

PUBLIC

MINUTES of a meeting of **CABINET** held on **23 December 2014** at County Hall Matlock.

PRESENT

Councillor A Western (in the Chair)

Councillors D Allen, A Botham, D Collins, K Gillott and P Smith.

Councillors B Lewis also attended the meeting.

Declaration of Interest

Councillor B Lewis declared a personal interest in Agenda item 7(g), Derbyshire Food and Drink Programme, having been a stallholder at Derbyshire Food and Drink Fairs.

430/14 PUBLIC QUESTIONS

There were no public questions.

431/14 MINORITY GROUP LEADERS' QUESTIONS

Councillor B Lewis had submitted the following questions.

Agenda Item 7(a) - D2 Employment and Skills Board

We welcome this approach but seek clarity on two points:

- (1) what is likely to be the pay grade of the Co-ordinator post?
- (2) was any attempt to seek match funding from the private sector, which will ultimately benefit from the appointment?

Councillor A Western, Leader of the Council and Cabinet Member for Strategic Policy, Economic Development and Budget, responded that the post had not yet been evaluated but this would be undertaken following the meeting when the report had been approved. The financial commitment referred to in the report however, gave some indication as to the likely grade of the post. There was no mechanism available for seeking match funding from the private sector and that was why the funding was coming from the D2N2 Local Economic Partnership and the public sector.

Agenda Item 7(f) - Highways and Transport Capital Programmes 2015-16

We welcome the latest Capital Programme list for 2015-16 and look forward to seeing it fully implemented in due course. However, the last similar

list for implementation for 2014-15, still has not been fully prepared and delivered, giving rise to a real a worry that some schemes may slide off the list. Could the Cabinet member provide assurance that those projects will be prepared, funded, and in due course, delivered?

Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure, responded that the annual Capital Programme contained a broad mix of different types of schemes whose preparation and delivery times varied widely. In this regard, 2014-15 was no different to any other year. He confirmed that over 95% of carriageway and footway surfacing schemes in the 2014-15 Programme had either been completed on time or had been issued to the contractor for construction.

Certain other projects, such as integrated transport schemes, required more complex and time-consuming preparation. Issues such as public consultation, land purchase and environmental concerns would take time to resolve and might require further design work and costs as a result. However, over 50% of these projects designed by County Council consultants had been issued to date, with more to follow soon.

The County Council remained committed to completing the schemes in its Capital Programme as soon as was possible. Work was continuing on the design and implementation of the remaining schemes on the 2014-15 list.

It should be noted that, in exceptional circumstances, unforeseen reasons such as public acceptability, technical complications or vastly increased costs may mean that some projects could not be implemented. As with previous years, this was expected to be minimal.

Local Transport Plan funding did not need to be spent in the year that it was awarded, although every effort was made to do so. However, certain funds did need to be used before the end of March 2015 or they would be lost. One example was the Pothole Fund, which had added a further £2.5m of works this winter on top of planned Local Transport Plan expenditure.

Councillor Collins assured Councillor Lewis that he was working hard to maximise highways funding for the County Council and to make certain that every penny was well spent.

Agenda Item 7(g) - Derbyshire Food and Drink Fair Programme

This is hugely popular with the public, delivers real benefit for Derbyshire's fast growing food and drink economy, indeed arguably, since this Fair was allowed to grow and prosper some years ago, it has been a major factor in the growth of that sector. It is accepted that change could be made

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to the Derbyshire Food and Drink Awards. Could the Cabinet Member answer the following questions related to the Derbyshire Food and Drink Fair:

(1) Many people, Councillors and public alike, are struggling to understand how the Derbyshire Food and Drink Fair is not self-supporting, when it attracts major sponsorship, stallholder fees and with a large proportion of the 20,000 plus people paying the £5 entry fee, could this be explained?

(2) Has the Cabinet member looked at all avenues, including modest rises to stallholder and entry fees, or new models of delivering the Derbyshire Food and Drink Fair?

(3) Does the Cabinet member not accept that the huge benefits to Derbyshire's economy, including tourism, are not always measurable, and that the intangible benefits of the Derbyshire Food and Drink Fair are so enormous that Derbyshire County Council risks damaging the local economy by this action?

