

Agenda Item No 4

MINUTES of a meeting of **CABINET** held on 3 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, M V Longden, and K L Parkinson

An apology for absence was submitted on behalf of Councillor S A Spencer

181/12 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

182/12 CABINET MEMBER MEETINGS RESOLVED to receive the Non-exempt Minutes of Cabinet Member meetings as follows:-

- (a) Education – 21 May and 7 June 2012
- (b) Highways and Transport – 29 May and 12 June 2012
- (c) Young People – 29 May 2012
- (d) Finance and Management – 1 and 15 June 2012
- (e) Public Health – 11 June 2012
- (f) Adult Care – 12 June 2012
- (g) Leadership and Culture – 12 June 2012

183/12 REVIEW OF THE POTENTIAL OF WATER GENERATED POWER IN DERBYSHIRE Cabinet was presented with the final report of the Scrutiny Review of the Potential of Water Generated Power in Derbyshire.

The Improvement and Scrutiny Committee – Places had completed a review on the potential for generating electricity from water courses within the County. The review was instigated to look at hydro-power projects which were either already established or proposed in Derbyshire and ascertain the viability of this method of power generation for local communities, businesses and individuals. Whilst it was not proposed that the County Council would seek to engage in hydro-power projects itself, the review considered the ways in which the County Council could support water power projects within Derbyshire.

A Working Group of Committee Members was established to conduct the review and a final copy was attached to the report showing its findings and giving its conclusion and recommendations.

RESOLVED (1) to accept the following recommendations made by the Improvement and Scrutiny Committee at its meeting on 30 May 2012:-

- a) (Recommendation 4) “that Cabinet consider offering support to potential water power projects by providing advice and information from a central point (for example the Council website) which would collect and offer information from external agencies as well as the County Council”;
- b) (Recommendation 5) “that Cabinet be asked to consider which Cabinet Member should assume responsibility for leading any initiative in respect of any water generated energy and agree that the County Council introduce a grant or loan scheme to assist research and development which would help towards the carbon reduction programme”; and
- c) (Recommendation 6) “that the potential of water power in the County and where information can be obtained be publicised to encourage more developments”; and

(2) that the responsibility for the implementation of recommendations 4 and 6 should rest with the Derbyshire Economic Partnership through its ‘Invest in Derbyshire’ Initiative;

(3) that in relation to recommendation 5 , the Cabinet Members for Technology and Recycling, Regeneration; Education and Leadership and Culture would assume responsibility for matters pertaining to water generated energy as appropriate to their Portfolio’s; and

(4) to note that progress reports would be submitted to the Improvement and Scrutiny Committee at strategic intervals to enable the monitoring of the implementation of agreed actions.

184/12 DERBYSHIRE HEALTH AND WELLBEING STRATEGY DEVELOPMENT Cabinet was updated on the development of the Derbyshire Health and Wellbeing Strategy and the planned consultation process.

Previous reports to Cabinet had updated Members on the progress made by the Shadow Derbyshire Health and Wellbeing Board towards the preparation of a Health and Wellbeing Strategy for the area.

The Board had developed and agreed five high level priorities upon which the Strategy would be based. The priorities were endorsed by Cabinet on 13 March 2012 and had subsequently been consulted on with the public and stakeholders. There had been a good response to the survey and a stakeholder engagement forum took place in March 2012, which also provided a wide range of useful and informative feedback on priorities. Overall, the consultation showed broad support for the proposed priorities and the areas of focus identified for Derbyshire.

The draft Strategy had been developed following responses and feedback received during the initial consultation stage along with evidence from the Joint Strategic Needs Assessment (JSNA). The JSNA provided key information to help identify the major health and wellbeing issues for Derbyshire. The draft Strategy was appended to the report.

The vision set out in the draft document was “to reduce health inequalities and improve health and wellbeing across all stages of life by working in partnership with our communities”.

The consultation on the draft Strategy would be open for a 12 week period from 11 June 2012 to 2 September 2012. The document and survey would be available on-line whilst paper copies would be made available in libraries, GP surgeries and on request. An easy read summary would also be made available.

