

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

14 September 2016

REPORT FROM CABINET

Purpose of the Report

To provide information to the Council on issues considered by the Cabinet at meetings held on 14 June, 12 and 26 July 2016 and to enable Members to ask related questions.

Members may submit questions on the report to the Director of Legal Services by 12 noon on 13 September 2016.

Information and Analysis

14 June 2016

**1. IMPROVEMENT AND SCRUTINY COMMITTEE – PEOPLE -
REPORT ON CHILD SEXUAL EXPLOITATION**

Cabinet considered the final report of the Improvement and Scrutiny - People on the review of Child Sexual Exploitation.

Decision

Cabinet (1) received the report and agreed the recommendations; and (2) noted that as the recommendations were implemented, progress would be monitored by the Committee at strategic intervals through a completed action plan.

2. GLOSSOP LIBRARY

The Strategic Director – Corporate Resources sought approval to use £565k from the Capital Contingency Budget towards the capital costs of Glossop Library.

Decision

Cabinet agreed the request.

3. CONSULTATION UNDERTAKEN ON THE PROPOSALS TO REVIEW CHILDREN'S CENTRES

The Strategic Director – Children's Services reported to Cabinet the outcome of the Children's Centre public consultation on the detailed proposals agreed by Cabinet in January 2016 and to ask Cabinet to consider how to proceed.

Decision

Cabinet notes the outcome of the Children's Centre consultation, and findings of the Equality Analysis and Health Impact Assessment, and agreed to:

(1) the closure of the following Children's Centres:

Arkwright, Bakewell, Belper, Blackwell, Brampton, Brimington, Chapel-en-le-Frith, Chesterfield Town Centre (Queens Park), Clay Cross, Clowne, Coton-in-the-Elms, Crich, Dronfield, Etwall, Harpur Hill, Hasland, Killamarsh, Long Eaton 2 (rural), Newhall, New Mills, Ripley, Sandiacre, Somercotes, South Normanton, Stonebroom, Tupton, West Hallam, Whaley Thorns and Wirksworth;

(2) the relocation of the Centre and associated services at Kirk Hallam as indicated in the report; (3) note that the following centres would remain open:

Alfreton, Birdholme, Bolsover, Buxton (Fairfield), Cotmanhay, Creswell, Eckington, Gamesley, Glossop, Hadfield, Heanor, Holme Hall, Ironville, Langley Mill, Long Eaton 1 (Urban), Matlock, North Wingfield, Old Whittington, Shirebrook; Staveley and Woodville;

(4) the implementation of the staffing reductions subject to consultation with trade unions and staff; (5) apply the voluntary early release schemes to the redundancy selection pool and other identified targeted job groups that might help mitigate against the need for compulsory redundancies; and (6) the proposed reduction in CAB funding in principle, subject to further consultation with the CAB as to mitigating the impact of this reduction.

4. ADDITIONAL HIGHWAY MAINTENANCE FUNDING 2016-17

The Strategic Director – Economy, Transport and Communities sought Cabinet approval to accept Government grants for highway maintenance and to add programmes of schemes funded by these to the capital programme.

Decision

Cabinet agreed (1) the allocation of £1.106m Section 31 grant from the Pothole Action Fund to the schemes set out in Appendix 1 to the report and their addition to the Capital Programme; and (2) to accept a grant offer of £1.063m from the Maintenance Grant Incentive Element, its allocation to the schemes set out in Appendix 2 to the report and their addition to the Capital Programme

5. COUNCIL'S ROLE IN SUPPORTING HM CORONER WHEN DEALING WITH A MASS FATALITIES EMERGENCY

The Strategic Director – Economy, Transport and Communities advised Cabinet of the Council's role in supporting the Coroner in the event of a mass fatalities emergency, and to seek authority to apply for and act as Corporate Licence Holder for an emergency mortuary licence to be issued by the Human Tissue Authority (HTA), should this be required.

Decision

Cabinet(1) noted the legal and financial implications for this Authority of a mass fatalities incident occurring in Derbyshire; (2) agreed that the Council should be the Corporate Licence Holder for a temporary mortuary, under provisions of the Human Tissue Act 2004, (3) in the event of a mass fatalities incident occurring in Derbyshire and that the licence application be signed by the Chief Executive; and (4) approved the preparation of a letter of authority to request resources from the Home Office Central Assistance Programme, including the National Emergency Mortuary Arrangements (NEMA), to be used as necessary.