(4) Does the Cabinet member accept that the strategies outlined in the report, excepting perhaps the Made in Derbyshire scheme, will not bring the same benefits to Derbyshire's food and drink industry as the well-established Fair does and indeed run some risk of additional red tape for producers?

Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure clarified to Councillor Lewis that the Food and Drink Fair had not, and had never, received 20,000 annual visitors. Although gate receipts had increased significantly between 2008 and 2010, since 2012 the receipts had remained static at just over £32,000.

In fact, when taking into account all income and expenditure, over the last three years the Council had been operating at a net loss which varied between £51,595 and £55,317. Councillor Collins was sure that Councillor colleagues could appreciate this was a significant sum within the current financial climate.

In recent years, the Council had been grateful for the financial support and sponsorship of companies such as Toyota, Thorntons, Holdsworth Food, but this had not significantly reduced the operating loss. Also contributing to the net balance was the cost of meeting health and safety requirements, crowd management, event management and event insurance. Gate receipts, stallholder fees and sponsorship did not cover the full extent of these costs – and the loss of grant funding since 2012, such as ERDF, had also provided significant challenge.

Furthermore, over the same period, the number of other food and drink fairs across the County had increased – for example Chatsworth, Bolsover,

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Belper – and the numbers attending these fairs also appeared to have increased. This created a competitive environment in which the Council had to secure stallholders and meant it had to carefully consider the charges made to both the stallholders and the public.

(1) Councillor Collins indicated that his answer to the previous question covered Councillor Lewis' suggestions around modest rises. To do so, would likely result in the Council's Fair being less attractive to stallholders and to raise the entry fee could exclude some people from attending on financial grounds. The current £5 entry fee was considered reasonable.

Feedback from stallholders suggested that current prices for the Derbyshire Food and Drink Fair were higher than some others in the County. Feedback from stallholders immediately after this year's Fair suggested there would be strong support to a networking event that linked the whole food and drink sector to the wider work on visitor economy. The Council had taken this suggestion seriously and it was believed the proposal outlined to Cabinet took account of this.

(2) Councillor Collins accepted the point made by Councillor Lewis on the importance of tourism to the wider Derbyshire economy. Anything that promoted the visitor economy and served to attract visitors was very much welcomed. However, he restated his previous comment on the need to make the best use of the Council's available resources and the need for the Council to be sure it was adding value to what was already an active and competitive environment. There were a large number of alternative opportunities for stallholders and visitors to attend other similar events across the County and, more importantly, across all areas of the County.

It was difficult to evaluate the impact of a single, one-off event when there were so many other activities and factors contributing to the overall success. Given the approach outlined to Cabinet which would focus on a programme of support to the food and drink sector instead of focusing on one-off resource-intensive events, Councillor Collins believed any risks were negligible and, actually, that the proposed approach would better meet the needs of the sector.

(3) Councillor Collins did not accept this point as he believed the Council had developed the right strategy for supporting the sector, could draw on the wider activity and involvement of the Local Economic Partnership and the sector-development groups and discussions that take place at a more strategic level.

In concluding, Councillor Collins said that the key message here was that the recommended new approach to the Derbyshire Food & Drink Programme was not primarily a cost saving exercise, but about providing more effective support to one of our key growth sectors, ensuring activity

complements and adds value to other County Council activity and building a programme which would be better targeted and better placed to attract external funding from Government and the European Union.

The new approach should provide a more effective use of both the existing budget and staff management resource. The Council had developed an excellent network of businesses from across the sector and the Council would be contacting them early to ensure they were involved in developing the new Food and Drink Programme.

432/14 **MINUTES** **RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 2 December 2014 be confirmed as a correct record and signed by the Chair.

433/14 **CABINET MEMBER MEETINGS - MINUTES** **RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows;

- (a) Council Services – 1 December 2014
- (b) Strategic Policy, Economic Development and Budget – 1 December 2014
- (c) Children and Young People – 2 December 2014
- (d) Health and Communities – 2 December 2014
- (e) Adult Social Care – 10 December 2014

434/14 **D2 EMPLOYMENT AND SKILLS BOARD** (Strategic Policy, Economic Development and Budget) The Strategic Director – Economy, Transport and Environment sought approval to part-fund a Co-ordinator post to support the development of the D2 Employment and Skills Board and to shape the employment and skills work of the proposed D2 (Derby and Derbyshire) Combined Authority.

