environmental Services (containing information relating to the financial or business affairs of any particular person (including the Authority holding that information))

- (c) Addition to the 2013-14 Capital Programme – Gunstones Bakery, Stubley Lane, Dronfield Woodhouse – Bus Stop Relocation including New Bus Boarder and Bus Shelter – Acting Strategic Director Environmental Services (containing information relating to the financial or business affairs of any particular person (including the Authority holding that information))