

DERBYSHIRE COUNTY COUNCIL

COUNCIL MEETING

4 December 2013

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 October and 12 November 2013 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 3 December 2013.

Information and Analysis

1 October 2013

1. COMPLAINTS AND COMPLIMENTS OVERVIEW (Strategic Policy and Budget)

The Chief Executive informed Cabinet of the complaints dealt with under the Council's Complaints Procedures, compliments received by the Council during the financial year 2012/13 and the Local Government Ombudsman's Annual Review Letter in respect of the County Council for the year ended 31st March 2013.

Decision

Cabinet (1) noted the key issues relating to the complaints procedure, the monitoring of complaints, and changes to service which had resulted from complaints received; and (2) received a report on the progress and developments on complaints and compliments following the end of the 2013/14 monitoring period.

2. REVISED BUDGET 2013/14 (Strategic Policy and Budget)

The Chief Executive and the Director of Finance updated members on changes to the Revenue Budget 2013/14 and Five Year Financial Plan and indicated proposed budget reductions. Council had approved the Revenue Budget 2013/14 on 6 February 2013, which set out proposals including pay

and price increases, budget reduction targets and service pressures, together with details of the general reserves position and medium term financial projections which assumed Council Tax increases of 2.5% in each of the four years from 2014-15 to 2017-18.

In approving the budget in February, the Council froze its Council Tax for the third year running which required the budget to be balanced by increasing the base savings required. Under section 25 of the Local Government Act 2003, the Director of Finance reported on the robustness of the estimates and the adequacy of the reserves allowed for in the budget. The budget report identified certain reductions, but not enough to meet the increased savings target, the shortfall being met through a range of measures from the over-achievement of base savings in earlier years to the use of previous years' underspends/General Reserve as a one-off funding source with the expectation that the base saving would need identifying later in 2013-14.

The Council had no power to re-set the level of Council Tax for 2013/14 and other than the announcements made by Government following the budget set by Council in February, which were detailed in the report, the funding allocations for the Council remained the same as those previously reported. However, subsequent announcements by Government, affecting 2014/15 and 2015/16 in particular, have had a serious adverse effect on the Council's financing in future years and this was reflected in the revised Five Year Financial Plan.

Decision

Cabinet (1) agreed that the report was urgent and call-in be waived; (2) noted and approved the revised Five Year Financial Plan; (3) noted and approved the changes to funding received since the Council approved the budget in February and the uses to which it would be applied; (4) agreed that the proposals for budget reductions outlined in Appendix 2 form the basis of helping to balance the Council's budget subject to further consideration of individual proposals by elected members; (5) noted that the possible areas for budget reductions in Appendix 3 would be considered and detailed proposals brought before Members as appropriate; and (5) invited the Council to endorse the Cabinet's decisions.

3. RESERVES POLICY (Council Services)

The Council's Reserves Policy ensured that the Council was meeting both its statutory requirements and that it took a risk assessed approach to maintaining an adequate level of reserves. The Director of Finance asked Cabinet to approve the revised Reserves Policy, to transfer earmarked reserves no longer required to the General Reserve balance; to create

specific earmarked reserves and approve the transfer of revenue contributions to the Capital Programme.

Decision

Cabinet approved (1) the transfer of £5.163m from earmarked reserves to the General Reserve; (2) the creation of earmarked reserves totalling £24.851m to reflect commitments previously held against the General Reserve Balance; (3) contributions to the Capital Programme totalling £8.400m; and (4) the revised Reserves Policy.

4. BUDGET MONITORING (Council Services)

The Director of Finance provided Cabinet with an update of the latest budget monitoring positions for the period up to 30 June 2013 which showed an overall departmental overspend of £13.179m, which after consideration of centrally held budgets and expenditure, and use of carry forward balances from 2012/13, would lead to a break-even position for the Council. A significant element of the overspend related to the achievement of budget reductions in 2013/14.

Decision

Cabinet noted the 2012/13 budget monitoring position as at 30 June 2013.