Following the completion of the consultation, the document would be updated and put forward to the Shadow Health and Wellbeing Board for endorsement. It was intended that the full Strategy would be published in the autumn.

RESOLVED (1) to support the Draft Derbyshire Health and Wellbeing Strategy for consultation; and

(2) to receive further reports regarding the publication of the full Strategy in due course.

185/12 COUNTRYSIDE CAPITAL PROGRAMME The Strategic Director, Environmental Services sought approval to changes to the Countryside Capital Programme.

The Countryside Capital Programme was funded by a variety of external grants and Local Transport Plan funds with the County Council providing a capital fund to “pump prime” the external funding process. The annual schedule of capital projects were set out in the appendices of the relevant Service Plans.

A variety of projects over the last four years had been completed either under budget or funded from alternative sources, with a few projects being cancelled. The total available as a result of the above was £105,838. Three projects had incurred costs in excess of the original budget.

The project, which had incurred the most additional cost, was Hollingwood Lock House which was an innovative and highly successful community project.

The original project budget approved in 2008 was £443,294.00 the majority of which (£380,000), came from the Big Lottery Community Asset Programme. The terms of this grant imposed a tight timescale for delivery of a

completed scheme. Although the overall budget was insufficient to meet the initial project costs estimate (£457,153), the scheme was allowed to proceed on the understanding that officers would seek additional funds to meet the shortfall.

During the project there had been unforeseen additional building costs during renovation of the old structure, some of which had been accommodated by cancelling other work items. However, this had brought the project total to £516,874.05. A number of additional applications for funding were made but came to nothing as programmes were cancelled or withdrawn during the economic downturn. The project was over budget by £73,580.00.

On the other two schemes, minor variations to costs had resulted in the expenditure exceeding the approved budget on Cromford Canal and Derwent Valley Greenway at £1,281 and £3,763 respectively.

It was therefore proposed that the Countryside Service would reallocate funding on projects from the last four years by using £78,557 of the funding no longer required for the original project and allocate it to those projects that required additional resources.

RESOLVED to approve (1) the adjustments to the Countryside Capital Programme; and

(2) that the remaining resources of £27,214 associated with Countryside projects that had been completed in the last four years, be reallocated to the 2012/13 Countryside Capital Programme to fund future projects.

186/12 ADDITION TO THE CAPITAL PROGRAMME 2012/13, CARSINGTON WIND FARM – JUNCTION IMPROVEMENT AT B5035 AND MANYSTONES LANE, BRASSINGTON The Strategic Director - Environmental Services sought approval to include a scheme to carry out a junction improvement at B5035 and Manystones Lane in the 2012/13 Capital Programme.

A Section 378 Agreement of the Highways Act 1980 had been secured with Carsington Wind Energy Ltd, dated 9 March 2012 for the improvement of the B5035 and the Manystones Lane junction at Brassington and site access on Manystones Lane, in order to allow lorries safe negotiation of the public highway when delivering turbine blades to the wind farm site.

The construction of the junction improvement had been awarded to Derbyshire County Council's ALLroads. The cost of the work had been estimated at £21,714 and would be paid in full by Carsington Wind Energy Ltd. Works were expected to commence some time during July 2012 in readiness for the turbine blade delivery commencement in September 2012.

RESOLVED to approve the inclusion of the scheme to undertake the junction improvement of B5035 and Manystones Lane, Brassington in the 2012/13 Capital Programme.

187/12 CARBON REDUCTION INITIATIVE The Director of Property Services sought approval to undertake a programme of energy efficiency and carbon reduction capital projects across the Council's property portfolio. The initiative was to be funded through the Corporate Capital Programme 2012/13.

In October 2011, Cabinet had approved a corporate carbon reduction target of 25% by 31 March 2015. Whilst efforts would be made to reduce energy consumption through approved on site energy management and better awareness raising through improved communications and training, capital investment was required to ensure Council buildings were performing as efficiently as possible.

An allocation of £500,000 was therefore approved in the Corporate Capital Programme 2012/13 for energy efficiency projects within Council property that would help meet the ambitious carbon reduction target.