12 July 2016

6. IMPROVEMENT AND SCRUTINY COMMITTEE – RESOURCES - REVIEW OF INCOME GENERATION POTENTIAL

Cabinet considered the final report of the Improvement and Scrutiny Committee - Resources on Income Generation Potential.

Decision

Cabinet (1) received the report and agreed the recommendations; and (2) noted that as the recommendations were implemented, progress would be monitored by the Committee at strategic intervals through a completed action plan.

7. DERBYSHIRE ECONOMIC REVIEW – JUNE 2016

The Chief Executive presented the latest Derbyshire Economic Review to June 2016.

Decision

Cabinet noted the information presented within the Derbyshire Economic Review – June 2016 and that the findings be used to support future service planning and policy development.

8. POLLUTION LIABILITY RISK IDENTIFICATION – REVIEW OF COUNCIL CONTROLLED LAND AND PROPERTY ASSETS

The Strategic Director – Corporate Resources reported on the outcomes of a review and evaluation of pollution liabilities and the development of a pollution liabilities record for land owned or maintained by the County Council.

Decision

Cabinet (1) noted the work undertaken to create a centralised Pollution Liability Register to record all known pollution liabilities in respect of Council owned or maintained land; (2) supported the register being made available via DMaps to inform the future management, lease, disposal or development of Council owned or maintained sites in the future; and (3) noted that the Register would be maintained by the Director of Property and that the Steering Group would meet annually to review any changes and updates.

9. ORAL HEALTH PROMOTION SERVICE

The Director of Public Health sought approval to award a contract for the delivery of an Oral Health Promotion Service to Derbyshire Community Health Services NHS Foundation Trust.

Decision

Cabinet approved the award of a contract for the Oral Health Promotion Service to Derbyshire Community Health Service NHS Foundation Trust to commence in April 2017 for an initial three year period, with an option to extend the contract for up to a further two twelve month periods, subject to satisfactory performance.

10. MATINEE - DEMENTIA-FRIENDLY FILM SCREENINGS

The Strategic Director - Economy, Transport and Communities informed Cabinet of the award of a grant from the Paul Hamlyn Foundation for Matinee, an arts project for older people with or at risk of dementia and their families; to request permission to accept the grant; to advertise a contract for a freelance Project Worker (part- time for four years); to create a reserve for the transfer of any year end

Decision

Cabinet (1) accepted the grant from the Paul Hamlyn Foundation on the Matinee project; agreed to advertise a contract for a freelance Project Worker (part- time for four years) in accordance with County Council procurement regulations; and (2) agreed to create a reserve for the transfer of any year end balances.

11. OUTCOME OF THE INFORMAL CONSULTATION ON PROPOSAL FOR A NEW PRIMARY SCHOOL AT BOULTON MOOR AND AT DRAKELOW PARK

The Strategic Director - Economy, Transport and Communities reported on the outcome of the initial consultation on the proposal to open a new school at the developments known as Boulton Moor and Drakelow Park, both in South Derbyshire

Decision

Cabinet approved the initiation of the process to seek a sponsor for the new schools by issuing an invitation to potential sponsors to submit an expression of interest. .

12. CAPITAL FUNDING TO SUPPORT THE PROVISION OF FREE ENTITLEMENT EARLY YEARS PLACES FOR ELIGIBLE TWO YEAR OLDS IN SCHOOLS

The Strategic Director – Children’s Services provided an update on the provision of nursery places for two year- olds, and to sought approval to allocate additional funds for one of the previously approved schemes.

Decision

Cabinet approved (1) the proposal to allocate additional funding to the Creswell Infant School and Aldercar Infant School schemes in order to meet the Local Authority’s statutory duty to ensure there were sufficient high quality

places for meeting the needs of eligible two year olds, and (2) that these schemes be added to the 2016-17 Capital Programme; and the cancellation of the nursery scheme at Anthony Bek Primary School, Longmoor Primary School, Speedwell Infant School, Mary Swanwick Primary School and Larklands Infant schools.

13. INVESTMENT APPROVAL TO CREATE A NEW FACILITY IN THE FORMER BENNERLEY SCHOOL BUILDING TO ACCOMMODATE THE SUPPORT CENTRE CURRENTLY LOCATED IN BREADSALL

The Strategic Director – Children’s Services sought Cabinet approval to award a contract to commence works on the creation of a new facility to accommodate the Erewash KS3 support centre along with community facilities in the former Bennerley School building.

