

PUBLIC

**MINUTES** of a meeting of **CABINET** held on **28 July 2015** at County Hall, Matlock.

**PRESENT**

Councillor A Western (in the Chair)

Councillors: D Allen, A Botham, D Collins and J A Coyle.

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

Apologies for absence were submitted on behalf of Councillor P J Smith.

**Mary McElvaney, Strategic Director – Adult Care**

Councillor Western informed Cabinet that this was Mary's last meeting of Cabinet before she retired. On behalf of Cabinet Members, Councillor Western thanked Mary for her long and dedicated service with the County Council and she wished her a long and happy retirement.

**Danielle Harper on behalf of SAFE**

Danielle Harper thanked the Council for listening to SAFE's concerns and providing funding for another year.

**262/15      PUBLIC QUESTIONS**

**1.      Public Question from Chris Mitchell on Agenda Item 7(a) - Outcome of Consultation on Proposed Changes to the Housing Related Support Programme**

As a County ratepayer and the adoptive father of three young people who have Downs Syndrome and a related learning disability, I am asking this question on their behalf. I would like the Councillors who are planning further cuts to services to vulnerable adults in the County, to explain to the public how any further reductions in their services can be justified when these young people need even more support than is currently available to be socially included, and to prevent the possibility of their marginalisation and of abuse, bullying and harassment.

I would like all fellow parents on the Council to ask themselves how they could possibly vote to cut services for their own children were they to be in the same position as my family, and why they are not safeguarding my children's interests as they were elected to do.

Councillor A Western, Leader of the Council and Cabinet Member for Strategic Policy, Economic Development and Budget indicated that a full written response would be sent to Mr Mitchell.

**263/15      MINORITY GROUP LEADERS' QUESTIONS**

Councillor B Lewis asked the following questions:

**Agenda Item 7(a) - Outcome of Consultation on Proposed Changes to the Housing Related Support (HRS) Programme**

We welcome the approach of capturing people before needs become too acute, however the length of time that support will be available will be curtailed in all cases, especially impacting on those with mental ill health. We would draw your attention to paragraph 2.2, which makes the point that every pound invested in HRS is matched by a saving of £3.36 to statutory services, so we would ask therefore, is this a wise choice? Would better management and leadership of these services and closer working with other statutory providers make the services better and more cost effective?

Councillor P Jones, Deputy Cabinet Member for Adult Social Care thanked Councillor Lewis for his question. Councillor Jones explained that a report went to Cabinet on 21 January 2014 from the Acting Director of Adult Care, entitled "Consultation and Engagement on the proposed changes to the Housing Related Support (HRS) Programme". This was as a consequence of reductions in funding from Central Government, whereby the Council must reduce its expenditure by £157m by 2017-18. In order to achieve this saving, Cabinet was reviewing all aspects of Council services

A further Cabinet report on 15 July 2014 acknowledged that the provision of HRS was not a statutory requirement for the Council, however, these services do provide cost-effective preventive support to vulnerable people. The report outlined a range of measures including efficiencies, service re-design and reduction and decommissioning of some services in order to deliver £9m of savings, phased over the two year period 2014-16.

Therefore, Councillor Jones considered that Councillor Lewis and Councillor Major should have been well aware last year about this ratio of additional funding HRS attracted and the process the Council were going through to help mitigate the cuts regime imposed on the County Council by the Government. The Council had already seen by the postponing of the second part of the Care Act, that the Government had very little comprehension of the actual cost involved in providing effective and efficient adult care. The unintended consequence of the 'Living Wage' was also

prominent for the domestic care service providers. Councillor Jones invited Councillor Lewis to become an advocate for a fair funding settlement.

Finally, Councillor Jones responded that the inference that 'better management and leadership' for the HRS was required was not acceptable, not only to the Adult Care staff involved, but also to the service providers who had worked tirelessly with the Council to ensure that some level of service was retained. The Council had over the last two years been consulting and working with other statutory and voluntary bodies about this process. The consultation for each Client group was highlighted on Appendix 2 of the Cabinet report, specifically;

Mental Health –page 69

Learning Disability –page 88

Young Peoples HRS- page 105

Handy Van –page 122

Older Peoples Floating Support –page 137

### **Agenda Item 7(b) - Review of Adult Care Eligibility Threshold Changes**

Interestingly, on page 18 of the report, a point is made that the 'unintended consequence of reassessment has seen those clients now choosing to pay for services provided by the County Council using up places which would otherwise be provided to clients who are eligible for free social care'. Would the Cabinet Member or Chairman of Scrutiny care to explain what is being alluded to here?

On page 27 the following is stated: 'Member's also noted staff's comments that due to the changes in thresholds, there have been more demands via Direct Care and Traded Services. Now some clients are paying for their own care, they are more demanding, for example, wanting specific time slots for an appointment.' This seems to be phrased as if this is a bad thing. Do people not have the right to a best-fit tailored service?

In the report it is made clear that those that found themselves no longer eligible, were not properly sign-posted to alternative providers or services, and that elderly or vulnerable people did not receive adequate advice and support and that staff were unaware in some instances, due to overlapping of initiatives or changes, would the Cabinet Member agree that this is unacceptable and needs to be changed?

Councillor P Jones, Deputy Cabinet Member for Adult Social Care welcomed the recommendations of the Improvement and Scrutiny Committee which he saw as a critical friend.

