

MINUTES of a meeting of **CABINET** held on 24 July 2012 at County Hall, Matlock.

PRESENT

Councillor A I Lewer (in the Chair)

Councillors J A Allsop, J P Harrison, Mrs C A Hart, C W Jones, B Lewis, K L Parkinson and S A Spencer.

Councillor S Flitter also attended the meeting.

An apology for absence was submitted on behalf of Councillor M V Longden

DECLARATIONS OF INTEREST

Councillors J P Harrison and C W Jones declared personal interests in agenda item 10(e) relating to the Lease Agreement for the former Derbyshire County Council Social Services office, Swadlincote as Members of South Derbyshire District Council.

205/12 ITEMS RAISED BY THE MINORITY GROUP

Councillor S Flitter raised the following:-

Agenda Item 6(a) – Council Annual Report – The report lists the Council's key achievements in areas such as road safety and it is accepted that the Council has to prioritise owing to the current financial constraints. (1) Accident statistics however, continue to dominate funding, but should not prevention also be a major factor regardless of the statistics? (2) In respect of the transformation of residential care, would there be any tangible developments prior to the next County Council elections in 2013?

Agenda item 6(d) – Five Year Financial Plan – It is noted that a contingency of £1m for price increases and for high energy costs had been identified. During last year's budget preparations, the Council were informed that its buying power did not really save the Council a great deal. (1) Has the Council examined its procurement strategy and strengths? (2) What other authority/partners does the Council work with on the procurement?

Agenda Item 6(h) – Insurance for the Administration of Medicines and Other Medical Procedures – It is accepted that it is right and proper to indemnify employees in such cases as it is not simply a question of wilful neglect as it could also be misinterpretation or misunderstanding of the training provided. (1) What procedures or assessments are in place for when something goes wrong? (2) Who makes these assessments?

Agenda Item 6(i) – Risk Management – (1) How can Members be assured that Risk Management is embedded into the County Council’s policies? (2) If one of the five levels of risk is highlighted, is that through departmental considerations at the end of a report or the responsibility of the author of that report?

Agenda Item 6(j) – Policy for the Management of Green Lanes – The County Council received positive responses to the consultation exercise on the management of green lanes. It is felt that the Policy is biased towards vehicle users and fails to give consideration to other users and focuses on the vehicles in the countryside. However, the document is headed Management of Green Lanes, although Highways and Transport were not noted until Section 5 of the Policy. With the exception of Rights of Way, where do other aspects of Countryside Management sit and do any aspects of the Management of Green Lanes Policy conflict with other policies?

Agenda Item 6(k) – Review of Derbyshire’s Rights of Way Improvement Plan Statement of Action for 2012 – 2017 in respect of Theme A, which relates to the treatment and maintenance of Rights of Way, would this policy have any effect on green field development sites that have well established rights of access?

Agenda Item 6(l) – Winter Maintenance Service Review of Revised Procedure and Addition to the Capital Programme – (1) It is understood why the overspend had been incurred, but should this not have been factored in at the time the budget was set as stock, implementation and delivery are all recognised features of the budget process? (2) What is the process for enabling contractors to commence work on tertiary routes? (3) What contingencies are in place for a severe winter when the fleet has been reduced?

Agenda Item 6(n) – European Financial Sanctions – (1) If there was a difficulty in recognising what is compliant through a lack of information, how can the Council do any constructive work until the Government had provided a clear and national policy? (2) Please explain, if the present strategies comply with UK guidance, how can the Government pass on European fines?

Agenda Item 6(q) – Fostering for Derbyshire – In recognising a shortfall of 80 carers in Derbyshire, the difficulty would be between the enquiry and foster caring and getting the right balance and the path to be taken by prospective foster carers. Will the criteria change to attract the right people and will Cabinet receive regular progress reports?

Agenda Item 6(r) - Developing the Market with the Voluntary, Community and Independent Sector – In supporting improved sporting provision in schools, one issue that has not been considered is choice and opportunity within schools. Not every school has an open door to all sport and sometimes schools favour only one or two sports, which leaves students relying on sporting groups which are not always accessible. How will this grant ensure fairness and involvement of everyone wanting to participate?

Agenda Item 6(x) – Property Services Review – Has there been a scoping exercise especially in relation to work stream one, as although this is concerned with Property Services, it has a far reaching role in management, resources, infrastructure, governance and property in general?

206/12 **MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 12 June 2012 be confirmed as a correct record and signed by the Chairman.