Along with meeting strategic environmental objectives, the capital investment would also achieve financial benefits. In 2010/11 energy bills from Council property, including schools, totalled around £8.8 million. Efforts needed to be made to reduce the current financial cost to the Council and to mitigate against likely increases in energy prices. As a participatory organisation in the Carbon Reduction Commitment (CRC), the Council was also required to purchase allowances for each tonne of Co2 it emitted from its buildings. Investing in energy efficiency, would provide financial savings from both energy bills and CRC costs. Although the CRC mechanism was likely to change in future, as announced in the 2012 budget, it was likely that a similar carbon or environmental tax, probably at a higher rate would be in place and measures taken to reduce energy consumption, the Council would be best placed to meet the new regime.

Projects were being identified through consulting with Department heads and identifying potential projects that had previously been recommended through energy saving surveys carried out for Display Energy Certificates or through annual maintenance surveys.

It was aimed to target a range of Council properties with many likely to benefit from the fund. Details were given of the types of projects that would be funded through the Capital Investment. It was noted that solar PV installations would be excluded from this list as these were being funded through a separate Capital Investment programme.

To maximise savings, projects would be prioritised based on those which demonstrated quicker returns on investment, those which could be more easily and quickly implemented and those that had the potential to achieve a higher Co2 saving.

RESOLVED(1) to approve the establishment of a carbon reduction budget utilising the £500,000 allocated in the 2012/13 Corporate Capital Programme;

(2) to approve the commencement of surveys and feasibility work to appraise and identify the energy efficiency projects that would be implemented;

(3) to approve agreements being entered into with any school, which benefited from the fund to ensure the initial capital outlay and associated interest was recouped by the Council;

(4) to note that in accordance with Financial Regulations individual projects up to the value of £20,000 would be dealt with by the Director of Property, and projects over £20,000. would be considered by the Cabinet Member for Technology and Recycling; and

(5) that Cabinet receive further half-yearly reports on how the fund had been utilised along with details of costs of carbon savings.

188/12 FREE NURSERY EDUCATION PROVISION FOR DISADVANTAGED TWO YEAR OLDS The Strategic Director - Children and Younger Adults sought approval to agree the hourly rate paid to providers of nursery education for two year olds at £4.85 per hour.

In accordance with national requirements, Derbyshire Local Authority provided funding to private, voluntary and independent providers of nursery education to enable parents of all three and four year olds to receive up to 15 hours of free education and care per week. Parents were able to receive up to 570 hours of free education and care per year.

The funding for the free provision for three and four year olds, provided to the Local Authority by the Government, was allocated to settings in accordance with the approved Derbyshire Early Years Single Funding Formula. The Formula allocated providers £3.70 per hour for all children. Children in the deprivation criteria attracted additional funding of £0.65 per hour per settings.

In late autumn 2011 the Government announced that it would enable some families of two year olds to receive free education and care by funding up to 15 hours should they wish to receive it. The Government planned to target the offer to disadvantaged families and they aimed to make the offer available to families of 20% of all two year olds from September 2013 and up to 40% of families from September 2014.

The Children and Younger Adult Department (CAYA) recognise the attainment of children from disadvantaged backgrounds fell behind that of those from more affluent ones. There was also evidence that the attainment in

early years of children in care in Derbyshire was still significantly less than the average for the overall cohort.

CAYA had made a commitment to close the gap in progress and attainment between vulnerable groups on the basis that if the children received help at the earliest opportunity, when there was likely to be more impact, including the reduced reliance on more expensive and acute intervention. In order to achieve this the Authority needed to work with early years partners from the voluntary, community and independent sector (VCI) who were very experienced in meeting the needs of children from a very young age.

As part of this commitment CAYA had allocated £1,687,200 to fund placements for two year olds during 2012/13, in preparation for the duty to provide for 20% of all two year olds from September 2013 and up to 40% from September 2014.

The notional funding rate provided to the Local Authority by the Government was £4.85 per hour. All neighbouring local authorities pay £4.85 per hour for two year old provision.

Following discussions with Derbyshire PVI providers and consideration of rates in other local authorities it was proposed that Derbyshire PVI providers are provided with an hourly rate £4.85 per two year old.