In respect of the question about the comments on Page 18, this was about ensuring that the spare capacity in these facilities was utilised. The Improvement and Scrutiny Committee had simply noted what officers advised and the Strategic Director of Adult Care would ensure that Direct Care services traded to local people seeking discretionary assistance, did not compromise the Council's statutory responsibilities to provide access to services to meet assessed eligible social care needs where required.

With regard to the question about page 27, the Improvement and Scrutiny Committee simply noted that the changes that had occurred to the way services were arranged and paid for had resulted in a further change to what people expected. This was not a bad thing and it had not been considered as such when receiving the Improvement and Scrutiny Committee report.

In respect of the final part of the question, the Council recognised the issues raised. No one was perfect and the recommendations would allow the Council to improve the service provided to its clients and the Strategic Director of Adult Care had already agreed an action plan to implement the recommendations.

#### **Agenda Item 7(d) - Revised Induction Procedure Guidelines**

This approach has flaws, there are fewer mechanisms for checking performance issues adequately now the probationary period has been removed. The need for higher performing individuals to deliver services and value for money in this authority has never been more acute. Could the Cabinet Member explain why this softer approach has been taken?

Councillor A Botham, Cabinet Member for Council Services responded that the new approach was not flawed and indeed contains more performance reviews than the old probationary period. Previously, the approach was to wait six months before taking action. Now performance is dealt with from day one and managers have the tools to improve performance. The old probationary period also did not take into account staff transferring from other authorities or between departments of the County Council. Councillor Botham failed to see therefore how there were fewer mechanisms for checking performance. The new Guidelines recognised the need for higher performing individuals to provide high quality services. A softer approach has not been adopted. A blunt tool has been sharpened up to provide managers with the tools they need to do their jobs.

#### **Agenda Item – 7(e) - Markham Vale Environment Centre Extension**

Whilst we always welcome the creation of jobs, which we recognise as jobs created by businesses not by projects of this nature, we are concerned

that this could further overextend this authority by adding further liabilities to the council asset register, especially given the projected occupancy here. Have the longer term implications of this been thought through?

Councillor A Western, Leader of the Council and Cabinet Member for Strategic Policy, Economic Development and Budget responded that local government helped to create conditions for economic growth and the Government was pushing for local devolution as they recognised local councils played a big part in recovering local economies.

The current Environment Centre was operating at full occupancy. One company had started at the Centre with one employee, but with the support provided by the Environment Centre Team, that company had grown to a current staffing level of seven with further growth plans over the coming years and they were looking to occupy two-thirds of the first floor of the Centre. This expansion would not have happened without the support of the Team. The proposals spread management costs over a bigger footprint and created both a capital asset and a revenue stream.

## **2. Agenda Item 7(i) - Solutions to Food Poverty**

We support this initiative and recognise there is genuine need in the county for these measures. However, there is now a danger of this being a council run service rather than a charity run initiative. The uncomfortable truths are this: there is abuse of this system, and there is very little follow through to ensure that the need for food banks is reduced in the future. Key to this is performance monitoring for the use of this money and such measures are necessary to ensure that those that need it are getting help and that initiatives are put in place to reduce the need for the food banks in the future, would the Cabinet Member not agree?

Councillor D Allen, Cabinet Member for Health and Communities thanked Councillor Lewis for his support of the programme. All the initiatives described in the report were delivered by the charitable and voluntary sector and the Council was not running any of them. The Council had no evidence of abuse of the use of food banks, but if Councillor Lewis had and if he cared to provide it, it would be investigated, although that remained the responsibility of the food banks themselves.

This entire programme was explicitly designed to prevent the need for emergency food parcels by developing a range of affordable, community-based food projects. Councillor Allen indicated that the Council agreed with your point about monitoring and were commissioning an independent evaluation of the whole programme to do exactly that.

Councillor Allen emphasised that the programme needed start-up costs, not on-going funding. Sustainability had been designed into the programme so there was no prospect of a Council 'take-over'. In fact, the Council was enabling the charitable and voluntary sectors to do what they do best, with a little initial support from the Council. Councillor Allen thanked Councillor Lewis again for his support.

**264/15      MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 7 July 2015 be confirmed as a correct record and signed by the Chair.

**265/15      CABINET MEMBER MEETINGS - MINUTES      RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows;

- (a) Council Services – 29 June 2015
- (b) Health and Communities – 7 July 2015
- (c) Highways, Transport and Infrastructure – 7 July 2015
- (d) Strategic Policy, Economic Development and Budget – 7 July 2015

**266/15      OUTCOME OF CONSULTATION AND PROPOSED CHANGES TO THE HOUSING RELATED SUPPORT (HRS) PROGRAMME** (Adult Social Care) The Strategic Director – Adult Care informed Cabinet of the outcome of the recent consultation and Equality Impact Analysis (EIA) on the proposals to reduce funding and/or length of support to the HRS programme and to agree mitigating actions to reduce the impact on local vulnerable people.

A twelve week consultation period on the proposed changes had taken place between January and March 2015. During this time, the Council was able to secure Public Health Resource Funding for the HRS programme which enabled officers to work with providers to further refine the proposals which were ultimately the subject of consultation. Appendix 1 to the report provided a breakdown of the responses to the consultation as well as detailed explanation as to how the consultation was carried out. The EIA included the views expressed by clients from the consultation details of which were attached at Appendix 2 to the report. Cabinet Members had confirmed that they had read and considered the EIA.