207/12 **CABINET MEMBER MEETINGS RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Education – 2 July 2012
- (b) Highways and Transport – 29 May and 12 June 2012
- (c) Young People – 26 June 2012
- (d) Finance and Management – 2 July 2012
- (e) Technology and Recycling – 7 June 2012

208/12 **COUNCIL ANNUAL REPORT** Cabinet considered a report of the Chief Executive which sought approval of the Council Annual Report for 2011/12. The Annual Report was intended to communicate to the Council's stakeholders how the Council was performing and its plans for the future. The report highlighted the Authority's achievements against the five key priorities of:-

- Leading the way;
- Good use of public money;
- Raising aspirations;
- High quality personalised services that met individual needs;
- Places where people want to be.

The report also summarised the Authority's 2011/12 financial performance and outlined key challenges for the year ahead.

RESOLVED that the Council's Annual Report for 2011/12 be approved.

209/12 **LOCALISATION OF SUPPORT FOR COUNCIL TAX/TECHNICAL REFORMS TO COUNCIL TAX/BUSINESS RATES RETENTION** The Director of Finance reported to Cabinet on Council Tax Benefit Localisation which included details of proposals for funding distribution and the statement of intent.

Regarding technical reforms of Council Tax, the Local Government Finance Bill proposed a series of small but potentially significant changes to the Council Tax system, particularly around second homes and empty properties. In October 2011, the Government published a consultation paper on options in relation to Council Tax liabilities of second home owners and owners of the empty properties in England. It

had now published a summary of the responses to the consultation, together with an indication of their policy intentions, details of which were presented.

In August 2011, the Government launched a consultation on proposals to enable local councils to retain a proportion of their business rates income, with a key intention to enable councils to benefit locally from any increase in business rates as a result of economic development activity. On 17 May 2012, the Government published further technical documents relating to the Local Government Finance Bill, which included five papers containing information on the technical workings of the proposed scheme. The information did not provide for forecasts of the individual financial positions for councils, however they did provide information on how the scheme would operate. The County Council would be a “top up” authority in that less business rates were currently collected in Derbyshire than were actually received via Government to support Council spending. The report provided further details in respect of central and local shares, safety nets and levies, pooling prospectus, renewable energy projects, and the economic benefits of local business rates retention.

RESOLVED to note:-

(1) the details of the Government’s Statement of Intention and consultation on funding arrangements for Council Tax Benefit Localisation;

(2) the Government’s proposals for technical reforms to the Council Tax system; and

(3) the details of the further technical documents published by the Government in respect of the Business Rates Retention Scheme.

210/12 PREPARATION OF BUDGET 2013-14 The Director of Finance sought Cabinet approval for the proposed timetable for the preparation of the Council’s 2013-14 budget and associated consultation arrangements.

The production of the Council’s budget was undertaken in accordance with the requirements of the Council’s Constitution and the proposed timetable was attached at Appendix A to the report.

RESOLVED that (1) the timetable for completion of the budget be approved as detailed in the report; and

(2) the proposed consultation arrangements be approved.

211/12 FIVE YEAR FINANCIAL PLAN AND FINANCIAL STRATEGY The Director of Finance reported on details of the Five Year Financial Plan for the period 2012-13 to 2016-17 which had been updated to reflect details of the Local Government Finance Settlement announced in December 2011, the Chancellor’s Autumn Statement and Budget 2012, together with proposals for the Government’s Local Government Resource Review. The Plan sets out the Council’s strategy for the

five year time horizon and established the framework within which service planning would take place.

In September 2005, Cabinet approved a Financial Strategy for the Council which was updated periodically. The purpose of the Strategy was to set out the financial framework for the Council which supported the strategic and policy objectives outlined in the Council Plan. Details of the key components of the Strategy were presented in the report.

RESOLVED that (1) the Five Year Financial Plan for the period 2012-2013 to 2016–2017 which reflected details of the Local Government Finance Settlement, Autumn Statement 2011, Budget 2012 and the Local Government Resources Review be approved; and

(2) the Financial Strategy be approved.

212/12 FIRE PRECAUTION WORK The Director of Property sought approval to allocate £575,300 from the 2011–2012 and 2012– 2013 Fire Precaution Allocations to address fire precaution improvement works identified by Fire Risk Assessments.

The Assessments had identified the need for funding to address essential fire precautions and funding of £600,000 for 2011-2012 and £300,000 for 2012 – 2013 had been approved to address these works, including professional fees. Expenditure of £302,000 was previously approved by the Finance and Management Cabinet Member on 30 December 2011. The following sites had been identified as priorities.

