

PUBLIC

**MINUTES** of a meeting of **CABINET** held on **24 March 2015** at County Hall Matlock.

**PRESENT**

Councillor P Smith (in the Chair)

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

Councillors B Lewis and K P Morgan also attended the meeting.

Apologies for absence were submitted on behalf of Councillor A Western.

**106/15      PUBLIC QUESTIONS**

There were no public questions.

**107/15      MINORITY GROUP LEADERS' QUESTIONS**

There were no Minority Group Leaders' Questions.

**108/15      MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 3 March 2015 be confirmed as a correct record and signed by the Chair.

**109/15      CABINET MEMBER MEETINGS – MINUTES**

**RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows;

- (a) Council Services – 23 February 2015
- (b) Health and Communities – 3 March 2015
- (c) Highways, Transport and Infrastructure – 3 March 2015
- (d) Strategic Policy, Budget and Economic Development – 3 March 2015
- (e) Children and Young People – 10 March 2015
- (f) Adult Social Care – 11 March 2015

**110/15      CAPITAL BUDGET MONITORING TO MONTH 9 2014-2015**

(Strategic Policy, Economic Development and Budget) The Director of Finance informed Cabinet of the latest budget monitoring position for open capital schemes which had previous Cabinet approval and also on new schemes which were considered additions to the approved Capital Programme, for which separate Cabinet approval had been sought. The current budget for open schemes was approximately £542m with the latest

monitoring showing a forecast overspend over the life of the projects of £0.871m. The current position statement was attached at Appendix 1 to the report and the report also detailed the position by department.

**RESOLVED** to note the current position on the monitoring of capital schemes.

**111/15      BUDGET MONITORING 2014-15 (AS AT 31 DECEMBER 2014)**

(Strategic Policy, Economic Development and Budget) The Director of Finance provided Cabinet with details of the revenue budget position for 2014-15 as at 31 December 2014. The report summarised the controllable budget position by Cabinet Member portfolio and it was noted that further reports would be considered at Cabinet Member meetings, the Audit Committee and Council, in accordance with the Budget Monitoring Policy.

The Council's Adult Social Care and Highways, Transport and Infrastructure portfolios both indicated a possible year-end overspend position. However, the overall departmental overspend showed an improvement on that reported in the previous Cabinet report where the overall departmental overspend was projected to be £6.774m. The projected outturn was summarised in the table below.

	<b>Controllable Budget</b>	<b>Actuals</b>	<b>Projected Outturn</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Adult Social Care (ASC)	211.321	213.664	2.343
Children and Young People (CAYP)	109.901	109.714	-0.187
Highways, Transport and Infrastructure (HTI)	81.375	82.343	0.968
Strategic Policy, Economic Development and Budget (SPEDB)	6.894	5.965	-0.929
Council Services (CS)	45.527	44.723	-0.804
Health and Communities (HAC)	13.252	12.932	-0.320
<b>Total Department</b>	<b>468.270</b>	<b>469.341</b>	<b>1.071</b>

Budget cuts totalling £31.203m were allocated for the year and it was anticipated that £26.481m of these would have been achieved by the year end before the additional support was received from the Public Health Resource Fund. An additional £3.705m had been identified from the Fund which could be used to support some service areas. The table below showed budget cuts performance for the year and the report also detailed the position by department.

	<b>Budget Cuts £m</b>	<b>Public Health Funding £m</b>	<b>Revised Budget Cuts £m</b>	<b>Forecast Achievement £m</b>	<b>Under/Over (-) Achieved £m</b>
ASC	13.631	1.891	<b>11.740</b>	13.452	<b>-1.712</b>
CAYP	6.033	1.115	<b>4.918</b>	3.169	<b>1.749</b>
HTI	7.259	0.136	<b>7.123</b>	5.502	<b>1.621</b>
SPEDB	0.254	0.000	<b>0.254</b>	0.497	<b>-0.243</b>
CS	2.738	0.000	<b>2.738</b>	2.738	<b>0.000</b>
HAC	1.288	0.563	<b>0.725</b>	1.123	<b>-0.398</b>
<b>Total</b>	<b>31.203</b>	<b>3.705</b>	<b>27.498</b>	<b>26.481</b>	<b>1.017</b>

**RESOLVED** to note the 2014-15 budget monitoring position as at 31 December 2014.

**112/15      COUNCIL PLAN UPDATE 2015-16** (Strategic Policy, Economic Development and Budget) The Council Plan was considered by Cabinet in March 2014 and approved by Council in April 2014. It was agreed that the Plan would be reviewed and refreshed on an annual basis. The Plan had, therefore, been reviewed and an Update for 2015-16 had been produced to ensure that it continued to reflect the priorities of the Council and remained fit for purpose. The Update set out for each Council pledge, the key achievements from the previous year and priority actions identified for 2015-16. The Council Plan Update was attached at Appendix A to the report.