Decision

Cabinet approved the placing of an order for the refurbishment works at Bennerley at a total cost of £2,645,952.

14. IMPLICATIONS OF THE PROPOSAL TO EXPAND THE GEOGRAPY OF THE CURRENT SHEFFIELD CITY REGION COMBINED AUTHORITY

The Chief Executive provided Cabinet Members with an overview of the key issues and potential implications of the current proposal to expand the geography of the Sheffield City Region Combined Authority (SCR CA) to include Chesterfield Borough Council as a constituent member, and to outline the current consultation process and opportunities for the County Council to make representations. To note that the report has been brought to Cabinet as an urgent item due to the time restrictions described in the report and the potential implications for the whole of Derbyshire.

Decision

Cabinet agreed (1) to prepare a detailed and robust response to the Sheffield City Region Combined Authority consultation that highlighted the key areas of concern; (2) agreed that the issues were considered and debated by a special meeting of Full Council on 27 July 2016, which would inform the Council’s submission to the Sheffield City Region Combined Authority; (3) approved that a similar response be prepared and sent direct to the Secretary of State with a copy to the Chamber of Commerce and D2N2 LEP; (4) delegated authority to the Chief Executive to approve the final response to the Sheffield City Region Combined Authority scheme and governance review, on behalf of the Council and in consultation with the Leader; (5) supported a proactive communication approach be undertaken with Derbyshire residents and other interested parties on the stated position of the Council and the likely

implications of the proposal; and (6) noted that the Director of Legal Services was taking Counsel's advice and would question and challenge the consultation process as necessary.

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15. REVENUE OUTTURN 2015-16

The Director of Finance set out the final outturn position for 2015-16, identified significant variations from the revised estimate and identified commitments already agreed against the underspend, together with proposals for the further use of underspends. The allocations for the further use of underspends would be held in departmental Earmarked Reserves and would only be released to departments subject to final approval by the appropriate Cabinet Member. The report also set out the Council's General and Earmarked Reserves position.

Decision

Cabinet (1) noted the departmental outturn position for 2015-16; (2) noted the position on General and Earmarked Reserves; (3) approved the allocation of underspend amounts to Portfolios; and (4) noted that requests for further use of underspends would be subject of further Cabinet Member reports.

16. DERBYSHIRE TRANSFORMATION CHALLENGE AWARD (TCA)

The Chief Executive informed Cabinet of recent allocations made from the Transformation Challenge Award (TCA) to support the Derbyshire Licensing Shared Service Proposal.

Decision

Cabinet noted (1) the allocation made to the Derbyshire Licensing Shared Service Proposal in the sum of £50k; and (2) that the submission would utilise all of the remaining TCA funding.

17. LOCAL GOVERNMENT SERVICES PAY AGREEMENT 2016-18

The Strategic Director – Corporate Resources reported on the National Joint Council for Local Government Services pay agreement for 2016-18.

Decision

Cabinet noted (1) the application of the Derbyshire Pay and Grading Structure as detailed in the report and at Appendix 3 from 1 April 2016; (2) the inclusion of Public Health employees in the application of the pay agreement; and (3) the appropriate pay related allowances increasing by 1% from 1 April 2016.

18. SUPPLY OF FUEL CARDS

The Strategic Director – Corporate Resources sought approval to use the Crown Commercial Services Framework for the provision of Fuel Cards.

Decision

Cabinet approved the use of the CCS Framework “Fuel Card and Associated Services” for the provision of Fuel Cards.

19. D2N2 SUSTAINABLE TRAVEL PROGRAMME PROJECTS

The Strategic Director –Economy, Transport and Communities sought approval in principle to the County Council as scheme promoter to receive grant funding, select a package of cycling and walking infrastructure improvements in Ilkeston and Dronfield and add these project to the Capital Programme to enable preparatory work to commence.

Decision

Cabinet (1) agreed in principle to the acceptance of potential D2N2 Growth Deal and Sheffield City Region grants towards the implementation package of cycling and walking infrastructure measures in Ilkeston and Dronfield; (2) authorised the addition of these projects to the Council's Capital programme and for preparatory work to be undertaken to develop the proposals; (3) authorised costs incurred against the preparation of schemes to be met from the Economy, Transport and Communities Department's Service Plan 2015-16; and (4) noted that a further report would be submitted to Cabinet in due course confirming Growth Deal allocations to these projects and agreeing mechanisms with the Canal and Rivers Trust for delivery of any towpath upgrades.

