

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

24 July 2013

REPORT FROM CABINET

Purpose of the Report

To provide information to the Council on issues considered by the Cabinet at meetings held on 4 June, 18 June and 16 July and to enable Members to ask related questions.

Members are asked to submit questions to the Director of Legal Services by 12 noon on 23 July 2013.

Information and Analysis

4 JUNE 2013

1. **CABINET PROCEDURES (Portfolio holder – Councillor Western)**

Cabinet considered a report of the Director of Legal Services on the way in which it conducts its business with a view to encouraging openness, transparency and public participation. The report proposed provision for:

- Questions by Minority Group Leaders to be submitted in advance of the meeting (by 12:00 noon on the day before the Cabinet meeting). This would bring the arrangements more into line with the procedure relating Members' questions for full Council meetings and would allow considered responses to the questions to be provided at the Cabinet meeting. No supplementary questions may be asked.
- Public Questions at the open part of Cabinet meetings to support the principles of openness and supporting the active involvement of citizens in the process of the Council's decision-making. Questions should ideally, but not necessarily, be submitted in advance of the meeting. The duration of public question time would be at the discretion of Leader of the Council but it would not normally be expected to exceed 20 minutes. Supplementary questions may be asked.

- The location of Cabinet meetings may be held at different venues to County Hall from time to time in keeping with the Constitution's principles of openness and public involvement.

Decision

Cabinet adopted the new procedural arrangements.

2. RECRUITMENT OF CHIEF EXECUTIVE(Portfolio holder – Councillor Western)

Cabinet considered a report of the Director of Human Resources set out the arrangements for the recruiting a new Chief Executive including the appointment of an Appointment Panel. The report also sought approval to appoint Ian Stephenson as Acting Chief Executive and Mike Ashworth as Acting Strategic Director – Environmental Services both with effect from 3 June 2013,

Decision

Cabinet (1) authorised the Director of Human Resources to commence the process of recruiting a Chief Executive; (2) approved the establishment of an Appointment Panel, chaired by the Leader of the Council, for the purpose of appointing a Chief Executive, such appointment to be subject to the approval of the Council; (3) approved the appointment of Ian Stephenson, Strategic Director – Environmental Services as Acting Chief Executive with effect from 3 June 2013, subject to the approval of the Council; and (4) appointed Mike Ashworth, Deputy Strategic Director – Environmental Services, as Acting Strategic Director – Environmental Services with effect from 3 June 2013, subject to the approval of Council.

18 JUNE 2013

3. CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME – JOINT FUNDING INITIATIVE FOR SCHOOLS (Portfolio holder – Councillor Gillott)

The Strategic Director – Children and Younger Adults sought approval to a schedule of joint-funded proposals submitted by schools which will improve the condition of school sites and buildings and help reduce the backlog of maintenance works listed in the Asset Management Plan. Details of the projects were listed in Appendix 1 to the report.

Decision

Cabinet approved the joint-funded projects totalling £659,100 as listed in Appendix 1 to the report as a charge against the allocation of £1.123m in the Children and Younger Adults Capital programme, with funding being split equally between the schools and the Authority.

4. SCHOOLS DEVOLVED FORMULA CAPITAL 2013/14 (Portfolio holder – Councillor Gillott)

The Strategic Director – Children and Younger Adults reported to the Cabinet on the Government's Devolved Formula Capital (DFC) provisional grant allocation for 2013/14 totalling £2,502,295.63. Approval was also sought to incorporate the 2013/14 Devolved Formula Capital grant into the Children and Younger Adults Capital Programme and inform schools and support centres of their provisional Devolved Formula Capital allocations.

Decision

Cabinet approved (1) the incorporation of the 2013/14 provisional Devolved Formula Capital grant totalling £2,502,295.63 into the Children and Younger Adults Capital Programme; and (2) individual Devolved Formula Capital allocations for 2013/14 being confirmed to schools and support centres, as outlined in the Appendix to the report.

5. GRANT FUNDING FOR THE WHEELS TO WORK SCHEME (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services informed Cabinet that the Wheels to Work Scheme had successfully bid to the Big Lottery Reaching Communities Fund for funding of £477,890 over five years. The funding would be used to support a range of activities including moped running costs, administration and management costs, training and travel costs. The Scheme had an on-going need for capital funding which the Lottery Grant did not cover.

Decision

Cabinet (1) noted the work being undertaken by the Wheels to Work project in helping Derbyshire residents get access to work and training; (2) welcomed the recent award of funding by the Big Lottery Reaching Communities Fund totalling £477,890 over five years; and (3) approved in principle, capital funding for the project for the period 2013/14 to 2017/18 initially at a level of £50,000 a year, subject to review as part of the process of agreeing the annual Capital Programme.