**RESOLVED** to commend to Council the approval of the Council Plan Update 2015-16.

**113/15      DEPARTMENTAL SERVICE PLANS 2015-16** (Strategic Policy, Economic Development and Budget) The Chief Executive sought approval for the Departmental Service Plans for 2015-16 and their associated budgets. Service Plans detailed how each department would contribute to the Council

Plan 2014-17 priorities, and they described how departments would deliver these priorities and how successful impact would be measured. Copies of the Service Plans were attached as appendices to the report.

**RESOLVED** to (1) approve the 2015-16 Departmental Service Plans;  
and  
(2) submit the Plans to full Council for endorsement.

**114/15      DEVELOPMENT OF CORE PRINCIPLES AND POLICIES TO SUPPORT ORGANISATIONAL REVIEWS** (Council Services) The Strategic Director – Corporate Resources sought Cabinet approval for the development of Core Principles to support organisational reviews, including revised policies relating to Redundancy, Redeployment, Protection of Earnings and Buy-Out of Hours.

The aim of the Core Principles, which were detailed at Appendix 1 to the report was to help ensure;

- The Council met its legal obligations as a single employer and ensure the effective use of resources
- The impact of budget cuts on employees was mitigated as far as possible with compulsory redundancies minimised
- A fair, transparent and consistent approach was taken across the Council
- Service delivery was maintained
- The Council fulfilled its commitment to having a skilled and confident work force broadly representative of the community served.

The Core Principles supported the Council in moving towards an Internal Jobs Market and balanced the need to ensure that posts were filled with people with the right skills to support service delivery, against the Council's commitment to mitigate against the need for compulsory redundancies. It was noted that the focus on minimising compulsory redundancies through redeployment, inevitably impacted on promotion opportunities for some, and may limit development opportunities for employees in some service areas.

The Principles would underpin all organisational reviews, restructures and workforce realignment exercises and discussions with the trade unions. Appendix 2 to the report was a letter from Unison confirming the general views of the recognised trade unions although it was accepted that further consultations would be needed to reconcile the detailed matters of interpretation and processes.

The Redundancy, Redeployment, Protection of Earnings and Buy-out of Hours Policy had been reviewed to reflect the Core Principles as well as the legislation, case law and other previously agreed changes as summarised in

Appendix 3 to the report. The revised Policy was attached at Appendix 4 and this aimed to provide a consistent, transparent and effective process for dealing with redundancy, redeployment, protection of earnings and buy-out of hours, ensuring compliance with good practice and statutory requirements and balancing the needs of the Council and employees during organisational change. These changes would come into effect on 1 February 2015. Discussions with the trade unions would continue on the implementation of the Core Principles, development of the detailed guidance and processes and further policy revision.

**RESOLVED** to (1) approve the Core Principles to support the organisational reviews and the revisions to the Redundancy, Redeployment, Protection of Earnings and Buy-out of Hours Policies;

(2) note that discussions would continue with the trade unions to ensure detailed processes, mechanisms and guidance are in place to support the Policies; and

(3) note that a further report outlining a detailed business case for the development of an Internal Jobs Market would be submitted to a future meeting.

#### **115/15      REVIEW OF THE ACTIVITY OF THE MEMBER**

**DEVELOPMENT WORKING GROUP** (Council Services) The Strategic Director – Corporate Resources and the Director of Human Resources summarised the work of the Member Development Working Group and recommended the adoption of the Councillor Development Charter as the benchmark against which further developments were structured and reviewed.

The Working Group had considered the Councillor Development Charter and the benefits that this could bring to the Council, and it was considered that the promotion and continued improvement of effective Member development would be enhanced by adopting the Charter. The Charter promoted best practice in Member development by providing a focus and external benchmark against which the Council could measure its performance and identify areas for improvement. A copy of the Charter was attached at Appendix 1 to the report.

An accreditation process set against standards which had been developed in conjunction with the LGA and other regions around the country was required to be undertaken and the Charter takes into account and complemented the Investors in People quality standard in the Council. The report detailed the benefits of the Charter and the process involved in achieving accreditation against the Councillor Development Charter were detailed at Appendix 3 to the report. There was also a specific requirement for

an effective Member Development Strategy to be developed and implemented and a copy of the proposed Strategy was attached at Appendix 2 to the report.

**RESOLVED** to (1) note the achievements of the Member Development Working Group;

(2) adopt the Councillor Development Charter and the stages leading to accreditation as detailed in Appendices 1 and 3; and

(3) approve the implementation of the Elected Member Development Strategy as detailed at Appendix 2 to the report.

**116/15      EARLY YEARS AND HIGH NEEDS FUNDING 2015-16** (Children and Young People) The Strategic Director – Children and Younger Adults sought approval to a number of issues relating to the High Needs and Early Years Budgets within the Dedicated Schools Grant for 2015-16, details of which were presented in the report.

**RESOLVED** to (1) approve the changes to the High Needs Places as set out Appendix 1a to the report;

(2) approve the High Needs Places for 2015-16 as set out in Appendix 1b to the report;

(3) approve the pupil profiles for special schools as set out in Appendix 2 to the report;

(4) agree to the establishment of new profiles for high dependency and behaviour as set out in Section 2.23 of the report;

(5) approve the PRU and ERS pupil profiles as detailed at Appendix 3 to the report;

(6) approve the Early Years Single Funding Formula multipliers for 2015-16 as set out in Section 2.51; and

(7) approve the retention centrally of the Early Years budgets as detailed at Appendix 4 to the report.

