

Agenda Item No.5

MINUTES of a meeting of **CABINET** held on 4 November 2014 at County Hall Matlock.

PRESENT

Councillor A Western (in the Chair)

Councillors D Allen, A Botham, J Dixon, K Gillott and C Neill.

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

The Leader informed the meeting that Councillor B Ridgway had relinquished his position as Cabinet member because of health issues and she had appointed Councillor A Botham as Cabinet member for Council Services.

388/14 PUBLIC QUESTIONS There were no public questions.

389/14 MINORITY GROUP LEADERS' QUESTIONS

Councillor B Lewis had submitted the following questions:-

Item 7a – Allocation of funding from the Pothole Fund

We welcome this additional funding of £2.48m for permanent repairs to the county's highways, will the Cabinet member provide us with assurances that she will not find some way of removing an equivalent amount from the budget as has previously happened?

Councillor J Dixon, Cabinet member for Jobs, Economy and Transport, replied that the grant conditions for the £2.48m pothole funding from the Government the Council meant that we could only use this funding to complement, not replace, planned maintenance for 2014/15. A programme of additional work had been developed, over and above our existing planned maintenance programme, and this would be publicised on the website and reported to Government. The Accelerated Maintenance Programme was agreed by Cabinet in December which would enable us to invest £23m capital funding to make long-term improvements to our highways and reduce the cost of maintenance in the future. The £2.48m was an additional one-off sum that must be spent in 2014/15 and would not result in any further reductions to the budget over and above those already agreed in the January and July 2014 Cabinet reports.

Councillor Dixon also stated that there had been no removal of equivalent amounts from the budget whilst she had been the Cabinet Member.

Item 7b - Substance Misuse (Drugs) Adult Treatment Contract extension

As noted within this report, the end of contract period is a time of great uncertainty for service providers and, also as noted here, can cause some diminution of quality as an unintended consequence. Therefore, in such instances would it be more sensible to provide an extension for the full two years (to 2017 in this instance) but with a break clause at 1 year predicated on quality of service provided? This would save some administration costs too.

Councillor D Allen, Cabinet member for Health and Communities, replied that he did not consider it unreasonable to proceed as recommended.

7d – Response to the consultation on Southlands Care Home

i. The report does not make it clear if all 16 residential beds at Lacemaker Court site will be reserved for those residents currently in Southlands. Could the Cabinet member clarify?

ii. This paper raises other issues of concern, a promise was made that no care homes would close before the election, and here we have one closing. How many more closures will follow during this current administration?

iii. And, if none are to close, how do you intend to continue to fund this and how many empty beds are we continuing to fund?

iv. If there are to be closures and these are predicated on meeting health and safety requirements, then could the Cabinet members please provide us with a list of those homes that are at risk?

v. This report sings the praises of Lacemaker Court, an Extra Care facility, providing residential beds and instigated by our administration, does the Cabinet member regret dragging her feet over the extra care project, causing it to collapse and losing up to £80m capital investment in this county?

Councillor Neill, Cabinet Member for Adult Care, replied that page 3 of the report stated that current residents would be given first priority for places at Lacemaker Court. No promise had been made before the election that there would be no closure of care homes and there was a stay of execution whilst alternative proposals were being considered. The way forward would depend on the outcome of our engagement exercise. Parts (iii) and (iv) of the question were not applicable. Councillor Neill resented the suggestion that she had “dragged her feet” over the extra care project. The collapse was because the market had failed to provide the required capital finance.

Councillor Western added that extra care was not an initiative instigated by the previous Conservative administration as work on this was progressing under the earlier Labour administration.

Item 7e - Elvaston Castle

We support the direction of travel expressed in this report. However, we have concerns over the duration of travel. Businesses and other stakeholders require clarity and understanding in order to make their plans, feel involved and, ultimately, deliver the vision. Will the Cabinet member consider these concerns and provide such clarity and encourage such involvement and do all he can to speed up this process?

Councillor Botham, Cabinet Member for Council Services, replied that progress was to meet the Lottery funding timetable and he would ensure that the proposal proceeded as swiftly as possible.

390/14 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 21 October 2014 be confirmed as a correct record and signed by the Chair subject to the word “no” being deleted from line 6 of Councillor Western’s response to the question concerning the Derbyshire Economic Review.