6. DREDGING PROGRAMME, CROMFORD CANAL (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services advised Cabinet that a sum of £300.000 had initially been allocated in the 2012/13 Capital Programme to undertake dredging of the Cromford Canal between Cromford Wharf and Leawood Pumphouse. Owing to unforeseen circumstances surrounding the land required to accept the removed silt, increased costs had been incurred.

Decision

Cabinet approved the revised cost of the scheme and a revenue contribution towards capital expenditure of £40,250 as detailed in the report, in order to increase the capital budget for the project for the dredging of the Cromford Canal.

7. CROMFORD MILL SLUICE (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services sought approval to undertake works on the sluice gate mechanism that controlled the water flow in to the Cromford Canal and to amend the 2013/14 Capital Programme accordingly. The sluice gates had not worked properly for some years and to open the gates in extreme weather could be potentially dangerous.

Decision

Cabinet (1) agreed to add the work to undertake the repairs to the sluice gate mechanism to the 2013/14 Capital Programme; (2) approved the seeking of competitive quotes to undertake work to the sluice gate mechanism in Cromford Mill yard; (3) delegated authority to the Cabinet Member for Jobs, Economy and Transport to agree the expenditure for the proposed works; and (4) agreed that funding be met from the approved revenue budget in the form of a revenue contribution towards capital expenditure.

8. ADOPTION OF A NEW STATEMENT OF ACTION FOR DERBYSHIRE'S RIGHTS OF WAY IMPROVEMENT PLAN 2013/2017 (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services presented Cabinet with a new Statement of Action for Derbyshire's Rights of Way Improvement Plan to be recommended to Council for approval.

Decision

Cabinet (1) recommended to the Council that the new Statement of Action 2013/2017 for delivering Derbyshire's Rights of Way Improvement Plan be approved; (2) supported the implementation of action points within the Plan that can be delivered within existing budgets and the efforts to seek additional funding streams to deliver other items; and (3) noted that achievements would be highlighted at every opportunity, for example, in progress reports given to both Local Access Forums and on the website.

9. LOCAL TRANSPORT BODY - DEVOLVING MAJOR TRANSPORT SCHEMES (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services reported on the establishment of local transport bodies and on the Derbyshire Priority Schemes to be submitted to the Department for Transport for funding in 2015/19.

The new Local Transport Bodies were aligned to Local Enterprise Partnerships and as in Derbyshire there was an overlap between the Derby/Derbyshire, Nottingham and Nottinghamshire (D2N2) LEP and the Sheffield City Region LEP meaning that the corresponding Local Transport Boards would also overlap. Funding in the overlapped area covering North East Derbyshire District, Chesterfield Borough, Bolsover District and Derbyshire Dales District was split 50/50 between each of the two Bodies.

Over the four year period 2015/16 to 2018/19, the D2N2 Local Transport Body was advised that it was likely to receive £46.8m. The nominal Derbyshire share of the total would be £15.32m including the 50/50 split for the four overlapping districts and boroughs. For the Sheffield City Region Transport Body, the indicative total available was £37.3m with a nominal Derbyshire share of £3.34m to cover the overlapping area.

Each Local Transport Body was required to submit their preliminary programmes for funding to the Department for Transport by the end of July 2013. The County Council had been assessing a long list of possible schemes against the criteria set out in the draft Assurance Framework. A pool of six schemes had been identified as the most suitable Derbyshire schemes that satisfied the funding criteria and the Local Transport Body selection process. These schemes were the A61 – A617 Avenue Link Road, the Gamesley Railway Station, Seymour Link, White Peak Loop Cycle Network, Whittington Moor Roundabout, and the A514 Woodville – Swadlincote Regeneration Route. Further details of the schemes were attached at Appendix 1 to the report.

Decision

Cabinet (1) approved the six schemes to be put forward for consideration in developing the Derby, Derbyshire, Nottinghamshire (D2N2) programme of major schemes for 2015/19; and (2) authorised the Cabinet Member for Jobs, Economy and Transport to agree the final D2N2 schemes, following assessment using the Assurance Framework for consideration by the Shadow Board of the Local Transport Body.

10. GREAT NORTHERN GREENWAY, BROOMFIELD (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services reported on the offer of a grant from Sustrans of £100,000 for the Great Northern Greenway at Broomfield. The grant will allow funding originally intended for the project to be reallocated to other Environmental Services Schemes.

Decision

Cabinet (1) accepted the offer of £100,000 grant aid from Sustrans; (2) approved the overall increase in the Environmental Services Capital Programme; and (3) noted that the balance of the cost of the scheme of £150,000 would be met from the Local Transport Plan budget.