In summary it was proposed to;

- Reduce funding for mental health HRS accommodation service from £93,600 to £29,120, from August 2015.
- Maintain the current funding level at £0.295m and the length of stay for clients receiving support from the floating support service for people with a learning disability.

- Reduce funding for the young people's HRS service from £1.031m to £0.172m, and to reduce the number of people who could be supported by the service from a maximum of 294 to 148 at any one time, from 1 April 2016.
- Reduce funding for the accommodation based and floating support for people with mental ill health from £1.430m to £0.410m from 1 April 2016. This would result in the number of clients who could receive a service reducing from a maximum of 294 to 255 at any one time from 1 April 2016. To reduce the length of time support could be provided from two years to one year in the accommodation based service, and nine months of floating support.
- Reduce funding for floating support for people with mental ill health, from £0.439m to £0.126m from 1 April 2016, and to reduce the number of clients supported from a maximum of 180 to 52 at any one time from 1 April 2016, and reduce the length of time support could be provided from two years to nine months.
- Reduce funding for the Handy Van Network £0.498m to £0.252m from 1 April 2016, and to re-procure the service during 2015-16 to commence on 1 April 2016 at the revised contract rate.
- Reduce funding of floating support for older people from £1.749m to £1.249m, which would mean a reduced number of people would receive a service, from 6,838 to a maximum of 5,924 at any one time.
- Reduce funding for support for people with a learning disability placed with families delivered by three providers at a contract value reduced from £21,188 to £10,137 per annum from February 2016.

Adult Care had to meet budget cuts of £45.5m by 2017-18, with £8.5m cuts from the HRS service. Savings of £2.098m had already been realised in 2014-15, with a further cut of £3.418m in the process of being implemented. The report identified further savings of £3.014m, bringing total savings to £8.610m.

**RESOLVED** to approve (1) reducing funding for mental health HRS accommodation service from £93,600 to £29,120, from August 2015;

(2) maintaining the current funding level at £0.295m and the length of stay for clients receiving support from the floating support service for people with a learning disability;

(3) reducing funding for the young people's HRS service from £1.031m to £0.172m, and to reduce the number of people who could be supported by the service from a maximum of 294 to 148 at any one time, from 1 April 2016;

(4) reducing funding for the accommodation based and floating support for people with mental ill health from £1.430m to £0.410m from 1 April

2016. This would result in the number of clients who could receive a service reducing from a maximum of 294 to 255 at any one time from 1 April 2016. To reduce the length of time support could be provided from two years to one year in the accommodation based service, and nine months of floating support;

(5) reducing funding for floating support for people with mental ill health, from £0.439m to £0.126m from 1 April 2016, and to reduce the number of clients supported from a maximum of 180 to 52 at any one time from 1 April 2016, and reduce the length of time support could be provided from two years to nine months;

(6) reducing funding for the Handy Van Network £0.498m to £0.252m from 1 April 2016, and to re-procure the service during 2015-16 to commence on 1 April 2016 at the revised contract rate;

(7) reducing funding of floating support for older people from £1.749m to £1.249m, which would mean a reduced number of people would receive a service from 6,838 to a maximum of 5,924 at any one time; and

(8) reducing funding for support for people with a learning disability placed with families delivered by three providers at a contract value reduced from £21,188 to £10,137 per annum from February 2016.

**267/15      IMPROVEMENT AND SCRUTINY REVIEW OF ADULT CARE ELIGIBILITY THRESHOLD CHANGES**

(Improvement and Scrutiny Committee - People) Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People, presented to Cabinet the final report of the Scrutiny Review into Adult Care Eligibility Threshold Changes. The report detailed the research, meetings and evidence gathering which had informed the review and helped develop the outcomes and recommendations.

**RESOLVED** to (1) receive the recommendations of the Improvement and Scrutiny Review of Adult Care Eligibility Threshold Changes;

(2) accept all of the recommendations in the report; and

(3) note that, as recommendations were implemented, progress would be monitored by the Improvement and Scrutiny Committee – People at strategic intervals through the completed action plan, to be provided to the Committee within two months.

**268/15      IMPROVEMENT AND SCRUTINY REVIEW OF STARTING POINT**

(Improvement and Scrutiny Committee - People) Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People presented to Cabinet the final scrutiny report of Starting Point. The standing



working group on safeguarding had undertaken the review and the report detailed the research, meetings and evidence gathering which had informed the review and helped develop the outcomes and recommendations.

**RESOLVED** to (1) receive the recommendations of the Improvement and Scrutiny Review of Starting Point as detailed in the report;

(2) accept all of the recommendations contained within the report; and

(3) note that, as recommendations were implemented, progress would be monitored by the Improvement and Scrutiny Committee – People at strategic intervals through the completed action plan to be provided to the Committee within two months.

**269/15      REVISED INDUCTION PROCEDURE AND MANAGER GUIDELINES** (Council Services) The Strategic Director – Corporate Resources sought approval to a revised Induction Policy and Manager Guidelines, copies of which were attached at Appendices A and B to the report.

**RESOLVED** to approve the revised procedure and associated documentation.

**270/15      MARKHAM VALE ENVIRONMENT CENTRE EXTENSION** (Strategic Policy, Economic Development and Budget) The Strategic Director – Economy, Transport and Environment sought approval for the acceptance of additional European Regional Development Fund (ERDF) grant offered by the Department of Communities and Local Government (DCLG) for the extension of the Markham Vale Environment Centre and also for the allocation of additional match funding from the County Council to address the increase in project costs.