The economic strategies of Derbyshire County Council and Derby City Council had identified employment and skills as a key priority in ensuring local economic growth and this was also supported as a key ambition of the emerging D2 Combined Authority. Supporting the wider, strategic employment and skills agenda, the D2N2 Local Enterprise Partnership (LEP) had developed a Skills Commission as part of its formal governance arrangements to oversee the LEP wide Skills Plan and associated commissioning of the European Structural and Investment Fund and Single Local Growth Funds. A new D2 Employment and Skills Board (ESB) had been established to be employer-led. The Board consisted mainly of private sector businesses from across Derby and Derbyshire. It was envisaged that the D2 ESB would also form a key part of the emerging D2 Combined Authority arrangements.

D2N2 had committed £25,000 over two years to fund a dedicated ESB Co-ordinator post subject to match funding from Derby City Council and

Derbyshire County Council. Similarly, Nottingham City Council had recently recruited a similar post to support the equivalent N2 ESB. Following discussions at the D2 ESB, an appropriate job description and person specification was being drafted, with the intention to begin the recruitment process as soon as possible, subject to Cabinet approval. The employing body for the new post was subject to further discussion and agreement, but should it be agreed that Derbyshire County Council was to be the host employee, the post would be subject to job evaluation to determine the grade. Details of the key responsibilities undertaken by the post holder were detailed in the report.

RESOLVED to approve the allocation of £25,000 over a two year period to part-fund the D2 Employment and Skills Board Co-ordinator.

435/14 REVIEW OF DERBYSHIRE PACKAGE TERMS AND CONDITIONS OF EMPLOYEES (Council Services) Cabinet considered a report of the Strategic Director – Corporate Resources and the Director of Human Resources on changes to the Derbyshire Package terms and conditions of service introduced following a joint review and collective agreement reached with the recognised trade unions. Details of the changes which related to medical absences, phased return to work, leave for foster carers, leave for school governors and stand-by duty were presented in the report.

RESOLVED to approve (1) the changes to the Derbyshire Package as detailed in the report; and

(2) that the changes be incorporated in the Derbyshire Package applied to school support staff subject to the agreement of the Schools JCC.

436/14 TREASURY MANAGEMENT (Council Services) The Director of Finance, in accordance with agreed procedures, presented an Interim Report on Treasury Management activities for 2014-2015. The report detailed the economic background, interest rates, borrowing, lending and a summary of the prudential indicators which had been set for 2014-15 by full Council in February 2014, a copy of which was attached at Appendix 1 to the report.

RESOLVED to note (1) the Interim Report on Treasury Management for 2014-15; and

(2) compliance with potential indicators as shown at Appendix 1 to the report.

437/14 CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME 2014-15 (Children and Young People) The Strategic Director - Children and Younger Adults sought approval to a schedule of joint funded projects

submitted by schools as a charge on the budget approved in the 2014-15 Children and Younger Adults Capital Programme. A list of projects for approval was included in the Appendix to the report, with the Authority's contribution to the projects totalling £281,500. It was noted that the projects detailed were all in schools which had not previously applied for match funding from the Initiative.

RESOLVED to approved the joint funded projects as detailed in the Appendix to the report with the funding being split equally between the schools and the Authority, resulting in a charge of £281,500 against the approved allocation of £500.000 in the 2014-15 Children and Younger Adults Capital Programme.

438/14 IMPLEMENTATION OF THE NATIONAL SINGLE STATUS AGREEMENT WITHIN SCHOOLS – JOB EVALUATION APPEALS

(Children and Young People) Cabinet considered a joint report of the Strategic Director – Children and Younger Adults and the Director of Human Resources on progress and approval of the arrangements for the joint consideration of appeals against the Hay Job Evaluation Scheme, consequential to the Single Status provisions previously agreed by Cabinet.

The process allowed individuals affected a right of appeal against the grade of the job to which they had been assimilated. In total there were 482 appeals which required consideration and a schedule showing the distribution by job family, school type and levels of pay protection applicable was attached at Appendix 1 to the report.

Following extensive discussions through the Joint Groups that comprised Council representatives, representatives of the recognised trade unions together with representatives of Derbyshire Governors and Head Teachers bodies', joint agreement had been reached to allow, with the consent of the schools involved, for the appeals to be heard centrally rather than by individual governing bodies. This would allow for greater consistency of decision-making. A copy of the proposed job evaluation appeals process and membership of the panel was set out at Appendix 2 to the report.