Anticipating future changes in demand would require effective monitoring of the local market and employment trends. A greater use of County Council premises could also be considered as further support to assist the County Council's drive to help people into employment.

It was proposed that progress reports be made to the Cabinet Members for Young People and Regeneration as appropriate.

RESOLVED(1) to approve an hourly rate for provision of nursery education for two year olds of £4.85 per hour from September 2012;

(2) to consider the impact of the proposed rate as part of the 2013/14 and 2014/15 revenue budget processes; and

(3) to approve the steps outlined in the report economic to seek regeneration opportunities presented by the additional investment charter

189/12 NOTIFICATION TO MEMBERS THAT THE SELLING PRICE OF SCHOOL MEALS TO REMAIN THE SAME – ALL SCHOOLS The Strategic Director - Children and Younger Adults informed Cabinet that there would be no increase in the selling price of a school meal for children and adults in Secondary, Primary and Nursery Schools and for pupils in Special Schools from 3 September 2012.

The selling prices for all school meals was last reviewed and increased by 5p for Primary and Nursery schools and 10p in Secondary and Special Schools in September 2011. The current prices for meals were:-

- Primary/Nursery Schools - £1.90
- Secondary/Specials Schools - £2.00
- Adult Meals - £2.66

Although the service faced rising costs it had been possible to mitigate these due to development of efficiencies and an income generation programme. The Authority had ensured that the policy of procuring quality food items and producing healthy nutritionally balanced meals for customers was maintained. This would contribute to tackling obesity. Furthermore during the past 12 months the service had again seen an increase in the take up of paid and free meals.

This increased take up experienced in the last 12 months contributed to the surplus of £526,000 in 2010/11. A surplus was also forecast for 2011/12 and this would contribute to offset expected deficits in 2012/13 and 2013/14 arising from the loss of school lunch grants of £1.3 m.

RESOLVED(1) to note the selling price of the paid meal in all schools from 3 September 2012 would remain the same; and

(2) to approve the value of the free school meal offer to remain at £1.90 for Primary Schools and £2.35 for Secondary Schools.

190/12 CHILDREN AND YOUNGER ADULTS (CAYA) CAPITAL PROGRAMME – ‘JOINT FUNDING INITIATIVE FOR SCHOOLS’ The Strategic Director, Children and Younger Adults sought approval for an initial schedule of joint funded proposals submitted by schools as a change on the budget approved in the 2012/13 CAYA Capital Programme.

On 1 February 2012 as part of the 2012-13 CAYA Capital Programme, Council agreed to allocate £2.5m to a ‘joint funding’ initiative whereby with an equal contribution from schools, a total budget of £5m would be available to address condition related priorities in schools.

All schools had been advised of the scheme via the Extranet and a number of proposals had been submitted by schools for consideration, most of which required further input from surveyors or architects. On receipt of firm estimates or quotations further reports would be brought to Cabinet. Detailed in the report was an initial list of projects from schools which had already been priced.

It was anticipated that most proposals from schools would also aim to address ‘suitability issues’ as well as addressing condition related problems. It was not anticipated that the scheme would be over-subscribed but if bids

needed to be prioritised it was proposed that schemes which addressed the most urgent condition related issues would be given the highest priority.

RESOLVED that approval be given to the initial list of joint funded projects as detailed in the report with funding being split equally between the schools and the Authority, thus resulting in a charge of £142,200 against the approved allocation of £2.5 m in the 2012/13 CAYA Capital Programme.

191/12 CRICH CARR CE PRIMARY SCHOOL – PROPOSED PURCHASE OF LAND Approval was sought to purchase a small area of land, which would be jointly funded in order to extend the play area at Crich Carr CE Primary School.

Crich Carr CE Primary occupied a very restricted severely sloping site with a limited outdoor play area. The opportunity had arisen to purchase an adjoining area of land measuring 442 sq m. This could then be converted by the school to provide an extension to the outdoor play area. The plans for the area of land were attached at the Appendix to the report.