**117/15      DERBYSHIRE SECOND HOMES PROGRAMME** (Adult Social Care) The Strategic Director – Adult Care sought Cabinet approval for a programme covering the use of the £0.566m at Second Homes Budget for Amber Valley, Derbyshire Dales, High Peak and South Derbyshire District Councils for 2015-16.

It had previously been agreed that, for 2015-16, this money would continue to fund District and Borough Councils' priorities given that many of their housing customers also received services from Derbyshire County Council and vice-versa. By supporting people through the services outlined in the Second Homes Programme, councils were able to reduce demand on their own services by providing an enhanced housing and support services to people who were the most vulnerable. A proposed investment programme for 2015-16 to reflect changes in local needs and a strategic fit with the Council's respective priorities was attached at Appendix 1 to the report. In order that future Second Homes investments continued to meet the changing strategic priorities of the respective Councils, a review would be undertaken during 2015-16 and reported to Cabinet.

**RESOLVED** to approve the programme covering the use of £0.566m Second Homes for Amber Valley, Derbyshire Dales, High Peak and South Derbyshire District Councils for 2015-16.

**118/15      PAYMENTS TO VOLUNTARY AND COMMUNITY**

**ORGANISATIONS 2015-16** (Adult Social Care) The Strategic Director – Adult Care sought Cabinet approval to continue payments to voluntary and community sector organisations for 2015-16 and to jointly review the current investment in the voluntary and community sectors. A list of the organisations currently in receipt of funding from Adult Care to provide specific care and support services was attached at Appendix 1 to the report which it was proposed would be funded using a combination of Adult Care and Public Health funds for 2015-16. The services were currently or would be, the subject of strategic reviews as detailed in the report. These reviews would determine their relevance to the current and future commissioning requirements of Adult Care, including their provision across the County and the potential impact of the Care Act on their continued funding. Any proposed changes that were identified following the strategic reviews, would be presented to Cabinet.

Adult Care and local NHS jointly funded agreements with forty-five local voluntary and community sector organisations in order to support individual projects or provide specific care and support services, details of which were presented at Appendix 2 to the report. As yet, the local NHS had not confirmed that it would continue to fund its contributions for 2015-16. However, despite this, it was proposed that the combined Adult Care and Public Health contribution to these services be extended for a further year. Cabinet noted that a number of these services would also be the subject of joint strategic reviews and any review would include consideration of their provision across the County.

Each year, approximately 150 older people's clubs received small annual payments in order to support their general running expenses with the

amount approved being based on expenditure incurred during the previous year. These services provided a valuable community based service that contributed to Derbyshire's prevention strategy. The total level of expenditure during 2014-15 was approximately £22,500, with a total level of assistance for 2015-16 projected to be at a similar level.

At the Cabinet meeting held on 10 February 2015, approval was given to the continued funding of services commissioned by Adult Care to be met from the Public Health Resource Fund. As a result of this decision, funding to voluntary and community groups totalling £0.640m, previously met by Adult Care, was being met by Public Health for the financial year 2015-16.

**RESOLVED** to approve (1) the proposed allocation of £2.527m to voluntary and community sector organisations for 2015-16 as detailed in Appendices 1 and 2 to the report and the allocation of small grants for luncheon clubs, old people's clubs and clubs for disabled people; and

(2) the proposal to jointly review with the local NHS, the funding for voluntary and community sector services for 2016-17.

**119/15      CHARGING FOR DEFERRED PAYMENT AGREEMENTS** (Adult Social Care) The Strategic Director – Adult Care sought approval to apply administration charges for clients entering into a Deferred Payment Agreement and to charge interest on the accruing balances.

From April 1 2015, the Care Act 2014 introduced a new duty for every local authority to offer a Deferred Payment Scheme, meaning no one should be forced to sell their home during their lifetime in order to pay for their residential care. The County Council already operated such a scheme, however, the Care Act Guidance and Regulations now set out what local authorities could charge in interest on any amounts deferred and the administrative charges that might be recovered in relation to deferred payment arrangement. Details of the proposed administrative charge and interest charge were presented in the report.

**RESOLVED** to approve the introduction of charges for Deferred Payment Agreements as detailed in the report.

**120/15      BETTER CARE FUND: PARTNERSHIP FRAMEWORK AGREEMENT UNDER SECTION 75 OF THE NATIONAL HEALTH SERVICE ACT 2006** (Adult Social Care) Cabinet considered a joint report of the Strategic Director – Adult Care and the Director of Finance which sought approval for an agreement to be concluded between Derbyshire County Council, Erewash, Hardwick, North Derbyshire, Southern Derbyshire and Tameside and Glossop Clinical Commissioning Groups (CCGs) effective from 1 April 2015, which set out the terms on which services would be



commissioned from the Better Care Fund for 2015-16. The agreement would also cover existing partnership arrangements relating to the provision of medical equipment. Details of the financial and governance arrangements relating to the Section 75 agreement were presented in the report.

