

PUBLIC

MINUTES of a meeting of **CABINET** held on **5 April 2016** at County Hall, Matlock

PRESENT

Councillor A Western (in the Chair)

Councillors D Allen, A Botham, D Collins, J A Coyle and P J Smith.

Councillor B Lewis also attended the meeting.

Apologies for absence were submitted on behalf of Councillor K P Morgan.

107/16 PUBLIC QUESTIONS

There were no public questions.

108/16 MINORITY GROUP LEADERS' QUESTIONS

Question from Councillor B Lewis.

Agenda Item 7(b) – Pay and Display at Willington Picnic Site – comments received following the revised charging arrangements.

If there is a rapid decline in rail usage or adverse parking impacts upon the local area as a consequence of this proposal, will the Cabinet Member commit to a review of the decision?

And, as most commuters are likely to have returned by around 6.00pm, would he consider instead offering free parking from 6.00pm?

Councillor D Collins, Cabinet Member for Highways, Transport and Infrastructure responded that the impact of new charges at Willington would be monitored in the same way they would in other areas. The proposed charges would mean that parking would be free after 7pm. To change the time to 6pm would require the County Council to undertake further consultation and it would also mean that in the summer months, the Council would potentially lose out on two to three hours of income. Any consequent reduction in revenue would have to be off-set by cuts elsewhere in the Countryside Service. Councillor Collins considered that the charging proposed at Willington would not impact on usage, but if this was to be the case, the issue should be taken up with Network Rail.

109/16 **MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 15 March 2016 be confirmed as a correct record and signed by the Chair.

110/16 **CABINET MEMBER MEETINGS – MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member Meetings as follows:-

- (a) Highways, Transport and Infrastructure – 1 March 2016
- (b) Council Services - 7 and 17 March 2016
- (c) Children's Service – 15 March 2016
- (d) Health and Communities – 15 March 2016
- (e) Strategic Policy, Economic Development and Budget – 15 March 2016.
- (f) Adult Social Care – 16 March 2016.

111/16 **DERBYSHIRE ECONOMIC REVIEW - MARCH 2016** (Strategic Policy, Economic Development and Budget) The Chief Executive presented the latest quarterly Economic Review to March 2016 which provided an overview of the current economic conditions in the County and summarised economic trends to support broader discussions and policy developments across the Authority. The review also supported and facilitated delivery of partnership activity, most notably through the Derbyshire Economic Partnership, The Local Transport Board and the D2N2 Enterprise Partnership.

RESOLVED to note the information presented within the Derbyshire Economic Review – March 2016 and that the findings would be used to support future service planning and development.

112/16 **PAY AND DISPLAY AT WILLINGTON PICNIC SITE – COMMENTS RECEIVED FOLLOWING REVISED CHARGING ARRANGEMENTS** (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment informed Cabinet of the results of the consultation exercise regarding the amended charging arrangements at Willington Picnic site and sought authorisation for the amendment of the proposed Derbyshire County Council (Off-Street Parking Places) (Amendment) Order 2016. In total, nine representations had been received, details of which were presented in the report.

RESOLVED to authorise the Director of Legal Services to (1) amend the proposed Derbyshire County Council (Off-Street Parking Places) (Amendment) Order 2016 by including provision for:

- (a) the introduction of a first hour free and non-return period; and
- (b) for residents directly affected by the imposition of the charges to be eligible to purchase a season ticket at a reduced rate;

(2) make the Derbyshire County Council (Off-Street Parking Places) (Amendment) Order 2016.

113/16 SCAPE NATIONAL PROCUREMENT FRAMEWORK –

(Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment sought Cabinet approval, under Protocol 2 of the County Council's Financial Regulations, to the County Council's use of the SCAPE National Procurement Framework for the delivery of highways maintenance programmes and individual projects and to delegate authority to the Strategic Director – Economy, Transport and Environment, in consultation with the Cabinet Member – Highways, Transport and Infrastructure, to award contracts under the Framework for jet patching and surface dressing for the 2016-17 surface dressing season.