5. INSURANCE FUND ACTUARIAL REVIEW JUNE 2013 (Council Services)

The Director of Finance advised Cabinet of the outcome of the latest actuarial report on the Council's Insurance Fund.

Decision

Cabinet noted the report.

6. MUNICIPAL MUTUAL INSURANCE (MMI) – SCHEME OF ARRANGEMENT (Council Services)

To advise Cabinet of the latest position with relation to the “run-off” of the business of the former local authority insurer Municipal Mutual Insurance (MMI). MMI ceased writing new business, or inviting renewal of policies, on 30 September 1992. Since then they had continued to pay claims in full in the anticipation that a solvent run-off of the company would be achieved.

Decision

Cabinet noted that (1) the earmarked contingent liability in the Council's General Reserves was no longer required; (2) £5.2m had been set aside in the Insurance Reserve as a contribution to the Clawback and a further £1.84m had been transferred from Insurance Provisions into a specific MMI Provision; and (3) future uninsured claims would be monitored and budgetary provision made to meet those claims as and when required.

7. OPERATIONAL RISK MANAGEMENT PROJECTS (Council Services)

The Director of Finance reported that the County Council had provided funding assistance for risk management schemes in schools (including secondary schools) and other County premises since at least 1995. The purpose of these risk management schemes is to protect the safety of the pupils, visitors and employees and to protect assets from vandalism damage, arson and theft – particularly of IT equipment. Appendix 1 to the report listed school bids which were recommended for approval.

Decision

Cabinet approved the risk management capital projects set out in Appendix 1 to the report.

8. PREPARATION OF BUDGET 2014/15 (Council Services)

Cabinet considered a report of the Director of Finance on the proposed timetable of the Council's 2014/15 budget preparation and associated consultation arrangements, as detailed at Appendix 1 to the report.

Decision

Cabinet approved (1) the timetable for completion of the budget; and (2) the proposed consultation arrangements.

9. TREASURY MANAGEMENT (Council Services)

The Director of Finance reported on Treasury Management activities during the last financial year 2012-2013 which included the Council's compliance with the prudential indicators set by the Cabinet at its meeting of 24 January 2012, in accordance with the terms of the Prudential Code for Capital Finance in Local Authorities.

Decision

Cabinet noted the Annual Report on Treasury Management for 2012/2013.

10. SOUTH YORKSHIRE COMBINED AUTHORITY AND GOVERNANCE ARRANGEMENTS FOR DERBY AND DERBYSHIRE (Jobs, Economy and Transport)

The Acting Strategic Director – Environmental Services reported on the response to consultation on the draft South Yorkshire Combined Authority Order and on the possible establishment of a Derby and Derbyshire Economic Prosperity Board.

Decision

Cabinet (1) approved that the County Council's response to the consultation on the South Yorkshire Combined Authority Order be based on the contents of the report: and (2) approved that further reports be presented on the establishment of a Derby and Derbyshire Joint Committee and Economic Prosperity Board.

11. VISIT PEAK DISTRICT AND DERBYSHIRE DESTINATION MANAGEMENT ORGANISATION - FINANCIAL CONTRIBUTION 2013/14 (Jobs, Economy and Transport)

Cabinet considered a report of the Acting Strategic Director – Environmental Services for a funding contribution of £164,000 to the Visit Peak District and Derbyshire Management Organisation for 2013/14.

Decision

Cabinet (1) approved the County Council's revenue contribution of £164,000 to support Visit Peak District and Derbyshire during 2013/14; and (2) agreed to discussions commencing on a revised Service Level Agreement and funding contribution for 2014/15.

12. ARCHAEOLOGICAL WAY DEVELOPMENT (Jobs, Economy and Transport)

Approval was sought to add Archaeological Way projects, funded through the Limestone Journeys Landscape Partnership, to the 2013/14 Capital Programme and to agree expenditure to deliver the projects.

Decision

Cabinet (1) agreed to the redevelopment of the Archaeological Way being included in the 2013/14 Capital Programme; and (2) approved expenditure to the value of £34,160 for tree clearing works and other initial works identified on the Langwith Branch Line, Shirebrook Town and Poulter Country Park routes, to be 100% funded from the Heritage Lottery Fund Limestone Journeys grant.