There was a requirement for the agreement to take effect from 1 April 2015, and in order to achieve this, it had been necessary to request Councillor C R Moseby, Chair of the Improvement and Scrutiny Management Committee, to consider the proposed waiving of Call-in in respect of the report. Councillor Moseby had agreed both that the decision proposed was reasonable, and to it being treated as a matter of urgency in order to ensure that the agreement took effect from 1 April 2015.

**RESOLVED** to approve (1) the entering into of a Section 75 agreement as detailed in the report; and

(2) to note that Call-in in respect of this decision had been waived.

**121/15      RE-COMMISSIONING OF DOMESTIC ABUSE SERVICES**

(Health and Communities) The Strategic Director – Health and Communities outlined the re-commissioning process for Integrated Domestic Abuse Services.

Following approval to move to an integrated approach for commissioning Domestic Abuse Services across the County Council, a timetable had been drafted and procurement of services was planned in line with Protocol 1 of the County Council's Financial Regulations. The current Domestic Abuse Service contracts were due to expire on 31 March 2016, and to ensure there was no gap in service provision, and to allow sufficient time for any TUPE requirements, the tender documents would need to be advertised by 16 July 2015 for contract(s) beginning April 2016.

The consultation stage began in January 2015 and would run until mid-April. It would engage a wide range of stakeholders and would take various forms, including on-line surveys and specific focus groups. In addition, the Council would be taking into consideration the Domestic Abuse and Sexual Violence Health Needs Assessment for Derby and Derbyshire led by Public Health in November 2014.

Following consultation feedback, service specifications would be drafted between April and July 2015 together with three-year contracts with an option to extend for a further period of up to two years. An Equality Impact Analysis would be completed on the proposed specifications together with a Health Impact Assessment following completion of the procurement process. A further report would be brought to Cabinet for approval of the preferred supplier.

**RESOLVED** to approve the procurement of Integrated Domestic Abuse Services in line with Protocol 1 of the County Council's Financial Regulations, to take effect from April 2016.

**122/15      RECRUITMENT OF PUBLIC HEALTH CONSULTANT** (Health and Communities) The Director of Public Health sought approval to recruit to the vacant Public Health Consultant post on NHS terms and conditions.

The Consultant workforce was a key leadership component in the Public Health responsibilities of the Council and their role was highly specialised providing leadership across a broad range of policy areas within the local system to realise ways of making communities and environments healthier. The seniority of the Consultant position reflected a requirement that they had a diverse range of skills and abilities and could give leadership to work areas which were challenging, extremely varied and often unpredictable. They were expected to be able to provide advice and demonstrate the predicted impacts of policy options for politicians and clinicians and they were expected to use their influencing skills to persuade partner organisations to take a population perspective when planning and delivering services.

Cabinet agreed to the reorganisation of the Health and Communities Senior Management Structure in December 2014, and this reflected a realignment of responsibilities for the Public Health leadership level and three Consultant posts were removed from the structure. This left four consultant posts in the structure, one of whom left in January, creating a vacancy.

There were now four teams, each led by a Consultant accountable to the Director and reducing the Public Health Senior Team's capacity even further would jeopardise the safe and effective provision of the statutory function for the Council. There was now only one medically qualified Consultant and, on transfer in 2013, four of the seven consultants were from a medical background. This gave a much more limited skill mix in relation to the statutory role of providing advice to the NHS. Public Health had an important strategic role in the leadership of medical professionals and Public Health Consultants needed to have the same status to NHS Consultant colleagues. This view had been endorsed by the LGA, the BMA and the Association of Directors of Public Health and the Faculty of Public Health. The County Council had the smallest per capita Consultant workforce in the East Midlands and consultants had a statutory responsibility for advising the four Derbyshire CCGs, maintaining good productive working relationship with all eight district councils and working effectively with departments across the whole Council. This was a complex and challenging task given the significant reduction in leadership capacity over the last eighteen months.

Public Health staff who moved to the Council on 1 April 2013 from the Derbyshire Primary Care Trust, were transferred on their existing terms and conditions, which were a mix of “Agenda for Change” and NHS “Consultants”. As part of the formal consultation process prior to transfer, Cabinet on 18 December 2012, agreed that appointments to positions in Public Health services made after 1 April 2013, would be made on the Derbyshire Package terms and conditions, and in accordance with pay grades determined by the Council’s Job Evaluation Panel through the application of the agreed Hay Scheme.

A number of appointments had been made successfully to a range of posts in the service, though this had not been the case for the recent Consultant vacancy. The Consultant post was evaluated at Grade 16; £55,443 - £60,494 and following advertisements, no applications for the post were received. There were a number of Public Health consultant vacancies across the region during 2013 which were successfully recruited to by the respective organisations. An overview of the salaries offered for these posts showed that they were significantly higher than Grade 16, although it was not known if any of these posts were filled. A summary of these posts was attached as an appendix to the report.