Dronfield Junior School	£ 25,000
Blackwell Primary School	£ 55,000
Marlpool Junior School	£ 11,000
Somercotes Primary School	£ 20,000
The Grange Primary School	£ 80,000
Pingle School	£ 75,000
Holly House School	£100,000
Granby Junior School	£ 57,000
County Hall, Matlock	£100,000
Professional Fees	£ 52,300
Total:	£575,300.00

RESOLVED that approval be given to £575,300 being allocated from the 2011–2012 and 2012–2013 Fire Precaution Allocations to address the fire precaution improvement works as detailed above.

213/12 ALLOCATION OF CONTINGENCY BUDGET – STAVELEY JUNIOR SCHOOL – REPLACING FLAT ROOF COVERING AND HERITAGE HIGH SCHOOL – SPORTS HALL BOILERS The Director of Property sought approval to allocate

£165,000 from the Capital Contingency Budget to address persistent problems and leaks with the flat roof at Staveley Junior School. In addition, £40,000 of the Budget was also sought to replace the boilers to the sports hall at Heritage High School.

RESOLVED that (1) the allocation of £165,000 from the Capital Contingency Budget to replace the flat roof covering at Staveley Junior School along with associated works be approved; and

(2) the allocation of £40,000 from the Capital Contingency Budget to replace the sports hall boilers at Heritage High School be approved.

214/12 INSURANCE FOR THE ADMINISTRATION OF MEDICINES AND OTHER MEDICAL PROCEDURES The Director of Finance sought approval to confirm that the Authority would indemnify employees who consented to undertake medical procedures, or administer prescription medicines, to service users and other employees of the Council. For some time, closer working relationships to deliver joined up services had been developing, often with formal partnerships between the Council and Health Authorities. A more inclusive approach to the provision of Council services had also led to an increasing number of people with specific medical needs accessing mainstream Council services. This had led to a blurring of the traditional boundaries and the number of occasions was increasing where Children and Younger Adults and Adult Care employees consented to undertake medical procedures or administer prescription medicines to service users. By providing appropriate training and support to those employees who were willing to undertake these duties, more people with complex needs could access mainstream Council services.

To enable this to happen, the Council needed employees and authorised carers who were willing to undertake medical interventions. The Council might find that it was uninsured for some of these activities and, in the event of a claim arising from employees and authorised carers undertaking these activities, they needed to be assured that the Council would indemnify them irrespective of whether the Council was insured. The indemnity would apply wherever an employee or authorised carer had been willing to undertake these duties, following the provision of specific training for the employee or authorised carer and resources for the activity. The indemnity would not apply wherever an employee or authorised carer wilfully ignored the advice and training that had been given, or if the employee or authorised carer knowingly acted illegally or recklessly.

RESOLVED that (1) the Council confirms it would continue to indemnify employees (including other authorised carers approved by the Authority) who consented to undertake medical procedures, or administer prescription medicines to service users or to other employees of the Council;

(2) the Council would provide general guidance to departments regarding the undertaking of these duties including volunteer status, training and indemnity;

(3) appropriate specific guidance, training and advice be provided to enable them to undertake these duties safely;

(4) the indemnity would be applied where the employee or authorised carer had acted reasonably and had endeavoured to undertake the activity within the scope of the training they had received;

(5) the Council would not apply the indemnity where the employee or authorised carer had wilfully ignored the advice and training that had been given, or if the employee or authorised carer knowingly acted illegally or recklessly; and

(6) to note that there may be claims arising for which there would be no insurance and to make budgetary provision for those claims as and when they arise.

215/12 RISK MANAGEMENT The Director of Finance updated Cabinet on recent risk management developments and sought approval to certain key strategies. The Risk Management Policy and Strategy document was reviewed annually and changes made to reflect the continuing development and embedding of risk management across the Authority. The document had now been fully reviewed with the assistance of the external insurance advisers – Gallagher Heath. Revised guidance from the Association of Local Authority Risk Managers (ALARM) had also been considered in the re-issue of the document and content had been discussed in open forum with other selected public sector organisations. Details of the key changes of the document were presented in the report.

The Corporate Risk Financing Strategy, previously known as the Corporate Insurance Strategy, had been revised to recognise that risk could be financed through other means of insurance as the Council had a substantial capability for self-insurance. This view was supported by comments made in the Actuarial Review carried out in September 2011.

Details were presented in respect of ALARM benchmarking undertaken during 2011 and also the cost of risk to the organisation.

RESOLVED that (1) the revised Policy and Strategy documents for Risk Management, Risk Financing, Risk Management Training and Risk Management Communication be approved and endorsed by Cabinet; and

(2) the progress in risk management in the past 12 months be noted.