Markham Vale Environment Centre (MVEC) was the flagship business centre and a critical component in the development of the Markham Vale Business Park. Planning approval for the project was granted in August 2014 and building work commenced on site in November 2014, with the project now entering its final construction phase. During the procurement process it became evident that, as a result of rising construction costs following the tender process, the anticipated budget for the build programme was insufficient to meet the actual build costs of £1,045,000 (final contract value), with an additional £103,105 to cover fees and contingencies, a total capital cost of £1,148,105, which had resulted in a shortfall of funding. To assist in managing the shortfall, a Project Change Request Form was submitted to DCLG in November 2014, seeking additional funding to help cover the increased costs. This request resulted in late confirmation of an additional ERDF grant offer of £40,100 being received in May 2015.

During this process, additional project costs outside of ERDF grant eligibility had been incurred including design, associated project fees and project evaluation. Taking into account the additional grant from Government, there remained a project overspend of £198,005 and it was recommended that the County Council provide the additional funding needed from departmental earmarked reserves to match the ERDF grant and pay those remaining costs not eligible from this funding.

**RESOLVED** to (1) accept the DCLG offer of additional ERDF grant of £40,100; and

(2) approve the additional allocation of match funding of £198,005 capital budget from the departmental earmarked reserve.

**271/15      APPROVAL OF THE LOCAL FLOOD RISK MANAGEMENT STRATEGY AND SUPPORTING DOCUMENTATION** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval of the Local Flood Risk Management Strategy (LFRMS) and all supporting documentation.

Under the Flood and Water Management Act 2010 (FWMA), the County Council, as the Lead Local Flood Authority (LLFA), had a duty to develop and monitor a LFRMS in line with the National Flood and Coastal Erosion Risk Management Strategy. The County Council's final LFRMS encompassed all the legal requirements placed on the County Council as a LLFA.

**RESOLVED** to (1) approve the LFRMS and all associated documentation; and

(2) authorise the Strategic Director – Economy, Transport and Environment to make any technical amendments to the document with an annual report on progress and a full review every five years to be reported to the Cabinet Member.

**272/15      ILKESTON RAIL STATION** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought approval for additional funds towards the funding package for Ilkeston Railway Station in order to permit the award of a construction contract.

The County Council had taken a lead in developing plans for a new railway station at Ilkeston and had been progressing the station design and approvals and putting together a funding package. Contract management proposals were approved by Cabinet on 1 October 2013, and a second report in March 2014 recommended the approval of an additional financial contribution of up to £757,000 to meet increased construction costs.

The report in March 2014 noted that planning approval from Erewash Borough Council was in place, and that approval from Broxtowe Borough Council was expected imminently, which was indeed the case. However, substantial design alterations were required to satisfy the Environment Agency that the station and its car park were not adding to the risk of flooding, and it became apparent that the construction of flood prevention measures would make the project unaffordable. As a result, a complete design review had been carried out resulting in new access proposals which kept the main car park out of the area at significant risk of flooding and the development of a new area providing taxi access and parking for disabled people, cycles and motor-cycles. These proposals required new planning applications to be submitted to both Councils and all necessary approvals had been in place since June 2015.

The current confirmed budget for the project was £9,123,000. An additional contribution of £300,000 from the New Stations Fund was available, subject to the County Council providing a further £200,000, giving a total budget of £9,623,000. The conditional offer of £300,000 was made some time ago and required an immediate response from the County Council over match-funding, which did not permit time for a report to be considered by Members. The Chief Executive therefore, gave approval under his powers to take urgent decisions in accordance with the Scheme of Delegation contained in the Council's Constitution, for the Council to offer the £200,000 of match-funding required which would be made available through management of Local Transport Plan capital projects. The issue had not previously been reported to Cabinet because until the project costs had been updated, reflecting the design review, it was not clear whether any, or all of this additional funding, would be required.

Network Rail had reviewed the scheme design and its contractor, selected from Network Rail's Framework, had now been able to price up the scheme, with the current Anticipated Final Costs (AFC) for the station being £9,938,000. Efforts were being made to bring the outturn cost of the project to below the AFC, details of which were presented in the report.

A request had been made to the New Stations Fund for further contributions but this was unsuccessful. Whilst there were potential areas of work to be carried out to reduce the cost of the station from the current AFC, those most likely to result in significant savings could only be realised once a project entered its construction phase. In order to progress the scheme, it would be necessary to confirm to Network Rail, that there was an approved budget in place that matches the AFC. While noting the contributions of £7,674,000 from the New Stations Fund, in particular, and the Nottingham Housing Market Area, the County Council's potential contribution could add up to £2,264,000, which included £1,749,000 which had already been approved.

It was therefore recommended that Cabinet approve an additional £515,000 in order to increase the budget to match the AFC and allow the award of contracts and a start of work.

The construction of the rail station under New Stations Fund Programme, required an agreement to be put in place between the County Council as promoter and holder of the funds and Network Rail as the client for the construction contract. This Implementation Agreement provided both parties with an assurance that the station would be constructed to its specified design and that funding would be supplied.