11. WATERWAYS DEVELOPMENT (Portfolio holder – Councillor Dixon)

The Acting Strategic Director – Environmental Services reported to Cabinet of the current status of the four County waterways (Chesterfield Canal, Cromford Canal, Derby and Sandiacre Canal and Erewash Canal) and review options for the future. The County Council owned significant parts of three of these waterways and other assets on two. Canals within the County were at varying stages of development and presented both challenges and opportunities in terms of regeneration, tourism, access to the countryside and income generation potential.

Work had commenced on producing a comprehensive Waterways Development Strategy which would seek to define and prioritise the County Council's input to preservation, conservation and regeneration as well as effectively managing limited resources. The Strategy would provide a statement of intent with regards to waterways development and demonstrate the potential and viability of waterways in meeting commitments to heritage, tourism, regeneration, environment, community, employment, health and transport. It would outline priority opportunity areas to be supported, examine the models of best practice and provide guidance to the execution of functions as landowner and Navigation

Authority. The Strategy would be completed in draft in early 2014 and would be subject to appropriate consultation.

Decision

Cabinet (1) noted the opportunities and challenges associated with the development of waterways in the County; (2) supported the continuation of appropriate support and leadership to both the Cromford and Chesterfield Canal Partnerships and engagement with the other canal trusts and societies in Derbyshire; and (3) welcomed and supported the development of a draft County Waterways Strategy, subject to consultation, which would prioritise the Council's input and support for waterway development in Derbyshire.

12. FINANCIAL INCLUSION DERBYSHIRE (Portfolio holder – Councillor Allen)

The Deputy Chief Executive and Strategic Director – Health and Community Safety requested approval to a funding shortfall of a maximum of £14,000 to enable the Co-ordinator of the Financial Inclusion Derbyshire Partnership to remain in place until the review of the project was completed.

Decision

Cabinet awarded a maximum grant of £14,000 to Rural Action Derbyshire to cover the costs of the Co-ordinator post for the Financial Inclusion Derbyshire project until September 2013 when the review would be completed with the sum being met from the Chief Executive's departmental underspends.

13. CONFERENCES AND SEMINARS (Portfolio holder – Councillor Western)

Cabinet approved the attendance of Councillors J Dixon, K Gillott, A I Lewer and A Western at the Local Government Association Annual Conference on 2-4 July 2013.

16 JULY 2013

14. HS2 – THE GOVERNMENT'S PROPOSALS FOR HIGH SPEED RAIL (Portfolio holder – Councillor Dixon)

The Government's proposal for the development of HS2 was a major national scheme that was seen as an engine for growth that will help to regenerate the economy of the north of England. The proposals are likely

to generate a significant range of economic benefits for Derbyshire and its surrounding cities. The proposal to build a station at Toton and an infrastructure maintenance depot at Staveley will provide a significant boost to the local economy. The Council will work to ensure positive outcomes for jobs and communities.

It was recommended that further work should be undertaken to maximise the economic benefits arising from this major investment and secure the best possible deal for Derbyshire. There will inevitably be some residents and businesses who will be adversely affected and the County Council will need to be vigorous in working to ensure that people are not unduly disadvantaged.

Decision

Cabinet (1) noted the announcement of the alignment for HS2 in Derbyshire; (2) supported in principle proposals for a new station at Toton and an infrastructure maintenance depot at Staveley; (3) requested officers, in consultation with District Councils and other organisations, to seek to reduce the negative impact of the scheme and to maximise the economic benefits for Derbyshire residents; (4) endorsed the actions being taken as outlined in the report; and (5) authorised the Cabinet Member for Jobs, Employment and Transport to consider further reports as appropriate, including consideration of the financial implications of responding to the Government's proposals.

15. UNEMPLOYED WORKERS CENTRE (Portfolio holder – Councillor Allen)

The Deputy Chief Executive and Strategic Director for Health and Community Safety asked Cabinet to consider requests to provide grant funding to support the work of the Derbyshire Unemployed Workers' Centre (DUWC) and the Trade Union Safety Team (TRUST) for 2013/14.

The demand for services provided by both DUWC and TRUST had increased significantly over recent years, and this is anticipated to continue. DUWC had recently approached the county council to request a contribution of £39,750 towards core costs, whilst TRUST has requested £5,763. Given the increased pressures on communities, particularly as austerity measures bite, it would seem reasonable to consider these requests. The work undertaken by DUWC and TRUST supported the Council's priorities to tackle poverty, support communities during hard times and support community-based advice services. Given the challenges outlined above and the likelihood that the numbers of people requiring

support and assistance would increase, it was recommended that the funding requested for the 2013/14 year be provided.

In line with other grants to Voluntary and Community Sector organisations it was recommended that the grant is subject to a Service Level Agreement (SLA) which will set out expectations and requirements on both DUWC and TRUST and the County Council in relation to the grant award. Six monthly monitoring would ensure both the quality of the service and accountability for the funding.