Applying NHS terms and conditions to the existing Consultant vacancy would increase the chances of a successful appointment significantly, and was likely to give the existing Consultants a greater degree of confidence in the Council’s willingness to retain a competent workforce. There was a risk that they would otherwise seek roles elsewhere which would potentially have implications for the Council and the Director of Public Health. The proposal to recruit to this Public Health Consultant post on NHS terms and conditions was a short-term solution and would not be applied to other vacancies in the service. A full review of the existing structure would be appropriate in time.

**RESOLVED** to (1) approve the recruitment to the Public Health Consultant vacancy on NHS salary scales, terms and conditions, and the application of either Consultant or Agenda for Change grading and conditions dependent upon the qualification of the preferred candidate;

(2) agree to the Council applying for a Directions Order to enable the new recruit to join the NHS Pension Scheme; and

(3) note that a full review of the existing Public Health structure would be undertaken in due course.

**123/15      CHESTERFIELD CANAL – STAVELEY TOWN BASIN – STAVELEY LOCK (PHASE 3)** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment reported to Cabinet on the latest position regarding the Staveley Town Lock.

During 2015, the core elements of lock and downstream wharf walling would be completed by the Chesterfield Canal Trust (CCT) volunteers and tenders be invited, and a contract subsequently awarded, by the Council for the design, fabrication and installation of new lock gates, paddles and associated lock “furniture”, with the intention of bringing it into use by December 2015.

A budget of £25,000 had been approved in the 2014-15 Economy, Transport and Environment Service Plan, to support the development of the Chesterfield Canal at Staveley Town Basin. This funding had in part been spent on design and supervisory input for works associated with Phase 2 and Phase 4 of the Canal Lock construction and there remained much work to be done to complete Phases 2 and 4 and further expenditure was therefore anticipated from this budget allocation to complete the works. A separate £50,000 budget allocation was approved in the same Service Plan to support “other” miscellaneous projects within the Council’s Derelict Land Reclamation Programme. This sum currently remained uncommitted and it was recommended that this be allocated towards the Canal project.

An application was submitted to the Veolia Environmental Trust in June 2014, seeking financial support towards the cost of new lock gates, paddles, sluices and associated lock furniture as part of Phase 3 of the project. Veolia confirmed its full grant offer in the sum of £37,500 and the grant offer was accepted in 2014. Tenders would be invited for the Phase 3 work and the Council would be required to enter into a formal funding agreement with Veolia following tender review and confirmation of the preferred contractor within four months of the offer date.

There was a requirement that the Lock be brought into use within eighteen months of the Veolia offer date, so there was a need to press ahead with Phases 2 and 4 of the construction work in order to comply with the terms of the grant offer. It was recommended that the existing budget allocation be directed towards this work.

Much of the work would be carried out by CCT volunteers under supervision of the Council, and approval was sought to enter into a further Memorandum of Understanding with CCT, to recognise the on-going partnership working for the joint undertaking of the work associated with the restoration of the Chesterfield Canal and through the provision of financial support towards material and equipment costs incurred by the Trust in the undertaking of construction of new Council asset from the Reclamation Capital Budget.

**RESOLVED** Cabinet (1) acknowledge the offer of a grant of £37,500 from Veolia Environmental Trust and approve the re-allocation of £50,000

uncommitted reclamation capital, currently allocated to the support of other projects within the 2014-15 Service Plan, to support the grant offer;

(2) authorise the Director of Legal Services to negotiate, prepare and enter into a Memorandum of Understanding between the County Council and the Chesterfield Canal Trust for the joint undertaking work associated with the restoration of Chesterfield Canal and through the provision of financial support, towards material and equipment costs incurred by the Trust in the undertaking of construction of the new Council asset from the Reclamation Capital Budget; and

(3) noted that responsibility for on-going maintenance would rest with the Derbyshire Countryside Service.

**124/15      CONTINUATION OF ESSENTIAL HIGHWAYS AND TRANSPORT CONSULTANCY SERVICES** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval for a temporary extension of the current arrangements for the supply of highways and transport consultancy services until a formal contract could be awarded.

The County Council's highways and transport workload for capital projects had for many years, exceeded the capacity of the in-house Highways Consultancy Service and, in addition, there was sometimes specialist engineering or transportation projects in the Programme, where the skills and experience necessary to carry out the work was not available within the Council. For the past four years, top-up consultancy services had been provided by URS (now known as AECOM) through a framework contract procured by the Midlands Highways Alliance. The contract was known as Professional Services Partnership 1 (PSP1) and was available to all twenty authorities who made up the Alliance.

The PSP1 ran out at the end of March 2015, having already been extended under the one-year extension provided for in the contract. The Alliance had been progressing the procurement of its successor, PSP2, since early 2014. In the autumn however, it became apparent only two consultancies, one of which was AECOM, had expressed an interest in submitting tenders and subsequently passed the quality threshold. Members of the Alliance had expressed concern that the contract might struggle to demonstrate value for money and spent considerable time looking at options and alternatives before opting to continue with the tender process. Subsequently, the other interested consultant had pulled out before submitting a tender, resulting in the Alliance only receiving one tender in February 2015, from AECOM.