20. PREPARATION AND DEVELOPMENT OF FUTURE TRANSPORT INFRASTRUCTURE PROJECTS

The Strategic Director –Economy, Transport and Communities sought approval to carry out the preparation and development of four

transport infrastructure projects which were likely to receive future capital funding but which required investment before this could be confirmed.

Decision

Cabinet (1) authorised the preparation and development of the four transport infrastructure projects as detailed in Appendix 1 to the report; (2) authorised negotiations to be carried out for the acquisition of land for the White Peak Loop; Bakewell to Rowsley section and Rosliston Road/Caldwell Road, Drakelow proposals; and (3) noted that future Service Plans or reports would be brought to Cabinet to consider the delivery of these transport infrastructure projects and the acquisition of land where appropriate.

21. ELVASTON CASTLE AND ESTATE – PROPOSED NEXT STEPS

The Strategic Director –Economy, Transport and Communities updated Cabinet on progress with joint working between the Council, the National Trust and the Elvaston Development Board following the Heritage Lottery Fund bid for the sustainable development of core buildings at Elvaston Castle was rejected, to advise Cabinet of the next steps and to approve the creation of a Single management Body.

Decision

Cabinet (1) noted and welcomed the progress made in identifying and implementing measures to maximise the income and commercial opportunities associated with Elvaston Castle and Gardens and its future regeneration to offset the current revenue costs to the Council of managing the Estate since the rejection of the Heritage Lottery Fund bid in 2015; (2) approved the creation of a Charitable Trust with a trading arm, the “Elvaston Castle Gardens Trust” in accordance with the Articles of Association and Charitable Objectives detailed in the report; (3) delegated arrangements for the advertising, recruitment and appointment of Trustees to the new Trust to the Strategic Director – Economy, Transport and Communities in liaison with the Cabinet Member – Highways, Transport and Infrastructure; (4) endorsed the proposed next steps detailed in the report towards delivering the Vision for the Estate agreed in 2004; and (5) agreed to receive future reports on progress towards the phased regeneration of the Castle and Gardens as appropriate.

22. FUTURE OPTIONS FOR THE PROVISION OF HOUSEHOLD WASTE RECYCLING CENTRE SERVICES

The Strategic Director –Economy, Transport and Communities reported on the options to achieve future cost savings and income generation from the Waste Management Budget.

Decision

Cabinet (1) noted the proposed potential cost savings and income generation options detailed in the report; (2) approved a public consultation on the proposals to be carried out in the summer/early autumn 2016; and (3) noted that a further report on the outcome of the consultation and presenting detailed proposals and recommendations, together with an Equality Impact Assessment, would be presented to Cabinet in January 2017.

23. SUSTAINABLE MODES OF TRAVEL STRATEGY

The Strategic Director –Economy, Transport and Communities requested approval for the Sustainable Modes of Travel Strategy.

Decision

Cabinet (1) noted the Statutory Duty placed on the Council to develop a Sustainable Modes of Travel Strategy; (2) approved the Strategy as detailed in the report; (3) agreed to its publication on the Council's website; and (4) agreed that the Strategy be updated on an annual basis.

24. AMENDMENT TO THE 2013-14 CAPITAL PROGRAMME – DERWENT GROVE, ALFRETON FLOOD ALLEVIATION SCHEME

The Strategic Director –Economy, Transport and Communities sought approval to amend the 2013-14 Capital Programme to increase the approved budget for the Derwent Grove Alfreton flood Alleviation Scheme.

Decision

Cabinet (1) approved the amendment of the Capital Programme 2013-14 to increase the budget of the Derwent Grove Flood Alleviation project from £50,000 to £152,500; (2) accepted Flood and Coastal Erosion Risk Management Grant Aid funding of £50,000 given in respect of the Derwent Grove, Alfreton Flood Alleviation project, as it was made available.

25. CARERS STRATEGY 2016-19

The Strategic Director – Adult Care reported on the Carers Strategy 2016-19.

Decision

Cabinet approved the Carers Strategy 2016-19.

