

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

11 April 2018

REPORT FROM CABINET

Purpose of the Report

To provide information to the Council on issues considered by the Cabinet at meetings held on 1 and 22 February and 15 March 2018 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 10 April 2018.

Information and Analysis

1 February 2018

1. VEHICLE MANAGEMENT SYSTEM

The Strategic Director – Economy, Transport and Environment sought approval for the supply of a replacement Vehicle Management System (VMS), under Protocol 2a of the Council's Financial Regulations, using the Crown Commercial Service (CCS) Vehicle Telematics Framework Agreement (RM3754) and to commence consultation with Trade Unions and employees.

Decision

Cabinet (1) approved the use of the Crown Commercial Service Framework RM3754 (vehicle telematics framework agreement) for the procurement and supply of a replacement Vehicle Management System for all Council vehicles; (2) approved the commencement of a six week consultation exercise with Trade Unions and employees; and (3) noted that a further report would be presented to Cabinet in due course, seeking approval to award the contract to the preferred provider.

2. MEETING THE REQUIREMENTS OF THE CODE OF PRACTICE FOR WELL MANAGED HIGHWAY INFRASTRUCTURE

The Strategic Director – Economy, Transport and Environment advised Cabinet of the need to develop a risk based approach to highway infrastructure

management and maintenance, so as to ensure the Council, as local highway authority, met the requirements of the Code of Practice for Well Managed Highway Infrastructure.

Decision

Cabinet (1) approved the development of a suite of documents to provide a robust risk based approach to the maintenance and management of the highway infrastructure network, to be developed in conjunction with the Cabinet Member for Highways, Transport and Infrastructure; and (2) agreed to receive a further report to approve the New Code of Practice once the documents had been finalised.

3. AWARD OF GRANT FUNDING TO ACTIVE PARTNERS TRUST FOR THE PROVISION OF FUNDING TO ACTIVE DERBYSHIRE

The Director of Public Health requested approval to award grant funding to the Active Partners Trust in order for them to support the public health priority of increasing physical activity levels across Derbyshire.

Decision

Cabinet approved the award of grant funding totalling £0.304m to APT over a twenty-seven month period, in order for it to support the public health priority of increasing physical activity levels across Derbyshire.

4. SCHOOL REVENUE FUNDING SETTLEMENT 2018-19

The Strategic Director – Children's Services informed Cabinet of the Schools Block funding settlement for 2018-19 and sought approval to a range of decisions to enable mainstream schools' budgets to be determined.

Decision

Cabinet (1) noted the Schools Block settlement for 2018-19; (2) noted the responses from schools and academies to the Local Authority's consultation proposals; (3) agreed to set an MFG rate of 0% per pupil for both sectors for 2018-19; (4) agreed to allocate funding to schools on the basis of the formula multipliers as set out in Appendices 2 and 3; (5) approved a 3% per pupil cap on gains for both sectors for 2018-19; (6) approved that the residual Schools Block budget remains uncommitted in 2018-19; (7) approved the creation of an earmarked free school reserve to meet future support costs as set out in sections 2.5.2 and 2.5.3; (8) agreed that any underspend against the uncommitted 2018-19 Schools Block budget be transferred into the earmarked reserve in (vii) above; (9) agreed not to create a growth fund for good or outstanding schools with temporary falling rolls; (10) agreed to the

request from the Schools Forum to de-delegate and top-slice funding from maintained schools' 2018-19 budgets as set out in section 2.6; (11) allowed any matters of detail relating to schools' delegated budgets to be resolved by the Strategic Director - Children's Services in consultation with the relevant Cabinet Members; and (12) noted that further reports would be brought on the Central School Services, Early Years and High Needs Blocks.

5. CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 JOINT FUNDING INITIATIVE FOR SCHOOLS

The Strategic Director – Children's Services sought approval to a schedule of joint-funded projects submitted by schools as a charge on the budget approved in the 2017-18 Children's Services Capital Programme.

Decision

Cabinet approved the joint-funded projects as detailed in the Appendix, with funding being split equally between the schools and the Authority, resulting in a charge of £457,406 against the Children's Services Capital Programme.

6. PROCUREMENT OF EARLY YEARS PROVISION

The Strategic Director – Children's Services sought approval to undertake a procurement exercise to identify and secure the services of an early years' provider to operate early years' day-care provision in:

- the vacated Children's Centre buildings located on the Coton-in-the-Elms Primary and Tupton Primary school sites;
- the former Brimington Children's Centre;
- the former Pupil Referral Unit on the Bolsover Secondary School site

Decision

Cabinet (1) approved that a procurement exercise be undertaken to identify and secure the services of an early years provider to operate early years day-care provision in the vacated buildings located on Coton-in-the Elms Primary, Tupton Primary and Bolsover Secondary school sites and the Brimington Children's Centre site, in order to assist the local authority to deliver the thirty hours' free early years education entitlement; and (2) agreed to receive a further report seeking approval to award the contract to the successful provider.