**RESOLVED** to (1) approve an additional £515,000 contribution to Ilkeston Station, raising the County Council's maximum funding to £2,264,000 in order to permit the award of a construction contract; and

(2) authorise the Director of Legal Services to agree and sign an Implementation Agreement with Network Rail, under which the final stages of the station would be constructed and funded.

**273/15      MANAGING THE TRANSITION OF COMMISSIONED PUBLIC HEALTH SERVICES IN GLOSSOPDALE FROM TAMESIDE TO DERBYSHIRE** (Health and Communities) The Director of Public Health sought approval to continue to commission Children's Public Health Services for Glossop via Tameside Metropolitan Borough Council (MBC) for 2015-16.

Until April 2013, responsibility for the commissioning and provision of Public Health services for the population of Glossopdale was held by Tameside and Glossop Primary Care Trust. Since 1 April 2013 however, that responsibility had transferred to the County Council. To ensure a smooth transition and sufficient time to reproduce services, Tameside MBC agreed to continue commissioning Public Health services for Glossopdale for an additional year, through to the end of March 2014.

Re-procurement of Public Health services for Glossop from April 2014 was incorporated into the reprocurement of Public Health services across Derbyshire. During 2014-15, all Public Health services previously commissioned on the County Council's behalf by Tameside MBC were now directly commissioned by the County Council, with the exception of children's services.

Children's Public Health services in Derbyshire had been re-procured and the contract was close to signature. The new services, which would include Glossop, had a two phase commencement. School Nursing, Child Health Promotion and Smoking Uptake Services would commence on 1 October 2015 and Health Visiting Services would commence on 1 April 2016. Tameside MBC had agreed to continue to commission the current Children's

Services for Glossop on the Council's behalf until these new services commenced, at a total cost of £113,856.

**RESOLVED** to approve the continued commissioning of Children's Public Health for Glossop by Tameside MBC on behalf of the County Council for 2015-16, as detailed in the report.

**274/15      SOLUTIONS TO FOOD POVERTY IN DERBYSHIRE** (Health and Communities) The Director of Public Health sought approval to implement a preventative and sustainable approach to reducing food poverty in Derbyshire.

It was clear from the data emerging from the food banks in Derbyshire, that the need for emergency food parcels was not decreasing and was increasing in some instances. This reflected the national picture, with the Trussell Trust, a Christian charity that ran the biggest network of food banks in the UK, reporting a 90% increase in provision of emergency food parcels in 2014-15. Food poverty was likely to remain a key issue for a substantial portion of the people in Derbyshire for the foreseeable future.

The Cabinet Member for Health and Communities had convened a partnership of agencies equally committed to tackling food poverty in Derbyshire. The group had explored a range of initiatives that offered non-stigmatising solutions to food poverty in communities, some of which had been developed elsewhere and were working successfully. The report summarised initiatives in respect of;

- The provision of a Fareshare depot in Central Derbyshire
- Fareshare subscriptions for food banks
- Breakfast clubs
- Super kitchens/food hubs
- Social supermarkets/community shop
- Affordable food box scheme
- Mapping community food outlets
- His church.

Rural Action Derbyshire had led a multi-agency partnership application to the Department of Health Innovation Fund for the voluntary sector. The application incorporated all the options described above with a total cost over three and half years of just under £600,000. The outcome of the application would be known in late summer and, if successful, it was expected that work would start in September 2015. The Fund was always heavily over-subscribed and the Council had been advised to be cautious in its expectation of a successful outcome.

The County Council's Heart of Derbyshire programme could be embedded into this work to promote the nutritional quality of these initiatives, for example, advice on the nutritional content of Super Kitchen Group meals, provision of cooking skills to food bank clients and supporting community food outlets to achieve the Heart of Derbyshire quality award. The programme of work could be incorporated into the proposed food strategy for Derbyshire. Some of the projects described had management costs built into the estimated cost and others did not. Consideration needed to be given to which agency(ies) were best placed to manage this work should it be funded.

An estimate of the cost and funding options were presented in the report. The outcome of the application to the Department of Health was not expected until late August 2015, and due to the uncertainty about the availability and precise costs of some of the key initiatives described in the report, it was recommended that Cabinet delegates decisions on individual details of the Public Health Food Quality budget to the Cabinet Member for Health and Communities.

**RESOLVED** to (1) approve the implementation of the preventative and sustainable approach to reducing food poverty and the need for crisis driven food parcels, as detailed in the report;

(2) approve the provision of a Fareshare depot in Derbyshire, including a grant for operational costs including rent, staffing, travel and equipment, for three years from the project start date, estimated to be September 2015; and

(3) decisions on the allocation of the remainder of the Public Health Food Poverty budget be delegated to the Cabinet Member for Health and Communities.

**275/15      REQUEST TO BUY SCHOOL PLAYING FIELD LAND** (Children and Young People) Cabinet considered a joint report of the Strategic Director – Children and Younger Adults and the Strategic Director – Corporate Resources which sought approval to a general presumption against the sale of school playing field land where the capital receipt was likely to be less than £100,000 except where there was a clear benefit to the school or the Authority.

**RESOLVED** to agree that applications from third parties to purchase areas of school playing field land from the Authority should not be progressed, unless the likely capital receipt was at least £100,000 (figure to be inflated each year in line with increases in tender price indices), except where there was a clear benefit to the school or the Authority.