216/12 POLICY FOR THE MANAGEMENT OF GREEN LANES The Strategic Director – Environmental Services sought approval for the publication of the revised policy for the Management of Motorised Vehicles Use in the Countryside and also the delegation of approval of an action plan for relevant routes and associated capital expenditure to the Cabinet Member for Highways and Transport.

In November 2011, Cabinet approved a draft policy for consultation which resulted in over 1200 responses from a broad range of different user groups and interested individuals and stakeholders being received.

Analysis of the responses had indicated a broad support for the new Policy, although some revisions were suggested which were detailed in the report along with the proposed response.

Cabinet had committed additional funding for 2012–2013 for the express purpose of securing works on unsealed vehicular routes and this would be detailed in an action plan which would be presented to the Cabinet Member for Highways and Transport for approval in due course.

RESOLVED that (1) the Managing Green Lanes Policy be approved for publication as detailed in the report; and

(2) approval of the action plan and associated capital expenditure in 2012–2013 of £140,000 be delegated to Cabinet Member for Highways and Transport.

217/12 REVIEW OF DERBYSHIRE'S RIGHTS OF WAY IMPROVEMENT PLAN
STATEMENT OF ACTION FOR 2012–2017 The Strategic Director – Environmental Services informed Cabinet of the need for the Authority to renew the Statement of Action for Derbyshire's Rights of Way Improvement Plan to cover the period 2012–2017 and to report on progress for delivering the first Statement of Action between 2007 and 2012. The report also sought approval for the publication of a Statement for the next period up to 2017 and for stakeholder consultation.

The report detailed progress that had already been made during the first five years of the Plan and the achievements were described against each of the aims in order to establish the context for the next actions moving forward. Details of progress against each of the five aims were presented namely the existing network, definitive map and statement, an improved network, provision of information and greater community involvement.

The revised Plan, a copy of which was attached to the report, refreshed the existing Plan to take it up to its formal ten year review in 2017.

RESOLVED that (1) the draft document, which might be subject to minor re-wording at the discretion of the Strategic Director – Environmental Services, be endorsed;

(2) the twelve week public and stakeholder consultation be approved; and

(3) following the results of the consultation, the final document and associated Equality Impact Analysis be submitted to a future Cabinet meeting for adoption.

218/12 WINTER MAINTENANCE SERVICE REVIEW OF REVISED PROCEDURE AND ADDITION TO THE CAPITAL PROGRAMME

The Strategic Director – Environmental Services provided feedback on the provision of the Winter Maintenance Service following the introduction of the revised procedure in 2011 – 2012 and sought approval for the construction of a salt barn at Chapel-en-le-Frith.

Details were presented of the revised service and also feedback from the County Council's website and Members, along with proposed modifications to the scheme. Members were reminded that a commitment had been given not to reduce the available gritting fleet until this review could be undertaken, although this did mean that the total savings would not be realised. An assessment of the size of the fleet necessary to provide a Winter Maintenance Service based on the new procedure and in the light of experience over a number of years, suggested that a reduction in fleet size could be made. It was proposed, therefore, that as vehicles and plant came up for renewal, their future worth would be assessed in line with the need to ensure that sufficient capacity of the correct kind was maintained.

The report of November 2011, established the criteria for inclusion of roads in the various networks. Although the network which existed at that time was split between primary and secondary, no roads were removed from the network, even if they did not meet the criteria. A small number of roads, therefore, remained within the salted networks even though they did not meet approved criteria. It was, therefore, recommended that the networks be re-appraised and, where roads did not meet the approved criteria, they were removed. It was anticipated that this would result in only a very small number of changes and a report would be submitted to the Cabinet Member for Highways and Transport recommending any proposed changes arising from the re-appraisal of the networks.

The level of salt stocks at the start of the season had been increased to avoid, where possible, the effects of national salt shortages. Some 10,000 tonnes of the strategic stock remained, approximately half of which was covered. Outside salt storage remained a concern particularly in respect of the potential environmental effects. In Chapel-en-le-Frith, the salt store was located adjacent to a stream and whilst considerable effort was made to ensure that no pollution occurs, there remained works needed to provide greater surety that the stream was protected. A feasibility study had been undertaken into the construction of a salt barn, details of which were attached at Appendix 2 to the report and this was recommended for approval. The cost of the barn was estimated to be £385,000 and these costs could be met from the Accommodation Reserve within the Environmental Services Department budget.