22 February 2018

7. VITAL VALLEY (HERITAGE LOTTERY FUND GREAT PLACE SCHEME)

The Strategic Director – Economy, Transport and Environment requested approval to transfer funding through grants to the value of £346,210 from the accepted Heritage Lottery Fund grant of £1,285,800 for the ‘Vital Valley’ Great Place Scheme:

- £45,000 to Marketing Peak District and Derbyshire (MPDD) for Audience Research;
- £121,010 to Derby Museums Trust (DMT) for the Mobile Museum of Making; and
- £180,200 to MPDD for Putting the Valley on the Map marketing campaign.

Decision

Cabinet authorised grants of (1) £45,000 to Marketing Peak District and Derbyshire (MPDD) for Audience Research subject to a grant agreement being signed that satisfied and mirrored Derbyshire County Council’s grant agreement with the Heritage Lottery Fund; (2) £121,010 to Derby Museums Trust (DMT) for the Mobile Museum of Making subject to a grant agreement being signed that satisfied and mirrored Derbyshire County Council’s grant agreement with the Heritage Lottery Fund; and (3) £180,200 to MPDD for Putting the Valley on the Map marketing campaign subject to a grant agreement being signed that satisfied and mirrored Derbyshire County Council’s grant agreement with the Heritage Lottery Fund.

8. RESPONSES TO THE CONSULTATION ON THE PROPOSED CLOSURE OF HAZELWOOD HOME FOR OLDER PEOPLE

The Strategic Director – Adult Care informed Cabinet of the outcome of the consultation and Equality Impact Analysis on the proposed closure of Hazelwood Home for Older People in Cotmanhay, Ilkeston, and to recommend that Cabinet approves that:

- Hazelwood home for Older People to remain open until a new Derbyshire County Council home was opened in the Cotmanhay area;
- Essential remedial works be undertaken at Hazelwood to ensure the home was safe during the intervening period; and
- Appropriate consultations be carried out once a site had been secured.

Decision

Cabinet approved that (1) Hazelwood home for Older People remains open until a new Derbyshire County Council home was opened in the Cotmanhay area; (2) essential remedial works be undertaken at Hazelwood to ensure the home was safe during the intervening period; and (3) appropriate consultations be carried out once a site had been secured.

9. DEVELOPMENT OF A TRANSPORT SAFEGUARDING STANDARDS FRAMEWORK FOR CONTRACTED PASSENGER TRANSPORT SERVICES

The Strategic Director – Economy, Transport and Environment updated Cabinet on progress in developing a Transport Safeguarding Standards Framework which outlines the measures being put in place to effectively manage potential risks to vulnerable transport service users.

Decision

Cabinet (1) endorsed the Safeguarding Transport Standards Framework and Action Plan as important elements in contributing to the safeguarding of vulnerable children and adults who were transported on Council commissioned transport services; (2) supported the delivery of the two training programmes for both taxi drivers and passenger assistants and large (school) bus drivers; and (3) endorsed the staffing commitment in the Economy, Transport and Environment Department to deliver a small number of training courses in programme 1 to passenger assistants.

10. DEVELOPER CONTRIBUTIONS PROTOCOL

The Strategic Director – Economy, Transport and Environment sought approval the publication of an interim updated edition of the County Council's Developer Contributions Protocol (DCP) the indexation of sums within the DCP, the implementation of future annual indexation and to note the planned fundamental vision to protocols for developer contributions.

Decision

Cabinet (1) approved the publication of the updated Developer Contributions Protocol for 2017 which was based substantially on the draft at Appendix A including the contribution levels set out in it; (2) agreed that indexation should apply to sums within the DCP referred to in this report and that indexation be applied annually; and (3) noted the pending fundamental vision of developer protocols to a single framework against which all relevant development would be considered and contribution negotiated.

11. CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 – SECTION 106 PROJECT ALLOCATIONS

The Strategic Director – Children's Services informed Cabinet of the receipt of recent Section 106 developer contributions and to seek approval for the allocation of those contributions to projects in line with the individual Section 106 agreements.

Decision

Cabinet noted the receipt/availability of Section 106 funding and approved allocations to the projects outlined in below and Appendix A to the report:

- a) The Brigg Infant School: £47,100.71
- b) Mundy CE Voluntary Controlled Junior School: £31,348.18
- c) Heanor Langley Infant and Nursery School: £63,885.17
- d) Ashbourne Hilltop Primary School: £56,995.00
- e) Ashbourne Primary School: £56,995.00
- f) The Ecclesbourne School: £939,955.18

12. SCHOOL ADMISSION ARRANGEMENTS FOR THE 2019-2020 ACADEMIC YEAR

The Strategic Director – Children's Services reported on the annual consultation and to determine school admission arrangements for the 2019-20 academic year.