The Alliance was developing a methodology that would help demonstrate value for money from the PSP2 tender. Should the Alliance's recommendation be to award the contract to AECOM, a business case would need to be prepared before a further report was brought to Cabinet to obtain approval to use the PSP2 contract. The delays incurred in the process to date meant that a report to Cabinet would be submitted around a month after the PSP 1 contract had ended on 31 March 2015.

It was not considered appropriate to terminate all work with AECOM on 31 March 2015 as some projects such as Ilkeston Rail Station and Pedal Peak Two, were on tight timescales and so far advanced through the design process, that no other consultant could reasonably complete the projects. It therefore made sound technical and financial sense to continue this work with AECOM.

However, there were also many schemes and projects where work could be suspended until new arrangements with PSP2, or an alternative, were in place. The projects that it was considered must be continued without breaks were detailed in Appendix 1 to the report, together with those projects that could be suspended until consultancy services were procured. AECOM had offered the Council the opportunity to continue with the current arrangements and current rates for April with any further delays seeing rates increase by 15%. It was therefore recommended that a one month, lump sum arrangement for April was made with AECOM under the terms and conditions of the PSP1 contract which would allow for continuity of essential business. In the meantime, work would continue with the assessment of the PSP2 contract with a view to bringing a recommendation to Cabinet at the earliest opportunity.

It was also recommended that alternative arrangements for consultancy services be pursued, making use of the framework contract 664 for consultancy services from Eastern Shires Purchasing Organisation (ESPO). It was proposed that a business case be prepared and a report be brought to Cabinet at the earliest opportunity to recommend the use of ESPO 664 consultancy framework or other similar projects if any existed.

**RESOLVED** to approve that AECOM be retained during April 2015 to carry out consultancy services on the projects set out in Appendix 1 to the report, for the sum of no more than £128,000.

**125/15      APPROVAL TO ADOPT THE DERBY AND DERBYSHIRE ROAD SAFETY PARTNERSHIP STRATEGY** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought Cabinet approval for the adoption of the Derby and Derbyshire Road Safety Partnership following partner consultation and to the Council's contribution of £240,000 to the Partnership. The Strategy indicated what had

been achieved and what was planned with regards to road traffic casualty reduction within the Partnership area, which also included motorways and trunk roads in the whole of Derbyshire. The Strategy would be used to guide casualty reduction work and would be reviewed after two years.

**RESOLVED** to approve (1) the adoption of the Derby and Derbyshire Road Safety Partnership Strategy; and

(2) a County Council contribution of £240,000 to the Partnership for 2015-16.

**126/15      RESULTS OF THE PUBLIC ENGAGEMENT ON LOCAL BUS AND COMMUNITY TRANSPORT** (Highways, Transport and Infrastructure)  
The Strategic Director – Economy, Transport and Environment reported on the results of the recent public engagement on the use of Local Bus and Community Transport and to consider the next steps.

In order to gain a better understanding of how people currently used the affected services, a public engagement exercise was undertaken between October and December 2014, details of which were presented in the report, along with the outcome of the consultation exercise.

The response to the engagement had clearly demonstrated the importance of public transport to people's daily lives. In addition, there had been some important developments, notably the proposals for devolution and a Combined Authority, that offered the prospect of future opportunities to adopt a more sustainable approach to public transport provision. Other recent developments included the current review of specialist transport services, the current public consultation on changes to the b\_line Scheme and the potential changes in Government policy. In light of this, Cabinet agreed on 27 January 2015, to allocate £3.5m from the General Reserve to support the continued provision of local bus services in 2015-16 and 2016-17.

It was proposed that a wide-ranging review of public transport should be undertaken building on the results of the public engagement, the scope and timescales of which would be subject to Cabinet Member approval. A further report outlined the proposed way forward and proposals for public consultation would be submitted for Cabinet's consideration.

The public engagement also confirmed the important role of Dial-A-Bus and aCTIVE Travel in meeting the accessibility needs of some of Derbyshire's most vulnerable residents. These needs were unlikely to diminish, but the current Financial Plan, as well as new guidelines issued by the Department for Transport on Community Transport funding, indicated that the Authority would need to reduce funding from its current level. Against this background, officers were developing proposals for the provision of Community Transport

services from April 2016, and all options would be considered with proposals being the subject of a further report and public consultation prior to any changes being introduced.

**RESOLVED** to (1) note the findings of the public engagement process undertaken into views of supported Local Bus and Community Transport Services;

(2) note the decision to use funding from Reserves to maintain support for local bus services in 2015-16 and 2016-17;

(3) authorise the Cabinet Member – Highways, Transport and Infrastructure to agree the scope and timescale for a wide-ranging review of public transport including public consultation; and

(4) agree to receive further reports on proposals for the future provision of public transport and Community Transport services which would be subject to public consultation prior to any final decision being made.