RESOLVED that (1) the current policy for the provision of Winter Maintenance Service be endorsed as agreed by Cabinet on 1 November 2011;

(2) the construction of a salt barn at Chapel-en-le-Frith at an estimated cost of £385,000 to be funded from the Accommodation Reserve be approved and added to the Capital Programme for 2012–2013;

(3) the review of the Strategic Director – Environmental Services of the size and number of vehicles needed to provide a service as vehicle replacements were planned be noted; and

(4) the review of the primary and secondary networks to ensure all routes included met the approved criteria be noted, with any proposed changes being referred to the Cabinet Member for Highways and Transport.

219/12 ADDITION TO THE CAPITAL PROGRAMME 2012–2013 – PENNINE BRIDLEWAY NATIONAL TRAIL – OFFER OF GRANT FOR CONSTRUCTION 2012–2013: MONKS ROAD TO HIGH LANE, PARISH OF CHARLESWORTH

The Strategic Director – Environmental Services sought Cabinet approval to accept an offer of grant aid in the sum of £247,000 from Natural England to construct a section of the Pennine Bridleway between Monks Road and High Lane in the Parish of Charlesworth, and to include this expenditure in the 2012–2013 Capital Programme.

RESOLVED that (1) approval be given to accept grant aid of £247,000 from Natural England to construct the Pennine Bridleway between Monks Road and High Lane in the Parish of Charlesworth; and

(2) expenditure of £247,000 be included in the 2012–2013 Capital Programme.

220/12 EUROPEAN UNION FINANCIAL SANCTIONS The Strategic Director – Environmental Services informed Cabinet of the position regarding the legislation in Part 2 of the Localism Act 2011, which brought into being the power to pass European Union Infraction Fines on to public authorities.

The Act which received Royal Assent in November 2011, provided a new discretionary power for the Government to pass on and apportion financial sanctions imposed by the European Court of Justice for non-compliance with any European obligation to public authorities. The intention of this discretionary power was to incentivise public authorities to comply with EU law where it was clearly within their remit of responsibility and the provision potentially covered a wide range of matters, including air quality standards, procurement procedures and the content of waste plans. The report provided details of European Union Infraction proceedings and waste plan coverage and also planning reforms and Localism.

The Government had indicated that there was a possibility that the European Union would resume Infraction Proceedings against the UK for failure to meet the requirements of Article 7 of the EU Waste Framework Directive (WFD) (2006/12/EC). This Directive required all member states to have in place comprehensive waste management plans for their territory and for those plans to address specified issues. The revised Waste Framework Directive (2008/98) confirmed and revised this requirement in Article 28, which indicated what the national coverage of waste management plans should contain.

Uncertainty in local authorities, the Planning Inspectorate and the Department for Communities and Local Government, had led to a view on what constituted a “Compliant Waste Plan” which had changed over the time. Advice given by the now abolished Government Offices appeared to contradict both the Department for Communities and Local Government and Planning Inspectorate interpretations of the Directive requirement. Government guidance on Directive compliant plans was currently awaited, however it was clear that the County Council and the City Council were currently up to date or historic waste plans may not comply with the revised requirement.

RESOLVED that (1) the current situation regarding the European Union fines and Part 2 of the Localism Act to be noted; and

(2) a report be received on a revised timetable for the production of the Derby and Derbyshire Waste Plan to the next meeting of Cabinet.

221/12 EXPANSION OF TELECARE AND HANDY VAN PROJECT Cabinet considered a report of the Strategic Director – Adult Care which sought approval to expand the current Telecare/Handy Van Project which was delivered through a partnership of providers who delivered services across Derbyshire in order to help older and vulnerable people to live independently in their homes. It was proposed to provide assistance to a further group of clients who were living independently, by providing them with Telecare Services in the form of a 24/7 emergency response.

The project would provide an opportunity for approximately 550 vulnerable people and their carers to benefit from the provision of Telecare equipment installed by the Handy Van Service and the same group of people would receive a full health and wellbeing check and response from the Handy Van Service. The cost of providing Telecare equipment for 550 clients was approximately £210,000. In addition, the temporary employment of one Handy Van person and a lease van for a 12 month period would cost an additional £40,000. These one-off costs of £250,000 could be funded from Corporate Resources/Chief Executives 2011–2012 out-turn underspend.

RESOLVED that the expenditure of £250,000 to meet the cost of expanding the Telecare/Handy Van project administered by Adult Care to 550 clients be approved.