Decision

Cabinet agreed that (1) grant funding totalling £39,750 be provided to Derbyshire Unemployed Workers Centre to cover the core costs associated with the delivery of advice services in 2013/14; (2) grant funding totalling £5,763 be provided to the Trade Union Safety Team to cover core costs associated with the delivery of services in 2013/14; and (3) Service level Agreements be developed in conjunction with Derbyshire Unemployed Workers Centre and the Trade Union Safety Team, and these be monitored on a six monthly basis in line with other Voluntary and Community Sector grant agreements.

16. EARLY YEARS FUNDING FOR VULNERABLE CHILDREN **(Portfolio holder – Councillor Gillott)**

The Strategic Director – Children and Younger Adults sought approval from the Cabinet to the proposed use of funding for vulnerable two year olds within the Dedicated Schools Grant (DSG) to enable some families of two year olds to receive free education and care by funding up to fifteen hours should they wish to receive it.

Initial funding was allocated to local authorities via the Early Intervention Grant for 2012-13 and Derbyshire received £1.687m to begin the programme. At its meeting on 3rd July 2012 Cabinet approved the allocation of this funding which incorporated a £4.85 per hour funding rate.

On 19 December 2012 the DSG allocations for 2013-14 were announced and Derbyshire's total included £5.641m in respect of funding for vulnerable two year olds. This sum included the £1.687m transferred from the Council's Formula Grant allocation in 2012-13 referred to above.

Of the £5.641m, £4.051m is for statutory place provision and £1.590m trajectory funding to be used, in the main, to create non-statutory places in preparation for the 2014 entitlement for 40% of two year olds. It has been assumed that the trajectory funding is one off in nature as its primary purpose is to create capacity.

In addition to the DSG funding, local authorities had been allocated £100m of non-ring-fenced capital funding to support early years development, Derbyshire's share of this fund is £1.037m.

The statutory places funding equates to 1,466 children receiving 570 hours of nursery education at the existing local hourly rate of £4.85 per hour. This rate compare favourably to the Day Care Trust Cost Survey 2012 which shows average hourly childcare fees in England are £4.13 per hour for under-twos and £3.95 per hour for children aged two and over. The Government recently announced that its formula resulted in an hourly rate of £5.09 for two year olds but this included the London weightings. If Derbyshire decided to offer the higher rate, then fewer places would be available within the funding allocation.

In addition to those two year olds who are eligible because their parents were in receipt of benefits that would make them entitled to free school meals, the trajectory funding will also help support:

- children in care; children who have been adopted; children of care leavers;
- children from traveller communities; children of teenage parents;
- children in receipt of Disability Living Allowance;
- children who had, or were in the process of having, a statement of special education need.

Funding would also be used to support children from households where there was domestic abuse, drug or substance misuse, if the parents were working with support agencies and troubled families.

It was anticipated that children from other groups would become eligible in 2014, including children in need and children who had a child protection plan.

The Authority had yet to determine how it intended to use the £1m capital grant.

The DfE intended to monitor the use of these funds. Derbyshire, alongside other local authorities, would be expected to submit Section 251 statements which set out their planned DSG spending, including early years. In addition, authorities would be required to complete new early years' pro-formas, giving details of the spending on two, three and four year olds' free early education.

Decision

Cabinet (1) approved the DSG and capital allocations and the proposals to utilise the funding; (2) supported the proposed £4.85 per hour rate; and (3) agreed to receive further reports on this development as required.

17. DIGITAL DERBYSHIRE (Portfolio holder – Councillor Dixon)

Cabinet was provided with a report on the progress in relation to the Digital Derbyshire Local Broadband Plan.

The Government's ambition to have the best superfast broadband network in Europe was a major national scheme being administered centrally by Broadband Delivery UK (BDUK) and delivered locally by 41 upper-tier authorities. The national programme would support the County as the economic benefits had the potential to increase growth, productivity, innovation and enhance Derbyshire as a business location.

It was important that work was undertaken throughout the lifetime of the project to maximise the economic and social benefits arising from this major infrastructure investment, to ensure that Derbyshire residents and businesses were not left behind.

The project was now at the Invitation To Tender stage and a tender from BT was expected within the prescribed time limit and this would be evaluated in line with the BDUK framework. All contract awards must be made by early August 2013 and BDUK funding spent by March 2015.

Decision

Cabinet (1) noted the progress being made to deliver the Local Broadband Plan; (2) agreed that, subject to completion of the call off governance period and the tender delivering value for money, the applicant be notified of preferred bidder status in accordance with the timetable; and (3) noted that the Cabinet meeting on 30th July 2013 would be invited award the contract.

Background Papers

Cabinet papers – 4 and 18 June and 16 July 2013

RECOMMENDATION

That the report be noted.

**Councillor A Western
Leader of the Council**