13. CONSULTATION ON CHANGES TO THE POLICY ON HOME TO SCHOOL TRANSPORT TO SCHOOLS PREFERRED ON GROUNDS OF RELIGION OR BELIEF (Children and Young People)

The Strategic Director - Children and Younger Adults sought Cabinet agreement to carry out a consultation on proposed changes to Derbyshire County Council's provision of home to school transport to schools preferred on grounds of religion or belief.

Decision

Cabinet agreed (1) to consult on the proposed changes to arrangements for home to school transport to schools preferred on grounds of religion or belief; and (2) to consider a further report on the outcome of the consultation.

14. MANAGING THE TRANSITION OF PUBLIC HEALTH SERVICES IN GLOSSOPDALE FROM TAMESIDE TO DERBYSHIRE (Health and Communities)

The Director of Public Health informed Cabinet of the process for transferring the commissioning of public health services from Tameside Metropolitan Borough Council to the County Council.

Decision

Cabinet approved the process of transition for the commissioning of public health services from Tameside MBC to the County Council.

22 October 2013

15. CAPITAL BUDGET MONITORING TO MONTH 5 2013-14 (Council Services)

To inform Cabinet of the latest budget monitoring position for capital schemes. Details of the key variances by Department were included in the report.

Decision

Cabinet noted the current budget monitoring position.

16. PROCUREMENT OF A UTILITY INVOICE RECONCILIATION SERVICE (Council Services)

The Director of Property sought approval to invite tenders for the provision of a specialist utility invoice validation and reconciliation service to identify and generate refunds from the Council's energy and water suppliers for potential historic billing errors. Approval in principle was also sought for any resulting refunds to be reinvested in energy efficiency projects.

Decision

Cabinet (1) approved the procurement of a utility broker to undertake historic invoice validation and obtain refunds from utility providers, (2) agreed that any savings generated be directed into the Derbyshire Challenge Fund from which energy efficiency bids will be awarded in line with Council priorities, (3) noted that a further report will be submitted to Cabinet once any refund amounts have been identified and agreed, (4) noted that any refunds relating to schools energy bills will be repaid to them.

17. CAYA CAPITAL PROGRAMME – 'JOINT FUNDING' INITIATIVE FOR SCHOOLS (Children and Young People)

The Strategic Director – Children and Younger Adults sought approval to a further schedule of joint-funded proposals submitted by eleven schools, to be funded from the budget approved in the 2013/14 CAYA Capital Programme.

Decision

Approval was granted to the joint-funded projects as detailed in the report, with funding being split equally between the schools and the Authority, resulting in a charge of £247,350 on the total available budget of £1,205,891, found from the £1,123,000 approved in the 2013/14 CAYA Capital Programme together with savings of £82,891 from approved 2012/13 Joint Funded Schemes.

18. CHILDREN IN CARE AND CARE LEAVERS – STRATEGY AND IMPROVEMENT PROGRAMME (Children and Young People)

The Strategic Director – Children and Younger Adults sought approval of the 2013/15 Children in Care and Care leavers Strategy and Improvement Programme, a copy of which was appended to the report.

Decision

The Strategy was agreed along with the vision that there should be a child and young person friendly public facing document.

19. PRIORITY SCHOOL BUILDING PROGRAMME – ALFRETON GRANGE (Children and Young People)

Cabinet considered a report of the Strategic Direct – Children and Younger Adults on the project at Alfreton Grange and sought approval to various matters including entering into a Memorandum of Understanding with the Education Funding Agency (EFA).

Decision

Cabinet agreed that (1) the Authority enters into the Memorandum of Understanding with the EFA to provide a new school at Alfreton Grange; (2) existing funds be reallocated to this project as set out in the report; (3) the feasibility of the Authority retaining one of the existing buildings at Alfreton Grange be investigated and a further report be submitted to Cabinet; and (4) consultation take place on reducing the Published Admission Number of Alfreton Grange from 186 to 140 be carried out.