222/12 YOUTH OFFENDING SERVICE INSPECTION Cabinet considered a report of the Strategic Director – Policy and Community Safety on the outcome of an inspection of the Derbyshire Youth Offending Service undertaken by Her Majesty’s Inspectorate of Probation in March 2012. The outcome of the report was that the Derbyshire Youth Offending Service was judged to require minimum improvement in safeguarding, minimum improvement in likelihood of re-offending and moderate improvement in risk of harm. The Inspectorate also made a number of positive comments about the Service and a small number of areas were identified for improvement, further details of which were represented in the report.

RESOLVED that the inspection report published by HMI Probation for the Derbyshire Youth Offending Service be noted.

223/12 FOSTERING FOR DERBYSHIRE Cabinet considered a joint report of the Strategic Director for Children and Younger Adults and the Director of Communications which sought approval for a dedicated Public Relations Officer and promotional budget to deliver high profile fostering and adoption recruitment drives to encourage local people to provide local homes for local children. Nationally, there was a shortfall of around 8,500 foster carers and Derbyshire like many councils in the country, was finding it hard to keep up with the growing demand and provide sufficient local homes for children in our care. The result was that the County Council continued to be reliant on expensive private agency placements and struggled to recruit sufficient new foster carers in an increasingly competitive market. Derbyshire needed to recruit, train and support sufficient foster carers to meet the needs of the 700 children in its care at present however, it only had 428 approved foster carers.

The County Council needed to increase its recruitment activity in a bid to offset the effects of increasingly competitive environment and encourage more people to foster for Derbyshire. It was proposed, therefore, to appoint a temporary Promotions Officer, Grade 11, for a two year fixed-term contract and also to allocate an additional budget of £200,000 to make full use of all marketing and promotion opportunities over the 24 month campaign.

RESOLVED that (1) the appointment of a Promotions Officer for a two year fixed-term contract be approved;

(2) £200,000 be set aside to deliver high profile fostering and adoption recruitment activity and campaigns; and

(3) Cabinet receives regular monitoring and evaluation reports on the project.

224/12 DEVELOPING THE MARKET WITH THE VOLUNTARY, COMMUNITY AND INDEPENDENT (VCI) SECTOR The Strategic Director–Children and Younger Adults sought Cabinet approval to provide start-up funding to the GRID (Group Influencing Developments) to enable it to develop the market for the commissioning of services to children and young people and their families in Derbyshire.

The Open Government White Paper published in July 2011, set out a key aim of breaking down the barriers to developing the market for public services, setting out five principles for organising public services in the future. The Localism Act 2011, introduced a range of provisions to further the agenda of the White Paper with the three major relevant provisions being the Community Right to Challenge, Community Assets and Community Budgets.

The GRID was established in 2007 to act as the sole County-wide body to:-

- Act as a representative conduit between the County Council and the very many VCI organisations operating around the County providing services to children and families.
- Build capacity in the VCI Sector to enhance services to children and families in Derbyshire.

The GRID wants to establish a legal identity to support income generation and to develop a production and commissioning structure for the VCI sector in Derbyshire. Further developments would be established as a joint venture with Derbyshire's Children's Trust in the form of a public social partnership. The GRID intended to become a Community Interest Company (CIC) which ensured that all activities were undertaken in the interests of the Community, supported by an Asset Lock which prevented the private benefits of members of the company.

It was proposed that the County Council supports the initiative by allocating £75,000 per annum for two years to the new company to support start-up infrastructure costs, including external accommodation and equipment. It would also allow CIC to employ a part-time Administration Support Worker and an experienced Development Worker/Fundraiser to help the enterprise be self-sustaining. The County Council would not make any grant payments until the CIC had been incorporated. The funding from the County Council would be in the form of a grant and would be for specified purposes agreed in advance with the new company.

RESOLVED that the provision of grant monies in the sum of £75,000 per annum to the legal entity established by the GRID for start-up funding be approved as detailed in the report.

225/12 UPDATE ON THE DEVELOPMENT OF PROVISION FOR POST-16 STUDENTS WITH LEARNING DIFFICULTIES AND DISABILITIES AT HOPE VALLEY COLLEGE The Strategic Director – Children and Younger Adults updated Cabinet on the development of provision for Post-16 Students with learning difficulties and disabilities at Hope Valley College, following a previous report to Cabinet in March 2012, and also sought approval for updated funding arrangements for the summer period of 2012/13.

Cabinet had previously agreed that Hope Valley College would make provision to enable up to nine Year 12 Students to achieve the outcomes detailed in their Statements of Special Educational Needs and their transition plans in the academic year 2012/13. The number of places to be provided by the College would rise to a maximum of twelve Year 12 and twelve Year 13 Students in the academic year 2013/14.