It was envisaged that the proposed programme would enable completion of the process, including QA by the end of September 2015 and that this would allow the production of related correspondence confirming the outcomes during October 2015 to schools, which in turn would enable the issue of individual letters confirming the outcomes to all appellants at the same time during the first week of November 2015. It was noted that this was one month later than originally intended but this was a joint agreement position in order to provide adequate opportunity to support employees with the preparation of their formal submission. A revised project timeline was attached at Appendix 3 to the report.

The cost of the contract arrangements and associated backfill within the Children and Younger Adults ISSIS Team for the temporary period up to 31 December 2015 was £115k including on-costs. In addition, the cost of backfill for the anticipated trade union time for engagement in the job evaluation appeal process for the period 1 February to 30 September 2015, was approximately £80k, based on two representatives per panel and an average pay of Grade 9. There was no specific budgetary provision for these costs and it was therefore proposed that they be met from the Children and Younger Adults Department uncommitted underspend from previous years and be held in a specific earmarked reserve.

RESOLVED to (1) note the number of job evaluation appeals requiring formal consideration as set out in Appendix 1 to the report;

(2) approve the job evaluation appeals process jointly recommended by the Authority and trade unions as attached at Appendix 2 to the report subject to the agreement of schools;

(3) agree the adjusted project timeline shown at Appendix 3 to the report;

(4) agree to receive a further report on the conclusion of the job evaluation appeals process; and

(5) agree to the establishment of an earmarked reserve to hold the resources required to fund the above activity.

439/14 HIGHWAYS AND TRANSPORT CAPITAL PROGRAMME 2015-16 (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval in principle to a proportion of the Highways and Transport Capital Programme for 2015-16 to be allocated in order to allow design and preparation to take place and the publication of notices or application for permits to work. The proposed programme of schemes was detailed at Appendix 1 to the report. Each of the schemes had been assessed against the objectives and asset management principles of the Local Transport Plan in order to ensure that it complied with agreed priorities. These schemes would comprise, based upon current cost estimates, approximately 31% of the total Programme and approval in principle would permit preparation of these schemes to begin, ready for construction as early as possible during 2015-16. They would form part of the Service Plan presented to Cabinet in due course for formal approval, together with proposed allocation of the remainder of the Programme.

RESOLVED to approve in principle, the programme of schemes set out at Appendix 1 to the report, in advance of the Economy, Transport and

Environment Department's Service Plan Refresh 2015-16, in order to fulfil the County Council's obligations under the Traffic Management Act 2004 and to permit the commencement of lengthy preparation process.

440/14 DERBYSHIRE FOOD AND DRINK PROGRAMME (Highways, Transport and Infrastructure) Cabinet considered a report of the Strategic Director – Economy, Transport and Environment which proposed a new approach to delivering the Derbyshire Food and Drink Programme to more effectively support the sector.

The Derbyshire Food and Drink Fair had been running for twelve years with the annual Food and Drink Awards commencing a year later. Both events were the focal point of the County Council's Programme to support the industry, promote small business and promote the quality and range of the Derbyshire food and drink offer.

In the light of the current financial challenges facing the Council, and the recognition of food and drink manufacturing as a priority growth sector by the D2N2 Local Enterprise Partnership, a review was instigated to consider options for a more effective programme of support and activity, building upon existing community and local based events, complementing other related Council activity and developing the potential for attracting external funding support (notably European funding).

Both the Derbyshire Food and Drink Fair and Awards had proved popular over recent years. However, despite progress being made, both events, and the Fair in particular, required considerable resources in terms of budget and staffing to deliver. Following a review it was proposed to:

- cease the Derbyshire Food and Drink Awards for 2015 and commence a detailed review of the format to ensure wider inclusivity of the sector.
- cancel the Derbyshire Food and Drink Fair in its current format and work with the existing local food and drink related events across Derbyshire to promote the sector and community based activity.