Decision

Cabinet approved the proposed changes to the admission arrangements set out in this report and the Annex and determined the admission arrangements appended to this report for the 2019-20 academic year.

13. STEPPING DOWN CHILDREN WITH DISABILITIES FROM RESIDENTIAL CARE TO FOSTER CARE UTILISING A SOCIAL IMPACT BOND

The Strategic Director – Children's Services provided information to Cabinet on a feasibility study into the opportunities and costs to 'Step Down' children with disabilities from external residential care to foster care by utilising funding provided from Social Impact Bonds.

Decision

Cabinet (1) noted the grant allocation to undertake the feasibility study; and (2) agreed to receive a further report outlining the findings of the feasibility

study to be submitted to the Life Chances Fund on whether to support the project to the Development Stage.

14. MOVING TOWARDS AN ENTERPRISING COUNCIL

The Strategic Director – Commissioning, Communities and Policy reported on the launch of the Authority's new enterprising council approach, to approve proposals which explored the use of new commissioning and delivery models to deliver service priorities and to approve plans to communicate and engage with employees.

Decision

Cabinet approved (1) the launch of the Authority's new enterprising council approach; (2) that an Enterprising Council Strategy, setting out the key steps and actions required to further develop the Council's approach be brought to a future meeting of Cabinet for consideration and approval; (3) plans to develop a commissioning framework and strategy, to be in place from June 2018 onwards; (4) plans to progress a number of early start service areas to support the use of new commissioning and delivery models to deliver service priorities, as set out in the report; (5) that all employees be made aware of the Council's future direction as an Enterprising Council and departments communicate and engage with employees and trade unions on the early start service areas; (6) the creation of a permanent Grade 14 Project Manager post, the costs of which would initially be met from the General Reserve for a period of up to two years be established to support the overall management and co-ordination of the corporate commissioning strategy; and (7) the receipt of further reports on progress to be presented to future meetings of Cabinet in due course.

15 March 2018

15. BUDGET MONITORING AS AT 31 DECEMBER 2017

The Director of Finance and ICT provided Cabinet with an update of the Revenue Budget position for 2017-18 as at 31 December 2017.

Decision

Cabinet noted the budget monitoring position as at 31 December 2017.

16. REVIEW OF GUARANTEED MINIMUM CONTRACTS

The Strategic Director – Commissioning, Communities and Policy reported on the findings of the review of Guaranteed Minimum Contracts

(GMC) and, in light of the findings of the review, sought agreement that GMCs should no longer be offered.

Decision

Cabinet (1) agreed that GMCs should no longer be offered and that the Framework Agreement be varied accordingly; and (2) delegated all future decision-making in respect of GMCs to the Strategic Director of Commissioning, Communities and Policy.

17. GENDER PAY GAP REPORTING REQUIREMENTS

The Strategic Director – Commissioning, Communities and Policy informed Cabinet of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 with regards to Gender Pay Gap reporting requirements.

Decision

Cabinet noted the report and the proposed data to be published.

18. ELVASTON CASTLE MASTER PLAN – DRAFT FOR PUBLIC CONSULTATION

The Strategic Director – Economy, Transport and Environment sought Cabinet approval to:

(i) consult the public on a draft Master Plan for Elvaston Castle Country Park, with a view to adoption of the finalised Plan following revisions arising from comments and feedback received;

(ii) note and endorse the findings of an Economic Impact Assessment (EIA) and Gardens Maintenance and Management Plan for the Estate, both based on the Master Plan; and

(iii) approve and adopt a Memorandum of Understanding between the Council and The Elvaston Castle & Gardens Trust (ECGT).

Decision

Cabinet (1) approved the draft Elvaston Castle Master Plan in order that public consultation on the draft Master Plan could be undertaken; (2) to receive a further report requesting adoption of the final Elvaston Castle Master Plan following the consultation exercise; (3) noted and endorsed the initial summary findings of the Economic Impact Assessment based on the Master Plan; (4) noted and welcomed the production of a Gardens Maintenance and Management Plan based on the Master Plan, a significant management tool to guide future work on the gardens; (5) approved the procurement of the

Funding Strategy; (6) approved and adopted the Memorandum of Understanding between the Council and The Elvaston Castle & Gardens Trust and the associated 'Working Together' document; (7) noted that, once completed, the Master Plan, combined with a current Economic Impact Assessment and an initial Funding Strategy would facilitate the preparation of a phase 1 funding bid, which, once finalised, would be the subject of a future Cabinet report; (8) noted that, subject to expenditure of the current Challenge Fund financial allocation to the project, further funds might be required to resource the phase 1 funding bid, which would be the subject of a future Cabinet report as and when required; and (9) noted that quarterly update reports would be submitted.