**276/15      PROPOSED FURTHER CONSULTATION ON MEETING THE NEEDS OF YOUNG CARERS IN DERBYSHIRE** (Children and Young

People) The Strategic Director – Children and Younger Adults reported to Cabinet on the findings of the Stage One Young Carer Consultation on what services young carers and their families would find beneficial.

In January 2015, Cabinet commissioned a stage one consultation to inform future service provision to young carers in the context of new legislative requirements introduced in the Children and Families Act 2014, the Care Act 2014 and the challenging Public Sector environment. Details of the consultation process and its outcome were included in the report.

The County Council currently commissioned Action for Children to deliver young carers services, and it had successfully tendered for and delivered the contract over initially part of, and subsequently, the entire County from 1996 at an annual cost to the County Council of £115,000. The Clinical Commissioning Groups contributed an additional £35,000 per annum and in the last two financial years, had contributed an additional £10,000, resulting in an annual contract value of £160,000 per annum. Action for Children through locally raised cash or in-kind donations, contributed on average an additional £13,000 per annum to the service area.

Cabinet was invited to approve a Stage Two Consultation with service users and professional stakeholders, to be conducted between 24 August and 19 October 2015. The consultation would present the confirmation the service components identified as requested or required in the Stage One Consultation, and particularly seek the views of 17 and 18 year old carers. In summary, the proposed services were:

- Group work that provided young carers with peer support;
- One to one support focussing on the exploration and expression of feelings;
- Liaison with schools to promote increased support for students experiencing the combination of home and school demands as complex;
- Facilitating access to community social activities;
- The direct provision of some “fun” opportunities;
- Sourcing relevant information on such topics as health and safety, with parental consent sourcing knowledge on medical conditions and treatment regimes;
- Maximising family access to welfare benefits;
- The Needs Assessment told the Council that young carers required enhanced careers advice, and identifying and effectively transitioning into young adult carer support services at 17 years old. Stage One indicated however, that young carers and their families did not see

either as a priority, though this may be partly attributable to the very limited response from young carers aged 16 or over;

- That young carers were referred into Starting Point and triaged into the relevant tier of Early Help Assessment Process; and
- That the Early Help Assessment and Review Processes determined from which service support was sourced from, and the duration of that support.

An Equality Impact Assessment (EIA) would be undertaken in order that the Council would have regard to its human rights obligations when making the final decision following the consultation process.

Details of how the Stage Two Consultation would be conducted were presented in the report including individual interviews, a second service user focus group and engagement with multi-agency and multi-disciplinary colleagues.

**RESOLVED** to (1) conduct a Stage Two Young Carers Consultation between 24 August and 19 October 2015;

(2) receive an EIA;

(3) receive a further report on the findings of the Stage Two Consultation; and

(4) receive a further report recommending how services should be provided to young carers and their families from April 2016.

**277/15 CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME 2015-16 “JOINT FUNDING” INITIATIVE FOR SCHOOLS** (Children and Young People) The Strategic Director – Children and Younger Adults sought approval to a schedule of joint funded projects submitted by schools as a charge on the budget approved in the 2015-16 Children and Younger Adults Capital Programme.

Cabinet had previously agreed to allocate £500,000 to continue with the Joint Funding Initiative, which enabled schools to bid for 50% funding support from the Authority, to undertake priority schemes which would improve the condition of their school site/buildings and help reduce the backlog of maintenance works listed in the Asset Management Plan.

The Authority had received bids for projects at fifty-seven schools and the contribution required for all these projects totalled £708,852.80. The programme was heavily oversubscribed and the Authority had indicated that priority would be given to schools who had not previously been successful in bidding for the programme and who met the criteria. Thirty-three such bids



had been received requiring a total Authority contribution of £407,339, details of which were listed at Appendix A to the report.

**RESOLVED** to approve the Joint Funded Projects as detailed in Appendix 1 to the report, with funding being split equally between the schools and the Authority, resulting in a charge of £407,339 against the Children and Younger Adults Capital Programme Joint Match Funding Allocation.

**278/15      THE AIMING HIGH DERBYSHIRE OFFER** (Children and Young People) The Strategic Director – Children and Younger Adults updated Cabinet on the outcomes of the consultation on potential changes to the Aiming High Derbyshire Offer held between October 2014 and January 2015.

Details of the outcome of the first consultation were presented in the report and the full consultation report was attached at Appendix 2. There was significant opposition to the cuts to provision for disabled children and also some issues were identified which required further thought and consideration, details of which were presented in the report. The report also highlighted the proposed models for consultation, the proposed consultation arrangements for the further period of consultation and the need for an Equality Impact Assessment (EIA).

**RESOLVED** to (1) agree that a further period of consultation take place with children young people, parents, carers and stakeholders on the basis of the identified preferred proposal set out in the report; and

(2) receive a further report following a consultation on the feedback received and the results of the EIA.

**279/15      PRIORITY SCHOOL BUILDING PROGRAMME – ALFRETON GRANGE** (Children and Young People) The Strategic Director – Children and Younger Adults sought approval to enter into a Landowner Agreement with the Department for Education (DfE) with respect to a project for a new school at Alfreton Grange, and to agree the provision of a boundary fence between Alfreton Grange Arts College and Woodbridge Junior School.

In October 2013, Cabinet received a report concerning the Priority School Building Programme (PSBP) project at Alfreton Grange. The PSBP would invest in a number of schools across the country, with the projects being managed and delivered by the DfE and Alfreton Grange was one of eight schools across the Midlands that were being delivered under a single batched procurement. The DfE had informed the Authority that it was intending to reach Financial Close on the contract on 5 August 2015.