Following partnership working involving the Authority and the College, seven students with learning difficulties and disabilities were expected to take up places in the College in September 2012, with the College expecting the number to increase during the academic year up to the maximum of nine places.

The Council had agreed with the College that existing accommodation at the College would be used for this facility on a temporary basis from September 2012 and discussions regarding planning matters were on-going between the Council, Peak Park Planning Board and Sports England relating to proposals to build a modular building with parking adjacent to the site of Hope Valley College on land that belonged to the County Council. The College would be required to undertake a consultation exercise to support its business case, details of which were presented.

In March 2011, Cabinet agreed to fund the costs of nine college places for the period September 2012 to March 2013 at a cost of £180,000. At that time it was highlighted that the Authority might be unable to secure external funding for the period from the end of March 2013 to the end of the academic year in August 2013. This had now been confirmed and it would be necessary to provide additional funding £109,000 for this period. This funding could be met from 2011–2012 Children and Younger Adults Department underspends.

RESOLVED that (1) £109,000 be set aside from the 2011–2012 Children and Younger Adults underspends as an earmarked reserve to meet the cost of the new facility for the period March 2013 to September 2013; and

(2) further reports be received on the outcome of the consultation and an update on the project.

226/12 LEARNING DISABILITY DEVELOPMENT PROJECT: COMMUNITY LIVES The Strategic Director – Adult Care updated Cabinet on the progress achieved in the Community Lives project and sought approval for the next stage of development to be undertaken and an extended period of engagement with people with learning difficulties and family carers to ensure that they had full opportunity to contribute to the development of new models of care and support.

The original intention as set out in the Cabinet report of 2 August 2011, was to consult on the draft plan in order that a final plan would be ready for implementation by spring 2012. Based on the work undertaken to date and information from other local authorities, it was proposed instead to commence an extended period of engagement which would take the form of further discussions with stakeholders to further develop the approach to daytime opportunities for people with learning difficulties. It was anticipated that this would take approximately 12 to 15 months to complete.

RESOLVED that (1) the progress achieved since the Cabinet Member report on 20 December 2011 be noted; and

(2) approval be given to undertake an extended period of engagement as detailed in the report with future reports on progress to Cabinet and the Cabinet Member for Adult Care being presented as appropriate.

227/12 DELIVERING BETTER OUTCOMES FOR ALL YOUNG PEOPLE ACROSS DERBYSHIRE THROUGH IMPROVED PE AND SCHOOL SPORT PROVISION – GRANT REQUEST

The Strategic Director – Children and Younger Adults sought approval for funding to support the infrastructure costs within eight School Sport Partnerships in Derbyshire during 2013-2015. The new PE and Sport Plan for Schools and Colleges in Derbyshire 2012–2015 was launched in May 2012 and set out a clear vision, ambitions and targets for PE and school sport in Derbyshire.

Following the Comprehensive Spending Review in 2010, national funding to School Sport Partnerships would reduce significantly from around £160million to around £35million per annum. In Derbyshire, the loss was over £2million per annum and this threatened the existence of the School Sports Partnership in the County. However, as a result of some excellent collaboration between the County Council, Derbyshire Sport, School Sport Partnerships and schools in the County, sufficient funds had been secured to continue the work of the Partnerships and some excellent outcomes for young people had resulted. Details of the funding package put together for the period September 2011 to October 2013 was presented in the report.

The Department of Health had extended its agreement and committed £208,000 per annum for 2013–2015 to support the work of the School Sport Partnership. It was still to be confirmed that it was anticipated that schools would continue to contribute to the work of the School Sport Partnership at the same level for a further two years at around £200,000 per annum. The additional funding required to complete the funding package for other School Sport Partnerships across the County for 2013–2015 was £168,000 per annum. It was, therefore, proposed that an annual grant of £168,000 for 2013–2014 and 2014–2015 be allocated, to be funded from the 2011–2012 Children and Younger Adults Department underspends.

RESOLVED that (1) an annual grant £168,000 per annum for two years to Derbyshire Sport, funded from the 2011–2012 Children and Younger Adults Department underspends be approved; and

(2) monitoring reports be received and submitted twice yearly to show the impact and outcomes from the investment.

228/12 RAISING THE PARTICIPATION AGE STRATEGY The Strategic Director – Children and Younger Adults updated Cabinet on the status of the Derbyshire Strategy for Raising of the Participation Age and which also sought approval to accept it as a final document. The Raising of the Participation Age was written into the Education and Skills Act 2008, intending that the minimum age which young people in England leave learning should become eighteen. Derbyshire's Draft Strategy had been submitted to the Children's Trust Board in March 2012, where it was given approval for consultation and the draft document was then published on the County Council's 14-19 website along with a consultation feedback form. Learning

communities, local providers and local authority colleagues were informed of the consultation process and details of the outcomes of the consultation exercise were included in the report. A copy of the Strategy was attached at Appendix A to the report.