**127/15      WATER AND ENVIRONMENT MANAGEMENT FRAMEWORK**  
(Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval, under Protocol 2, of the Council's Financial Regulations, for the Council's use of the Environment Agency's Water and Management Framework 2013-17 for the delivery of flood risk management projects. The Agency had procured the Framework contract which was a commercial agreement between the Agency, consultants and contractors, with agreed terms for the award of individual contracts to deliver projects for flood and coastal risk management. The Framework was also available for use by local authorities and, in particular, lead flood authorities such as the County Council. Further details of the Framework and the benefits and use by the County Council were presented in the report.

**RESOLVED** to approve the use of the Environment Agency's Water and Environment Management Framework for the remaining two years of the current Framework period.

**128/15      THE CONTROLLED WASTE (ENGLAND AND WALES) REGULATIONS 2012 – APPROVAL FOR THE IMPLEMENTATION OF CHARGES**  
(Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval to the implementation of waste disposal charges to some premises in accordance with the new Regulations and to agree a charging policy to ensure a fair and consistent approach following the completion of a consultation exercise with relevant stakeholders. Details of the impact of the charges, the consultation exercise and the Policy were presented in the report. A copy of the Policy was attached at Appendix 1 to the report.



**RESOLVED** to (1) note the changes to the powers that Waste Disposal Authorities had in respect of making charges for waste disposal as defined in the Controlled Waste Regulations (England and Wales) 2012;

(2) approve the Policy for the implementation of the Controlled Waste Regulations 2012 as detailed at Appendix 1 to the report;

(3) approve the implementation of disposal charges to Waste Collection Authorities in accordance with the Policy with effect from 1 October 2015; and

(4) endorsed officers working with the Waste Collection Authorities to raise awareness of the Policy changes to those organisations affected.

**129/15      A61 GROWTH CORRIDOR TRANSPORT INFRASTRUCTURE**

(Highways, Transport and Infrastructure) Cabinet approval in principle was sought to the acceptance of the Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) Local Enterprise Partnership Growth Deal Grant Funding for the A61 Growth Corridor Strategy, and for the County Council to work in collaboration with Chesterfield Borough Council (CBC) and North East Derbyshire District Council (NEDDC) to finalise the draft Strategy to develop transport infrastructure improvements for the A61.

The delivery of transport improvements to support major housing and employment growth along the A61 corridor in Chesterfield and North East Derbyshire was identified as a priority in the Council Plan 2014-17. There was currently an opportunity to draw on funding from the Local Growth Fund (LGF). The funding was allocated through “growth deals” between the Government and each of the thirty-nine Local Enterprise Partnership (LEP) areas, negotiated in response to the Strategic Economic Plans (SEPs). Officers from the County Council, CBC and NEDDC worked collaboratively to develop a business case for transport infrastructure improvements along the A61 corridor, and on 13 March 2014, the Cabinet Member – Jobs, Economy and Transport endorsed several Derbyshire infrastructure projects, including a proposal for the A61 growth corridor, to be recommended to D2N2 LEP. These projects were subsequently endorsed by the Derby and Derbyshire (D2) Joint Committee for Economic Prosperity.

The Growth Deal with the D2N2 LEP had provisionally set aside funding to implement an A61 Growth Corridor Strategy with a gross budget of £16m. This funding was to be drawn down over a period from 2016-17 to 2020-21, subject to all requirements of the D2N2 Infrastructure and Investment Board Assurance Framework being met.

The D2N2 Assurance Framework required Growth Deal funding to be supported by local authorities from other sources, totalling a minimum of 20%

of the total cost of the project, in this case £3.2m. It was anticipated that a significant proportion of local contributions could be secured not least from developers whose projects benefitted from infrastructure investment. However, almost inevitably, the County Council, as a potential scheme promoter in its own right, would also be required to underwrite a proportion of the local contribution from its Local Transport Plan allocation.

Since the D2N2 Growth Deal had been announced, further collaborative working between officers from the County Council, CBC and NEDDC had refined the original business case submission into a simple statement reflecting the Council's Plan and other local authority strategic aspirations for the A61 growth corridor, details of which were set out at Appendix 1 to the report.

Further collaborative working with the CBC and NEDDC and consultation with stakeholders, communities, transport users, businesses and visitors was now required to finalise the A61 Growth Strategy, and it was recommended that governance and working arrangements were put on a formal footing by seeking approval of the County Council's Cabinet, and the Executives of CBC and NEDDC, to continue to work proactively to finalise the Strategy, and use it as the single framework for preparing and implementing the transport improvements along the A61 corridor.

The D2N2 LEP was currently developing a Local Assurance Framework that would set out how the process of ensuring value for money, prioritisation, appraisal, business case development and risk management for the Growth Deal programme would be embedded. Whilst a decision was yet to be made, it was unlikely that the Framework would be significantly deviate from standard project development processes, and Cabinet was therefore requested to note the indicative work programme.