The school had requested to use some of its available funds to carry out roofing repairs and improvements to the toilets and that would be the subject of a future bid for joint funding. The Governors would also need to allocate funding to convert the land in question into a suitable additional play area. Hence, the Governors had requested a contribution of £10,000 towards the purchase cost of the land. Terms had been provisionally agreed to purchase the land for the sum of £20,000 with an uplift clause whereby the vendor would be entitled to 50% of any development value over the next 25 years. The Council would be responsible to pay the vendor's reasonable legal costs.

RESOVLED (1) that approval be granted to a contribution of £10,000 towards the cost of purchasing the additional area of land at Crich Carr CE School as shown on the plan appended to the report as a charge on savings in the 2011/12 CAYA Capital Programme; and

(2) to approve the purchase of 442 sq m of land on the provisionally agreed terms as detailed in the report.

192/12 CONFERENCES AND SEMINARS The Director of Legal Services sought approval for the attendance of Councillors at conferences and seminars as detailed below with appropriate members' allowances under the Members' Allowances Regulations being paid in all cases:-

- Councillor K L Parkinson (or nominee) to attend the High Street of the Future: Beyond the Portas Review Conference on 10 July 2012 in London at a cost of £325.00 plus VAT;
- Councillor G Hickton (or nominee) to attend The Place of the Local Authority Audit Committee Conference on 11 July 2012 in Birmingham at a cost of £195.00 plus VAT;

- Councillor Mrs J A Twigg (or nominee) to attend the Localism: Implications and the Roles and Responsibilities of Front Line Councillors Conference on 10 September 2012 in Leicester at a cost of £85.00 plus VAT;
- Councillor Mrs C A Hart (or nominee) to attend the Preventative Health 2012 Delivering the Quality, Innovation, Productivity and Prevention Agenda Conference on 20 September 2012 in London at a cost of £199.00 plus VAT;
- Councillors C W Jones and B Lewis (or nominees) to attend the National Children and Adults Services Conference 2012 on 24-26 October 2012 in Eastbourne at a cost of £450.00 plus VAT.

The following were approved by the Director of Legal Services due to the timescale involved in booking attendance at the conferences and are included for information:-

- Councillor G W Purdy (or nominee) to attend The Elderly Nutrition and Dignity in Hospitals and Social Care: Quality Standards, Engagement and Compassion Westminster Briefing on 14 June 2012 in London at a cost of £190 plus VAT;
- Councillor B Lewis (or nominee) to attend the Young Peoples' Services – Funding for Youth Activities, Developing the National Citizen Service and Implementing Positive for Youth on 21 June 2012 in London at a cost of £190.00 plus VAT.

RESOLVED to approve the attendance at conferences and seminars as detailed above.

193/12 PROPOSED APPROPRIATION OF LAND AT DARLEY DALE PRIMARY SCHOOL, GREENAWAY LANE, DARLEY DALE This report was withdrawn at the meeting.

194/12 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 the Meeting held on 12 June 2012.

(2) Receipt of Exempt Minutes of Cabinet Member meetings as follows:-

- a) Education – 21 May and 7 June 2012.
- b) Finance and Management – 16 June 2012.

(3) Consideration of the report of the Strategic Director – Environmental Services on Gully Cleansing Contracts – Amber Valley, Bolsover and Erewash (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 Director of Human Resources on the provision of First Aid Training Erewash (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information)).

(5) Consideration of the Director of Property on Installation of Solar Panels - Approval to appoint Framework Contractors (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 Strategic Director - Children and Younger Adults on Commissioning of Substance Misuse Services for young People (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 - Children and Younger Adults on School Staff Redundancies 2012 (contains information which is likely to reveal the identity of an individual).

(8) Consideration the report of the Strategic Director - Children and Younger Adults and Director or Property on Burbage Primary School – School Access Initiative 2012/13 (contains information which is likely to reveal the identity of an individual)

(9) Consideration of the joint report of the Director of Property and the Strategic Director - Children and Younger Adults on Church Gresley Infant School replacement site – Pennine Way, Church Gresley (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 Director of Property on Contract for the Repairs and Maintenance of Derbyshire Police Authority Buildings (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information). - Item withdrawn.