19. MAJOR ROADS NETWORK

The Strategic Director – Economy, Transport and Environment set out the Council's proposed response to Government's proposals to create, define and operate a Major Road Network, elements of which would be managed and maintained by the County Council.

Decision

Cabinet (1) agreed the draft response to Government set out in the report on Proposals for the Creation of a Major Road Network for England; and (2) delegated authority to the Strategic Director – Economy, Transport and Environment to submit a formal response by 19 March 2018 deadline.

20. LOCALITIES AND PLACE-BASED PROGRAMME AND INVESTMENT 2018-19

The Director of Public Health sought approval for ongoing investment in the Public Health Locality and Place-based Programme in 2018-19 and for the use and allocation of the 2018-19 investment for the Public Health Locality and Place-based Programme.

Decision

Cabinet approved (1) the on-going funding of the Public Health Localities and Place-based programme in 2018-19; and (2) the release of the locality investment for 2018-19 to Locality Health and Wellbeing Partnerships to deliver the priorities set out in the Public Health Locality Plans.

21. INDEPENDENT SECTOR CARE HOME FEES 2018-19

The Strategic Director – Adult Care sought approval to changes to independent sector care home fees for 2018-19.

Decision

Cabinet agreed to (1) increase the rate paid to independent sector care homes for the financial year 2018-19 by 4.68% per week as summarised in Appendix 3; (2) make an inflationary payment of up to 4.5% for specialist care home placements where evidence was provided of inflationary pressures; (3) an updated fee rate of £38.28 per session for a day care placement in a care home; (4) an updated dementia fee rate of £42.84 per week; and (5) make an inflationary payment of up to 3% for well-performing block contracts in specific circumstances.

22. INDEPENDENT SECTOR HOME CARE FEES 2018-19

The Strategic Director – Adult Care sought approval to changes to independent sector home care fees for 2018-19.

Decision

Cabinet agreed to (1) the proposed fee increases for the independent sector home care fees from 1 April 2018, by 4.8% on all hourly rates for home care; (2) an increase of 4.8% on all travel/visit rates from 1 April 2018; (3) to make an inflationary payment of up to 4.5% for specialist home care placements where evidence was provided of inflationary pressures; (4) to introduce a new standard flat rate payment of £11.64 per hour for sitting services; and (5) to introduce a new standard flat rate payment of £1,269.10 per week for Live In Care.

23. CENTRAL SCHOOL SERVICES BLOCK 2018-19

The Strategic Director – Children's Services asked Cabinet to confirm the allocations to be funded from the Central Schools Services Block for 2018-19.

Decision

Cabinet (1) noted the Central Schools Services Block settlement for 2018-19; (2) noted the decisions of the Schools Forum on 9 January 2018; and (3) confirmed the Central Schools Services Block budgets for 2018-19 as set out in section 2 of the report.

24. EARLY YEARS BLOCK BUDGETS 2018-19

The Strategic Director – Children's Services sought approval to the Early Years Block funded budgets within the Dedicated Schools Grant (DSG) for 2018-19.

Decision

Cabinet (1) noted the 2018-19 Early Years settlement announced by the Department for Education; (2) agreed the 2018-19 Early Years formula multipliers as set out in section 2.4 of the report; (3) noted that the pass-through test would be met for 2018-19; (4) confirmed the Early Years central budgets for 2018-19 in Appendix 1 to the report; and (5) agreed to underwrite the proposals in this report from previous years' DSG reserves.

25. HIGH NEEDS BLOCK BUDGETS 2018-19

The Strategic Director – Children's Services requested approval to the High Needs Block (HNB) funded budgets within the Dedicated Schools Grant (DSG) for 2018-19.

Decision

Cabinet (1) noted the 2018-19 High Needs settlement announced by the Department for Education; (2) agreed to fund the High Needs Budgets as set out in Appendices 1, 3 and 4 to the report; (3) agreed to maintain top-up rates at the same level as 2017-18; (4) agreed to the request from the Schools Forum to de-delegate and top-slice funding from special schools and PRUs' 2018-19 budgets as set out in section 2.5 to the report; and (5) agreed to underwrite the HNB proposals in this report for 2018-19 by drawing down £0.727m from DSG reserves.

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 – 1 and 22 February and 15 March 2018.

RECOMMENDATION

That the report be noted.

Councillor B Lewis
Leader of the Council