At the October 2013 meeting, Cabinet had approved the agreement of a Memorandum of Understanding (MOU) with the DfE, which was intended to

ensure that there was a full understanding of what the project entailed before the procurement process started. It included recognition by the Authority that it would be required to enter into a Landowner Agreement, necessary because the DfE would be appointing a contractor to deliver the new school on the Alfreton Grange site that was owned by the Authority. The Agreement gave the DfE approval to carry out the works on the Authority's land. The DfE had now produced a draft Agreement and approval was requested for the Director of Legal Services to enter into the Agreement.

The DfE would need the Council to have signed the Landowner Agreement in advance of the Financial Close on 5 August 2015. In order to achieve this therefore, it had been necessary to request that Councillor D Charles, Chair of the Improvement and Scrutiny Committee – People, to consider waiving call-in in respect of the report. Councillor Charles had agreed that the decision proposed was reasonable and that it be treated as a matter of urgency in order to ensure that the Landowner Agreement was in place by 5 August 2015.

Alfreton Grange shared its site with Woodbridge Junior School and there was currently no fence between the Schools. This was not acceptable from a safeguarding point of view and both Schools accepted that a fence needed to be provided. The DfE (Education Funding Agency) had informed the Authority that the scope of its PSBP project did not include fencing. The cost of providing the required fence was £12,500 and Cabinet was asked to approve that the fencing be provided from already agreed unallocated funds for Alfreton Grange that were not included within the PSBP project.

**RESOLVED** that (1) the Director of Legal Services be authorised to enter into a Landowner Agreement with the DfE to permit the construction of the replacement school at Alfreton Grange;

(2) £12,500 be allocated from the unallocated funds, as set out in Section 3 to the report, to provide fencing between Alfreton Grange and Woodbridge Junior School; and

(3) the decision be considered urgent for the reasons set out in the report and that call-in be waived.

**280/15      CAPITAL PROGRAMME FOR VOLUNTARY AIDED SCHOOLS**  
**– LOCAL AUTHORITY CO-ORDINATED VOLUNTARY AIDED**  
**PROGRAMME** (Children and Young People) The Strategic Director – Children and Younger Adults informed Cabinet of projects to be included in the programme of capital works at Voluntary Aided Schools for 2015-16.

Each year, the Department for Education (DfE) allocated an amount of funding through the Local Authority Controlled Voluntary Aided Programme

(LCVAP) for capital development at Voluntary Aided Schools. The programme for 2015-16 had been confirmed by the DfE as being £1,159,971 which represented 100% of the project costs, although it should be noted that Governors were responsible for 10% of the total project costs and only 90% of the grant was aided by the DfE through this fund.

The Diocesan Authorities for Derby C.E. Diocese, Nottingham R.C. Diocese and Hallam R.C. Diocese had proposed and discussed the projects they wished to see take place at their schools, details of which were presented in the report. The total commitment for the new projects at Voluntary Aided Schools totalled £1,132,776 for 2015-16 and there was a carry forward from 2013-14 projects of £26,500, which was a charge against the allocation of LCVAP funding for 2015-16.

**RESOLVED** to note the projects to be included in the programme of LCVAP projects for 2015-16 with a total value of £1,159,276, as detailed in the report.

**281/15      HOME CARE PROVISION AT WALTHAM HOUSE EXTRA CARE SCHEME** (Adult Social Care) The Strategic Director – Adult Care sought Cabinet approval to undertake a procurement exercise for the provision of Home Care Services at Waltham House Extra Care Scheme in Wirksworth. Waltham House was an Extra Care Housing Scheme offering thirty-nine apartments for sale, rent and shared ownership for vulnerable adults requiring supported accommodation, plus access to an on-site home care service. Cabinet had agreed on 15 February 2015, to extend the current contract for one year from 1 April 2015 with Housing and Care 21, to allow further work to be undertaken to consider the best procurement method for the future provision of this service. This extension was due to end on 31 March 2016 and permission was now sought to procure a new service to commence on 1 April 2016.

It was proposed to undertake a procurement exercise at the current service value of £0.183m, with the expectation being that the successful provider would be required to maximise the number of available support hours within the budget. The provider would need to evidence value for money, whilst improving service outcomes, and would also need to demonstrate a commitment to build on the service at Waltham House by offering a home care service on a spot contract basis in and around Wirksworth.

It was proposed that the contract agreement term be initially for a period of one year, with annual options for the Council to extend for up to three further periods of twelve months. This proposal to introduce an option to extend the contract on a yearly basis would offer flexibility to be better able to respond to changing conditions in the home care market and would also allow

for a renegotiation of the service offer, if the average utilisation of the service fell below the agreed service availability.

**RESOLVED** to undertake a procurement exercise for the provision of Home Care Services at Waltham House Extra Care Scheme in Wirksworth for an initial period of one year with annual options for the Council to extend the contract for up to three further periods of twelve months.