391/14 CABINET MEMBER MEETINGS - MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member meetings as follows;

(a)	Jobs, Economy and Transport	30 September 2014
(b)	Children and Young People	7 October 2014
(c)	Adult Social Care	8 October 2014
(d)	Health and Communities	21 October 2014

392/14 ALLOCATION OF FUNDING FROM THE POTHOLE FUND
(Jobs, Economy and Transport) The Government had awarded the County Council a total of £4.03m in December 2012 and a further £2,946,577 in March 2014 to carry out pothole repairs and a programme of schemes was currently being implemented to deliver improvements. In June 2014, an additional £2,480,658 was granted to the County Council, with the specific aim of permanently fixing potholes or carrying out works to prevent their occurrence in the first place.

This funding has a number of conditions. The works must be completed by the end of March 2015 and should complement, rather than replace, the Authority’s planned maintenance for 2014/15. It was expected, therefore, that external resources would be necessary to supplement in-house capacity and carry out the additional works. The County Council was required to report progress at quarterly intervals on the website and to the Department for Transport. It was expected that repairs to potholes be permanent, rather than temporary.

The Accelerated Highways Maintenance Programme agreed by Cabinet on 5 August 2014 was focussed on preventative works that would ultimately prolong the life of the highway network and reduce the cost of maintenance in the future. Annual Local Transport maintenance funds would be needed for more costly carriageway construction, as well as looking after structures, retaining walls, rights of way and street lighting. It was therefore recommended that the recent award of funding be concentrated on pothole repairs to complement these other areas of maintenance.

The careful integration of these three funding streams was essential if the most effective programme of maintenance works was to be implemented. Judicious use of the pothole funding would, in certain locations, be used as preparation for further surface dressing works as part of the Accelerated Highways Maintenance Programme.

The random nature of potholes and the existing maintenance regime that aimed to carry out repairs within 28 days of notification, meant that a forward programme of works could not usually be planned well in advance. By its nature, the work would be mostly reactive and could only be planned over a short term period. Efficiencies would be made by grouping repair works to make best use of the resources deployed and, where appropriate, complementing the Accelerated Highways Maintenance Programme. To this end, it was recommended that the content of the actual programme of works be delegated to the Strategic Director – Economy, Transport and Environment, following discussion with the Cabinet Member - Jobs, Economy and Transport.

RESOLVED (1) to authorise the acceptance of the grant of £2,480,658 to repair potholes in the local road network; and

(2) to authorise the Strategic Director – Economy, Transport and Environment to decide the programme of works following discussion with the Cabinet Member - Jobs, Economy and Transport.

393/14 SUBSTANCE MISUSE (DRUGS) ADULT TREATMENT CONTRACT EXTENSION (Health and Communities) The contract for delivering the Substance Misuse (drugs) adult treatment contract commenced on 1 April 2012 for an initial three year period with the option available to extend for one year plus one year, taking the total period of the contract to a potential five years to the end of March 2017. The Public Health teams for substance misuse (drugs and alcohol) covering both adult and young people's services had been working towards an April 2017 re-procurement date for all treatment services. This would allow for the option of an integrated service contract if it was determined that this was the most efficient use of resources and would produce the highest quality of service delivery.

Following a presentation of the improving performance data for the Substance Misuse (drugs) adult contract at a meeting of the Derbyshire Substance Misuse Strategic Commissioning Group on 29 February 2014, there was unanimous agreement that the service was suitable for extension for a further year to 31 March 2016, with the expectation that the final additional year would be awarded if performance continued to be measured at expected levels.

RESOLVED (1) to approve the contract extension for a further year to 31 March 2016; and (2) to note the intention to bring a further report and recommendation for approval within 12 months regarding the potential final year's extension to 31 March 2017 dependent on provider performance

394/14 HEALTH VISITING AND FAMILY NURSE PARTNERSHIP SERVICES – TRANSFER TO LOCAL AUTHORITY OCTOBER 2015 (Health and Communities) Cabinet was updated on the on-going arrangements for transition of commissioning responsibilities for the Health Visiting and Family Nurse Partnership services from NHS England to the Council in October 2015. Approval for the transfer of these contracts and associated funding to the local authority at that time was requested, the value of these being £14.4m.

It was proposed to develop the new Public Health Nursing and Prevention Service for Derbyshire and the rationale for this was outlined. The new service would ensure more integrated service delivery and improved outcomes for children and young people:

- Clear priorities around reducing inequalities and improving health that would contribute to improved outcomes for children and young people and their families.
- Universal provision that routinely works with the 0-19s, enabling a holistic assessment identifying family, environmental, health, development and social care needs and mobilises appropriate support (Health, Multi-agency Teams, and Children Centres, Voluntary Sector, Education) to provide early intervention to improve outcomes for the family.
- Strong partnership working with health, the voluntary sector and others to provide an “Early Help” offer through integrated services that can share information, work collaboratively to provide help to families to support healthy child development.