RESOLVED that (1) the report be noted; and

(2) the Raising the Participation Age Strategy for Derbyshire be approved as detailed at Appendix A to the report.

229/12 CHARLESWORTH VOLUNTARY CONTROLLED PRIMARY SCHOOL – DRAINAGE PROBLEMS

The Strategic Director – Children and Younger Adults sought approval to a capital allocation to address a significant drainage issue at Charlesworth Voluntary Controlled Primary School. The Upper School site had an outside play area comprising a tarmac playground bordered by a limited area of grass. There was a natural spring above the School site and the drainage was very poor with a result that the grass area was unusable for most of the year. Specialist contractors had provided quotations for installing 350 square metres of artificial grass on appropriate base layers covering for critical areas which would solve the problem of mud ingress and create an all year round functional play area. A capital allocation of £12,100 was required to undertake the project. The School had agreed to contribute £1,100 towards the cost. A contribution of £11,000 could be met from savings in the 2011 – 2012 Children and Younger Adults Capital Programme.

RESOLVED that approval be granted to a contribution of £11,000 towards the cost of creating an artificial grass play area to address significant drainage issues at Charlesworth C E Primary School as a charge on savings in the 2011 – 2012 Children and Younger Adults Capital Programme.

230/12 PROPERTY SERVICES REVIEW

Cabinet considered a joint report of the Chief Executive and Director of Property to receive the report prepared by Ernst & Young on the review of the Corporate Property function which had been carried out between March and May 2012. The report set out in detail a “process map” for change that, over time, would lead to value for money benefits for the Council. In order to progress this review and capture the benefits which the report identified, a programme of reviews, quick wins, business planning and market testing had been developed. Attached as an Appendix to the report was a proposal for the implementation of activities required to be carried out to achieve the first milestone which the consultants had identified. These activities had been divided into six work streams, each with a project lead from the Property Senior Management Team. The make-up of each of the work streams and the proposed external resources necessary to support the project, which was subject to a further detailed report included in the Exempt Section of the meeting from both Corporate Property and other Council departments, was set out in the Appendix.

RESOLVED that (1) the report from Ernst & Young which reviewed the County Council's Corporate Property function be received; and

(2) the proposed internal arrangements to enable to first stage of the report to be implemented be approved as detailed in the Appendix to the report.

230/12 EXCLUSION OF THE PUBLIC RESOLVED to exclude the public from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information contained 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 Cabinet held on 3 July 2012.
- (2) Receipt of Exempt Minutes of Cabinet Member meetings as follows.
 - (a) Young People – 26 June 2012;
 - (b) Finance and Management – 2 July 2012;
 - (c) Technology and Recycling – 7 June 2012.
- (3) Consideration of the report of the Director of Property on Kitchen Ventilation Schemes (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (4) Consideration of the report of the Strategic Director – Environmental Services on the organisational review of the Highways and Transport Service (contains information relating to consultations and negotiations in connection with any labour relations matters).
- (5) Consideration of the report of the Director of Property on Shipley Lakeside (contains information relating to financial or business affairs of any particular person, including the Authority holding that information).
- (6) Consideration of the report of the Director of Property on Tenders for the Supply of Building and Plumbing Materials (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (7) Consideration of the report of the Director of Property on the Lease Agreement former DCC Social Services Offices Swadlincote (contains information relating to financial or business affairs or any particular person, including the Authority holding that information).
- (8) Consideration of the report of the Strategic Director – Children and Younger Adults on the Framework of Providers – Specialist Services for Disabled Children, Young People and Young Adults (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).

- (9) Consideration of the report of the Strategic Director – Adult Care on Laundry Provision (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (10) Consideration of the Strategic Director – Children and Younger Adults and the Director of Transformation on School Software Systems (contains information relating to financial or business affairs of any particular person, including the Authority holding that information).
- (11) Consideration of the report of the Strategic Director – Children and Younger Adults on Redundancy Costs: Chesterfield Excellence Cluster (contains information likely to reveal the identity of an individual).
- (12) Report of the Chief Executive on the Appointment of External Consultants (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (13) Consideration of the Strategic Director – Environmental Services on Arrangements for the Production and Distribution of Gold Cards in 2011 – 2013 and 2013 – 2014 (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).