**282/15      MULTI-SUPPLIER FRAMEWORK AGREEMENT FOR THE PROVISION OF LOW LEVEL FLOATING SUPPORT SERVICES FOR VULNERABLE ADULTS** (Adult Social Care) The Strategic Director – Adult Care sought approval to undertake a procurement exercise to establish a multi-supplier framework agreement for the provision of low level one-to-one floating support services to commence on 1 June 2016. The services were for adults with learning, sensory, physical disability and/or mental ill-health. The existing contract for the provision of services was due to finish on 31 May 2016, and another current contract for the provision of one-to-one support was due to finish on 31 March 2016.

The proposed multi-supplier framework agreement would establish agreements with providers to deliver low level support services to those that did, and those that did not, meet the national Adult Care Eligibility Criteria. The agreement would set out terms and conditions under which specific purchases (call-offs) could be made for low level support for vulnerable people with identified support needs. There was no obligation on the County Council to buy anything through a framework agreement, which meant that the Council was not tied to the framework and could use it where it provided value for money and the requisite standard of support, but could use other contract arrangements if required.

The framework would identify a range of categories of services to be provided to ensure that prospective providers had the requisite skills and experience to meet the low level support needed of people with physical/sensory disabilities, people with learning disabilities and people with mental ill-health. There would be no restriction on the number of providers who could be on the framework, or the number of categories of services that they could deliver, provided they met the minimum required standards. It was considered that this mechanism provided the largest marketplace possible from which clients of Adult Care could select their activities.

It was proposed that the framework agreement term was for a period of two years with annual options for the Council to extend for up to three further periods of twelve months. If the tender exercise did not provide the extensive market coverage required and there were new entrants to the market, then there would be further consideration of setting up a new framework

agreement. Any such recommendation would be presented to Cabinet for approval.

**RESOLVED** to approve a procurement exercise to establish a multi-supplier framework agreement for the provision of low level one-to-one, floating support services, which would commence on 1 June 2016, with the services being for adults with a learning, sensory or physical disability and/or mental ill-health.

**283/15      TRANSFER OF THE INDEPENDENT LIVING FUND** (Adult Social Care) The Strategic Director – Adult Care sought approval to arrangements regarding the transfer of responsibilities following the closure of the Independent Living Fund (ILF).

The ILF was established in 1988 to provide financial support to people with disabilities which would maximise their control over their daily support and other needs. In 2010, the Government announced plans to close the Fund and despite a number of high profile legal challenges being made leading to a further period of consultation, the decision to close the Fund in 2015 was made and for responsibility to devolve for local authorities.

Transitional arrangements had been put in place by the Government and ILF users received their last payment in June 2015. As from 1 July 2015, responsibility for meeting their care needs transferred to local authorities and transition funding had been made available by Central Government to allow existing ILF care packages to be maintained at existing levels for up to nine months. There were 184 people in receipt of ILF awards in Derbyshire at 30 May 2015 and expenditure from the Fund totalled £3.020m per annum. Further details of the transitional arrangements were presented in the report.

Extensive consultation had already been carried out by Central Government regarding its proposals to close the Fund and the intention of the former ILF recipients to be assessed by local authorities. Individual consultations had also taken place through individual reviews that had been undertaken by ILF and Council staff and would continue within the process outline. In addition, the Council would be writing to representative groups to explain the proposed course of action and to invite comments and feedback would be analysed and used to review the process and timescales outlined in the report. Any issues requiring further consideration arising from the consultation with individuals or representative groups would be the subject of a further report to Cabinet.

The Council had given consideration to the Government's Equality Impact Assessment (EIA) carried out during its decision-making process and was aware of widespread concern that ILF recipients could face reductions to their overall support package or to the way support was provided, although

some users would in fact benefit. The Council would be conducting its own EIA which would further inform any decisions and assessments made in respect of individuals. Again, should the EIA raise any significant issues they would be reported back to Cabinet for further consideration.

**RESOLVED** to (1) approve the arrangements regarding the transfer of responsibilities following the closure of the Independent Living Fund; and

(2) the matter be the subject of a further Cabinet report, as necessary, once feedback from individual assessments, interested party consultation and the EIA was known.

**284/15      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 7 July 2015.
2. To receive the exempt minutes of Cabinet Member meetings as follows:
  - (a) Council Services – 29 June 2015
  - (b) Highways, Transport and Infrastructure – 7 July 2015
3. Consideration of the report of the Strategic Director – Corporate Resources on the Provision of Janitorial Supplies – Award of Lot 2 – Cleaning Materials (Council Services) (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 – Health and Communities on the Recommissioning of Domestic Abuse Support Services (Health and Communities) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
5. Consideration of the report of the Director of Public Health on Tier 4 Residential Substance Misuse Treatment Services (Health and Communities) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
6. Consideration of the report of the Director of Public Health on Children and Young People's Public Health Services Family Nurse Partnership (Health and Communities) (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 Strategic Director – Economy, Transport and Environment on Approval to Award a Framework Contract for the Collection of Waste and Recyclables from County Council Premises (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  8. Consideration of the report of the Strategic Director – Children and Younger Adults on School Staff Redundancies 2015 (Children and Young People) (contains information likely to reveal the identity of any individual).
  9. Consideration of the report of the Strategic Director – Adult Care on the Derbyshire Trusted Befriending Network (Adult Social Care) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  10. Consideration of the report of the Strategic Director – Adult Care on the Provision of the Derbyshire Integrated Community Equipment Service – Award of Contract (Adult Social Care) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
  11. Consideration of the report of the Strategic Director – Corporate Resources on Contractual Arrangements for the Supply of Temporary Agency Staff (Council Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).