RESOLVED (1) to note the work underway to plan for the transfer of commissioning responsibilities for health visiting and the Family Nurse Partnership from NHS England to Derbyshire County Council;

(2) to approve the transfer of these contracts and associated funding from NHS England to the local authority in October 2015; and

(3) to note the related work underway to re-procure the new Derbyshire Public Health Nursing and Prevention Service which would be subject to a further report.

395/14 RESPONSES TO THE CONSULTATION ON PROPOSED CLOSURE OF SOUTHLANDS HOME FOR OLDER PEOPLE (Adult Care)

Cabinet was informed of the responses to the consultation on the proposed closure of Southlands Home for Older People in Long Eaton and the Equality Impact Analysis carried out in respect of the proposal. The report sought approval to consult with residents and their carers on how individual resident's needs can be best met in alternative accommodation, consult with staff on future employment opportunities as a result of the proposed closure, and proceed with the closure of the home, to allow the site to be sold and the proceeds from the sale to be used to offset the costs of the Accommodation, Care and Support Strategy.

Having given careful consideration to the outcome of the consultation and the Equality Impact Analysis, it was **RESOLVED** (1) to approve the closure of the Southlands Home for Older People and the disposal of the site once it is no longer required as a residential home,

(2) to approve the work with residents and family carers to commence enabling residents to move to new accommodation within the next nine months and for this to be carried out in accordance with the pledges made and the Major Change Guidance, and;

(3) to approve formal consultation with staff and trade unions representing staff at Southlands Home for Older People.

396/14 ELVASTON CASTLE COUNTRY PARK REPORT (Council Services) The Elvaston Castle and Country Park Working Party had recommended the formation of an advisory Elvaston Castle Development Board with the core purpose to provide input and advice to the Council in the early strategic initiation, delivery and implementation of the 10 year Vision and Plan for Elvaston Castle and Estate; and to act as advocate for the proposed Single Management Body for Elvaston Castle and Estate and to work towards the creation of a SMB.

The Development Board would have no legal status, and control and responsibility for the Estate would be retained by the Council until the proposed lease/legal agreement has been agreed by both the Council and the Development Board; and the SMB has been created as a legal entity.

The proposed advisory functions of the Development Board would be:-

- a) To comment on the draft Terms of Reference for the Development Board, and finalise these in agreement with the Council;
- b) To act as advocate and help shape the lease/legal agreement between the Council and the SMB for the transfer of the governance and management of the Estate to the SMB.
- c) To develop the governance and management model for the proposed SMB; including County Council representation for at least the period that Derbyshire County Council funding continues.
- d) To inform high level business planning to support delivery of the Vision;
- e) To inform a proposed bid to the Heritage Lottery Fund by Council in 2015, and more generally advise on investment and funding options;
- f) To inform any future procurement by Council;
- g) To map out the transfer of the management and governance arrangements of the Estate from Council to the SMB, advising on due diligence from the SMB's perspective;
- h) To develop, with appropriate legal input, the governing document for the SMB and the objects and powers of the body;
- i) To inform partnership development, stakeholder engagement and communications, and public relations management;
- j) To inform risk management in initiating the Vision and Plan
- k) To advise on the membership of the SMB Board;
- l) To advise on the recruitment by the SMB of a Chief Executive for the estate's operational team.

RESOLVED (1) to approve the formation of an advisory Elvaston Castle Development Board to:

- a) provide input and advice to the Council in the early strategic initiation, delivery and implementation of the 10 year Vision and Plan for Elvaston Castle and Estate, and;
- b) act as advocate for the proposed single management body for Elvaston Castle and Estate and to work towards the creation of the single management body with a County Council Elected Member trustee for at least the period that Derbyshire County Council continue to put funding into the Estate's activities.

(2) that the proposed membership of the Development Board should also include a representative of the Elvaston Parish Council; and

(3) to note that the costs associated with the Development Board would be met from the existing allocation for external legal and other support, and that

further additional funding may be needed to resource external legal and other support to complete the project.

397/14 EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. Confirmation of the exempt minutes of the meeting of Cabinet held on 21 October 2014.
2. Receipt of the exempt minutes of Cabinet Member meetings as follows:-

(a) Children and Young People	7 October 2014
(b) Health and Communities	21 October 2014
3. Consideration of exempt reports as follows:-
 - (a) Award of Contracts for Leachate Collection and Disposal from Crich and Glapwell Closed Landfill Sites (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Arkwright Society – Short-term Loan Facility Request (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (c) NHS Health Check Programme 2014-15 (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (d) Community Care Centre Catering Service (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (e) Initiation of a Compulsory Purchase Order for Derwent Street, Belper (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))