SCAPE offered all public bodies access to six different Frameworks across the built environment and already around half of local authorities and nearly two-thirds of Police forces, procured building and construction services through the SCAPE Framework. The County Council was a shareholder and founder member of SCAPE and the Frameworks were all Official Journal of the European Union compliant. The SCAPE Civil Engineering and Infrastructure Framework, from which the jet patching and surface dressing contracts would be procured, would be managed by Balfour Beatty, using approved suppliers who would tender for the works to ensure that value for money was achieved. The use of the NEC3 suite of contracts ensured that clients and suppliers worked in partnership with transparency and visibility of prices and processes being paramount. The Frameworks were performance managed in order to reduce risks and to provide significant time and cost savings. SCAPE claimed 95% of projects were delivered on time and 99% within budget.

In addition, SCAPE's frameworks were committed to extensive use of local suppliers, ensuring that a significant proportion of project spend found its way back into the local economy. The Frameworks incentivised local investment, offered upskilling and training support, fair and prompt payment and the use of small and medium enterprises.

Of particular interest to the County Council was Civil Engineering and Infrastructure Framework. Whilst much of the Local Transport Plan Programme was delivered using the in-house service, the demands of the accelerated Highways Maintenance Programme meant that additional capacity, in the form of surface dressing and jet patching, were necessary to meet the short summer window available. It was expected that up to £1m of jet patching and £1.5m of surface dressing would be needed to support the 2016-17 programmes of work. The use of SCAPE to procure this top-up

service would provide useful benchmarking data to measure the efficiency of the in-house operation, together with the opportunity to learn best practice to improve the in-house service.

In future, the Framework might also provide an efficient procurement route for D2N2 funded projects where early contract involvement on the design process could reduce timescales and construction costs. This might prove to be a more cost-effective to the proposals to develop a term maintenance framework contract using the Midlands Highways Alliance and this would be investigated further and a further report be brought to Cabinet.

RESOLVED to (1) approve, under Protocol 2 of the Council's Financial Regulations, the County Council use of the SCAPE Civil Engineering and Infrastructure Framework;

(2) agree to delegate authority to the Strategic Director – Economy, Transport and Environment, in consultation with Cabinet Member – Highways, Transport and Infrastructure, for the award of contracts for jet patching and surface dressing for the 2016-17 surface dressing season; and

(3) note that officers would undertake further investigation of the use of the Framework for other projects, where appropriate.

114/16 **INDEPENDENT SECTOR HOME CARE FEES 2016-17** (Adult Social Care) The Strategic Director - Adult Care reported that there were approximately 3,700 people currently in receipt of homecare support from up to 50 independent sector care home providers which was equivalent to 70% of the homecare market.

The Derbyshire Homecare Association represented many of the homecare providers and they had requested, on behalf of their members, that the Council consider an increase in fees for 2016-17 to assist with meeting the costs associated with the introduction of the National Living Wage. Adult Care had also received additional requests from other providers not represented by the Association for a fee increase to reflect inflationary pressures. The last fee increase paid to independent sector homecare providers was in October 2015 following an increase in the National Minimum Wage. Details of the providers concerns were presented in detail in the report and also in Appendices 4, 5, and 6 to the report.

RESOLVED to agree (1) the proposed fee increases for the independent sector home care fees from 1 April 2016 by 6.1% on all hourly rates for homecare;

(2) an increase of 6.1% on all travel/visit rates from 1 April 2016;

(3) the introduction of a weekend sitting rate from 1 April 2016 of £9.92 per hour;

(4) the introduction of a minimum call time of thirty minutes for all new packages located in rural parts of the County;

(5) the introduction of a new model of travel payments with the funding being allocated by the postal ward where the client lived;

(6) to make an inflationary payment of up to 6.1% for specialist home care placements where evidence was provided of inflationary pressures; and

(7) to make an inflationary payment of 0.69% on all fees from 1 October 2016.

115/16 INDEPENDENT SECTOR CARE HOME FEES 2016-17 (Adult Social Care) The Strategic Director - Adult Care reported that the Council had contract arrangements in place with over 350 independent sector care homes that provided residential services to approximately 2,940 people in nursing placements or residential placements.

A comprehensive review of the fee levels for independent sector care services was undertaken annually, and to assist with the review, representatives of the Derbyshire Care Providers Association had been invited to set out particular business pressures affecting the care market and their costs. The Association continued to express its view that the detailed fee analysis and consultation previously undertaken by the Council was flawed, and that the fee rates did not cover their actual costs requiring them to rely on “cross subsidisation” by the providers themselves and the residents/their families. Their comments and the Council’s responses could be found at Appendices 4-7 to the report and a number of providers, including representatives of the Association, had also written to the Council identifying their cost pressures, including the impact of the National Living Wage.