26. PROCUREMENT OF A CARERS INFORMATION, ADVICE, ASSESSMENT AND SUPPORT SERVICE

The Strategic Director – Adult Care requested approval for the procurement of a carers information, advice, assessment and support service, through a formal tender process, for a period of three years with annual option to extend for up to two additional twelve month periods.

Decision

Cabinet approved the procurement of a carers information, advice, assessment and support service, through a formal tender process for a period of three years with an annual option to extend for up to two additional twelve month periods.

27. COST RECOVERY OF WORK ASSOCIATED WITH ACADEMY CONVERSIONS

The Strategic Director – Children's Services sought approval to introduce a charge to enable the Authority to recover the costs of work associated with academy conversions.

Decision

Cabinet agreed (1) to advise schools on the intention to levy a charge of £6k to any school converting to academy status; (2) that an additional charge be levied for schools covered by a PFI agreement where this was justified on the basis of work involved; and (3) that, subject to considering any objections, the above levies be applied to any school which became subject to an academy order on or after 1 September 2016.

28. REPORT ON THE OUTCOME OF THE PRE-PUBLICATION CONSULTATION ON THE PROPOSAL BY GOVERNORS TO CLOSE THE SIXTH FORM PROVISION AT NEW MILLS SCHOOL AND SIXTH FORM

This report was withdrawn.

29. REPORT ON THE OUTCOME OF THE PRE-PUBLICATION CONSULTATION ON THE ORGANISATION OF PRIMARY EDUCATION IN TIBSHELF AND ON THE DISPOSAL OF PART OF THE FORMER SECONDARY SCHOOL SITE

The Strategic Director – Children's Services advised Cabinet of the responses to the Authority's pre-publication consultation on the organisation of primary education in Tibshelf, and on the disposal of part of the former secondary school site.

Decision

Cabinet noted the responses to the consultation and approved the application to the Department for Education for the disposal of land at the former Tibshelf Secondary School.

30. SYRIAN VULNERABLE PERSONS RESETTLEMENT SCHEME FOR DERBYSHIRE

The Strategic Director –Economy, Transport and Communities updated Cabinet on the Syrian Vulnerable Persons Resettlement (VPR) Scheme in Derbyshire and sought approval for a partnership approach to the scheme and for Derbyshire County Council to act as the single point of contact and lead partner including responsibility for financial arrangements. Approval was also sought for the offer that Derbyshire would be making to the government to take in up to 50 Syrian refugees initially, from November 2016.

Decision

Cabinet (1) approved the partnership approach outlined and agreed that Derbyshire County Council act as the single point of contact and lead partner for the scheme including responsibility for the financial arrangements; (2) approved the procurement of the essential support services via the Council's procurement process; (3) approved the allocation of £80k from the Chief Executive's Office underspend from 2015-16 to provide initial essential funding and to underwrite the first twelve months' cost of the two coordination posts; (4) approved the offer that Derbyshire would be making to the government to take in up to fifty people initially from November 2016; (5) noted the establishment of two posts to coordinate the scheme; (6) noted the approach and report had been developed with and agreed by the Syrian VPR Partnership Group; and (7) agreed to receive further reports to update Cabinet on progress.

31. CHILDREN AND YOUNG PEOPLE'S SPECIALIST SUBSTANCE MISUSE SERVICE

The Director of Public Health requested approval to the award of a contract for the delivery of a Children and Young People's Specialist Substance Misuse Service in Derbyshire.

Decision

Cabinet approved the award of a contract to Change, Grow, Live for an initial period of three years from 1 April 2017 with an option to extend for a further two periods of two years.

32. REVIEW OF PHYSICAL ACTIVITY PROGRAMMES

The Director of Public Health informed Cabinet of the review of Public Health commissioned physical activity services across Derbyshire to enable re-commissioning from April 2018 and sought approval for an extension of existing contracts for physical activity services as detailed in Appendix 1, to ensure alignment with the proposed new contract start dates.

Decision

Cabinet noted the planned review of Public Health commissioned physical activity services across Derbyshire, which would inform a further report detailing the proposed services to be commissioned from April 2018.

Other Considerations

In preparing this report the relevance of the following factors has been considered: - equality of opportunity; environmental, health; financial, human resources; legal and human rights; prevention of crime and disorder, property, social value and transport considerations.

Background Papers

Cabinet papers – 14 June, 12 and 26 July 2016.

RECOMMENDATION

That the report be noted.

Councillor A Western
Leader of the Council