A new Derbyshire Food and Drink Programme would re-focus on providing continuous business support to the sector, linking with other regional, County-wide and local priorities and initiatives and drawing in external funding in recognition of the sectors growth potential. Activity would look to support the food and drink industry in its widest sense "from field to plate" encompassing the agri-food businesses, food manufacturing and processing and catering, hospitality and retail businesses. Through adopting this wider focus and complementing other activities, the new Programme would not only support economic growth, but promote the cultural, social and health and well-being agenda across Derbyshire. Details of the proposed

activities to be developed and delivered under the existing and recognised Derbyshire Food and Drink brand as part of the new programme were presented in the report.

RESOLVED to approve (1) the cancellation of the Derbyshire Food and Drink Awards and Fair for 2015; and

(2) the development of the proposed new Derbyshire Food and Drink Programme including an initial sum of £20,000 from the Economic Regeneration General Budget to support development.

441/14 CYCLING STRATEGY FOR DERBYSHIRE (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval to the formulation with partners, of a Cycling Strategy for Derbyshire and to authorise a financial contribution to the procurement of specialist advice to support this. There was a strong case, details of which were presented in the report, for the development and approval of a Cycling Strategy for Derbyshire, and it was recommended that this should be kept at a level of a simple statement of intent reflecting the Council Plan and supporting documents but, taking into account the likely requirements of Cycling Delivery Plan, providing clarity about where, when and how the Council expected to intervene. Given the relevance of cycling to the visitor economy, it was recommended that the Strategy be developed for and approved by the Derby and Derbyshire Joint Committee for Economic Prosperity (D2) or in due course the Combined Authority. This would require the County Council's existing policies to be brought together with those of other nine partner organisations plus Derbyshire Sport, the Peak District National Park Authority and potentially others, and there may be difficult negotiations required in order to agree priorities.

It was noted that the Government's draft Cycling Delivery Plan also made reference to walking, particularly in reference to travel to school. Irrespective of how walking was dealt with nationally, it was felt that in Derbyshire strong arguments could be made for the future production of a local Walking Strategy.

It was recommended that approval be given to the County Council making a contribution of up to 50% of the cost of specialist advice, with a ceiling of £10,000. This would be procured through a competitive process in accordance with Financial Regulations, by either the Council or the Peak District National Park Authority. The contribution should lead to future resources being used more efficiently through being focussed upon projects with a good chance of receiving funding.

RESOLVED to (1) approve, in principle, the development of a Cycling Strategy to be approved by the Derby and Derbyshire Joint Committee for Economic Prosperity (D2);

(2) note the potential for a parallel exercise dealing with walking to be developed in the future;

(3) approve the procurement of specialist advice on the economic business case for cycling investment and a County Council contribution of up to £10,000 towards the cost of such advice.

442/14 COUNTY TRANSPORT PREMISES REPAIRS (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval to add the cost of upgrading the County Transport's operational premises to the 2014-15 Capital Programme and for the improvements and repairs to be carried out. The report detailed works required to the Brimington, Derby, Darley Dale, and Dove Holes Workshops and the Ambergate Depot in the total sum of £45,141.00. It was proposed that this expenditure be funded by a revenue contribution from the Departmental Earmarked Premises Reserve. In addition, approval was also sought to fund an expenditure on replacement doors at the Derby Workshop and replacement windows at the Darley Dale Workshop in the total sum of £4,730.00 from the Departmental Earmarked Premises Reserve.

RESOLVED to approve (1) the addition of the cost of improvements and repairs to the County Transport premises referred to in the report to the 2014-15 Capital Programme; and

(2) the use of departmental earmarked reserves to fund the County Transport premises improvements and repairs detailed in the report at a total cost of £49,781.

443/14 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. Confirmation the exempt minutes of the meeting of Cabinet held on 2 December 2014.
2. Receipt of the exempt minutes of Cabinet Member meetings as follows:

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- (a) Council Services – 1 December 2014
 - (b) Children and Young People – 2 December 2014
 - (c) Adult Social Care – 10 December 2014
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- 3. Consideration of the report of the Strategic Director – Health and Communities on Health and Communities Department – Senior Management Restructure (Health and Communities) (contains information likely to reveal the identity of any individual).
 - 4. Consideration of the report of the Strategic Director – Children and Younger Adults on School Staff Redundancies 2014 (Children and Young People) (contains information likely to reveal the identity of any individual).
 - 5. Consideration of the report of the Strategic Director - Children and Younger Adults on the Management Restructuring Participation, Performance, Quality, Information Management and ICT (Children and Young People) (contains information likely to reveal the identity of any individual).