**RESOLVED** to (1) approve in principle, the acceptance of Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Growth Deal grant funding for the A61 Growth Corridor Strategy;

(2) approve the proposed collaborative working with CBC and NEDDC to finalise the Strategy and to use it to develop transport infrastructure improvements for the A61 corridor;

(3) note the indicative preparatory work programme and that further reports would be brought to Cabinet at key preparatory milestones and before any financial commitments were made; and

(4) note that approval for financial support to carry out preparatory work was sought in a separate report to this Cabinet.

**130/15      VISIT PEAK DISTRICT AND DERBYSHIRE DESTINATION MANAGEMENT ORGANISATION – ORGANISATIONAL REVIEW AND FINANCIAL CONTRIBUTION 2015-16** (Highways, Transport and

Infrastructure) The Strategic Director – Economy, Transport and Environment reported on the review of the Visit Peak District and Derbyshire Destination Management Organisation and sought approval for a funding contribution to be made to the organisation for 2015-16. Full details of the organisational review were presented in the report. Whilst it was proposed to retain existing contributions for 2015-16 in line with the two phase implementation approach, the review had secured sufficient savings to enable a reduction in the Council's contribution for the next financial year from £164,000 to £150,000, which was in recognition of the Council's continued commitment in recent years as a main funding partner, and the support provided in undertaking the review.

**RESOLVED** to (1) note the progress and recommendations from the Destination Management Organisational review, including proposals and next steps; and

(2) approve the County Council's revenue contribution of £150,000 to support the Visit Peak District and Derbyshire for 2015-16.

**131/15      CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME 2015-16** (Children and Young People) The Acting Strategic Director – Children and Younger Adults sought approval to the Children and Younger Adults Capital Programme for 2015-16.

**RESOLVED** to approve the Children and Younger Adults Maintenance and Basic Need Capital Programme of £15,160,552 as set out in the report, and to note that there was a maintenance backlog of £159,788,000 for maintained schools, including those that had Voluntary Aided status.

**132/15      PRIORITY SCHOOL BUILDING PROGRAMME 2** (Children and Young People) The Strategic Director – Children and Young reported on the outcome of the Authority's submission to the second round of the Priority School Building Programme. In July 2014, the Authority had submitted a bid for projects at eleven schools and the Department for Education had recently announced that three Derbyshire projects had been supported; namely at Heath Primary School, Wilsthorpe Community School and Granville Sports College.

The Department for Education had not indicated how much would be spent on these projects, but had indicated that "scoping studies on all schools would commence from April onwards to assess the detailed work required".

It was disappointing that more schools were not successful and a separate report to this Cabinet detailed the backlog of maintenance in schools for which the Authority was responsible and the capital funding being made available. The Authority would need to consider any urgent needs at these schools when allocating its capital funding.

**RESOLVED** to note the outcome of the Priority School Building Programme 2.

**133/15      CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME 2015-16 – PROJECT ALLOCATIONS** (Children and Young People) The Strategic Director – Children and Younger Adults sought approval to individual project allocations in the Children and Younger Adults Capital Programme for 2015-16. Details of the proposed Programme were attached at Appendix A to the report. In addition, there were maintenance projects over £100,000 where building surveyors had identified an element of a school building that required replacement and details of these schemes were attached at Appendix B to the report.

Appendix C to the report detailed a number of savings identified in previous years Programmes totalling £1,720,000 and it was proposed to add these funds to the remainder of the 2016-17 Basic Need Allocation, leaving an unallocated amount of £4,394,558.

**RESOLVED** to approve the Children and Younger Adults Maintenance and Basic Need capital projects as detailed in Appendices A and B of the report and to approve the savings identified in Appendix C to the report.

**134/15      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 confirm the exempt minutes of the meeting of Cabinet held on 3 March 2015.
2. To receive the exempt minutes of Cabinet Member meetings as follows:
3.
  - (a) Council Services – 23 February 2015
  - (b) Highways, Transport and Infrastructure – 3 March 2015
  - (c) Children and Young People – 10 March 2015
  - (d) Adult Social Care – 11 March 2015

4. Report of the Strategic Director – Corporate Resources on Debt Write-Offs (Strategic Policy, Economic Development and Budget) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
5. Report of the Strategic Director – Corporate Resources on the Provision of Janitorial Supplies (Council Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
6. Report of the Strategic Director – Adult Care on Community Care and Day Care Centre Catering Service (Adult Social Care) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
7. Report of the Director of Public Health on the Provision of Substance Misuse Enhanced Services within Community Pharmacies and General Practices (Health and Communities) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
8. Report of the Strategic Director – Economy, Transport and Environment on Supporting the Visitor Economy; Key Proposals for Summer of Cycling 2015 (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
9. Report of the Strategic Director – Children and Younger Adults on the Commissioning of Independent Travel Training for Young People (Children and Young People) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
10. Report of the Strategic Director – Economy, Transport and Environment on Digital Derbyshire (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
11. Report of the Strategic Director – Economy, Transport and Environment on Urgent Repairs to Carriageways (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
12. Report of the Director of Human Resources on the Provision of Aged Rehabilitation (Council Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
13. Report of the Strategic Director – Economy, Transport and Environment on Proposed Funding for Community Transport in 2015-16 (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).