RESOLVED to agree to (1) increase the rate paid to independent sector care homes for the financial year 2016-17 by 6.17% per week as summarised in Appendix 3 to the report;

(2) make an inflationary payment of up to 6.1% for specialist care home placements where evidence was provided of inflationary pressures;

(3) an updated fee rate of £35.05 per session for a day care placement in a care home;

- (4) an updated dementia fee rate of £39.24 per week;
- (5) make an inflationary payment of up to 5% for well performing block contracts in specific circumstances; and
- (6) make an inflationary payment of 0.98% on all standard care home fees from 1 October 2016.

116/16 LIFESTYLE SERVICES PROCUREMENT (Health and Communities) The Interim Director of Public Health sought Cabinet approval to procure Healthy Lifestyle Services including smoking cessation, weight management, Making Every Contact Count (MECC) and Wellbeing, across Derbyshire.

Lifestyle Services were important in the prevention and management of many long-term diseases and providing cost-effective and evidence based services to secure sustained lifestyle behaviour change amongst those most at risk of poor health outcomes, supported population level health improvement, so reducing the longer- term costs to the health and social care system.

Derbyshire Community Health Services currently delivered the Derbyshire Integrated Health and Wellbeing contract which delivered integrated wellbeing services across Derbyshire and the contract was due to expire on 30 November 2017. There were provisions within the contract to extend the term by a further twelve month period. The Council did not intend however, to extend the contract beyond its initial term.

The current service model was based around a primary provider overseeing the integration of different lifestyle services and Public Health had reviewed the advantages and disadvantages of the existing service model and concluded that the fully integrated model had not resulted in the expected benefits for service users. It was proposed that the future procurement of Lifestyle Services be undertaken separately for each intervention, with a requirement written into the specifications and contracts for service providers to work in collaboration to ensure the best possible experience for service users.

The new contract would commence on 1 December 2017 and, in order to align with quarterly finance and performance reporting, it was proposed that the contract be for three years and four months.

RESOLVED to approve the procurement of Healthy Lifestyle Services (smoking cessation, Weight Management, MECC and Wellbeing) across

Derbyshire for three years and four months, commencing on 1 December 2017, with an option to extend for one further period of twenty-four months.

117/16 ECONOMY, TRANSPORT AND ENVIRONMENT
DEPARTMENT SERVICE PLAN 2016-17 APPENDICES: REVENUE AND
CAPITAL PROGRAMMES (Highways, Transport and Infrastructure)

The Strategic Director – Economy, Transport and Environment sought approval for the Department's 2016-17 Revenue and Capital Programmes, copies of which were attached as an Appendix to report.

RESOLVED to approve (1) the Economy, Transport and Environment Department's Service Plan 2016-17 Revenue and Capital Programme; and

(2) that the Economy, Transport and Environment Department's Service Plan 2016-17 Appendices to be submitted to Full Council for endorsement as part of the Department's Service Plan 2016-17.

118/16 EXCLUSION OF THE PUBLIC 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 receive declarations of interest (if any).
2. To consider Minority Group Leader's questions (if any).
3. To confirm the Exempt Minutes of the meeting of Cabinet held on 15 March 2016.
4. To receive the Exempt Minutes of Cabinet Member meetings as follows:
 - (a) Council Services – 7 and 17 March 2016
 - (b) Children's Services – 15 March 2016
5. To consider the report of the Strategic Director Adult Care on the Increase in the Contract Value of the Current Dementia Support Service and the Re-procurement of the Service (Adult Social Care) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
6. To consider the report of the Strategic Director – Children's Services on the Supply and Delivery of Frozen Food (Schools and Homes) (Children's Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
7. To consider the report of the Strategic Director – Children's Services on the Proposed Implementation of a Restructure of Special Educational Needs

and Disability Services Following Consultation (Children's Services) (contains information likely to reveal the identity of an individual).

8. To consider the report of the Strategic Director – Children's Services on the Educational Psychology Services Framework (Children's Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).