20. DEPARTMENT FOR EDUCATION CONSULTATION ON CHANGES TO THE SYSTEM OF SCHOOL ORGANISATION (Children and Young People)

The Strategic Director – Children and Younger Adults sought approval to submit a response to the Department for Education consultation on school organisation.

Decision

The response to the consultation was agreed on the basis set out in the report.

21. EXPANSION OF AN ADVICE SERVICE IN CHILDREN'S CENTRES (Children and Young People)

The Strategic Director – Children and Younger Adults and the Director of Public Health presented a report to seek approval to go out to tender for

the provision of generic advice service to ensure coverage at one day per week within all children's centres in partnership with Public Health.

Decision

Cabinet agreed (1) to go out to tender for the provision of a generic advice service within Children's Centres to extend the provision as outlined in the report. (2) the financial contribution for appeals to the Welfare Benefits Advice and Information Service and the Derbyshire Unemployed Workers' Centre of £25,000 in 2013/14 and £50,000 each in 2014/15 from the Public Health budget (3) the reinstatement of the Welfare Benefits Advice and Information Service training service from the Public Health budget of £23,750 in 2013/14 and £47,500 in 2014/2015, (4) that these services are monitored and evaluated with recommendations for future investment to be made from April 2015.

22. FRAMEWORK AGREEMENT FOR TAXI AND SMALL VEHICLE SPECIALIST PASSENGER TRANSPORT SERVICES (Jobs, Economy and Transport)

The Strategic Director – Environmental Services, the Strategic Director – Children and Younger Adults and the Strategic Director – Adult Care sought approval to establish a Framework Agreement for taxi and small vehicle specialist passenger transport services. A list of successful suppliers was attached at Appendix A to the report.

Decision

Cabinet approved the establishment of a Framework Agreement for taxi and small vehicle passenger transport services, as outlined in the report and noted that some existing contracts would continue beyond 1 January 2014 in the best interests of service continuity, until the contract terminates or the contract expiry date is reached, whichever was the earlier.

23. THE DERBYSHIRE CHALLENGE FUND (Strategic Policy and Budget)

The Director of Finance reported on the establishment of the Derbyshire Challenge Fund which was designed to ensure that sufficient one-off funds were available to pump-prime changes that deliver significant savings and to assist in the process to keep track of the savings achieved towards the overall target of £157m.

Decision

Cabinet agreed to the establishment of the Derbyshire Challenge Fund to create a reserve for the pump-priming of initiatives designed to generate further savings and help to monitor the Council's achievement towards meeting the overall savings target.

12 November 2013

24. DERBY AND DERBYSHIRE JOINT COMMITTEE FOR ECONOMIC PROSPERITY (Strategic Policy and Budget)

Cabinet considered a joint report of the Chief Executive, Acting Strategic Director – Environmental Services and the Director of Legal Services to establish, along with Derby City Council and all District and Borough Councils in Derbyshire, a Joint Committee to deliver economic growth and prosperity across Derbyshire and also to appoint the Council's representative on the Joint Committee.

Decision

Cabinet (1) approved the establishment of a Joint Committee for Economic Prosperity with Derby City Council and the eight District and Borough Councils in Derbyshire; (2) approved, in principle, the draft Terms of Reference, Arrangements and Rules of Procedure for the Joint Committee attached to the report, subject to final approval by the Cabinet Member for Strategic Policy and Budget; (3) delegated the County Council's powers to make decisions relating to the delivery of economic growth in the area as set out in Appendix 2 to the report; and (4) appointed the Leader of the County Council as its representative on the Joint Committee and the Cabinet Member for Jobs, Economy and Transport as the Council's substitute representative.

25. PLACE BASED ASSET MANAGEMENT – DEVELOPING A SEGMENTATION CUSTOMER INSIGHT MODEL (Council Services)

The Director of Property Services sought approval to waive Standing Orders in Relation to Contracts in order to procure the services of a partner organisation to assist in developing a segmentation customer insight model for use in developing a new customer focused place based property asset strategy for Derbyshire.

Decision

Cabinet approved the waiving of Standing Orders in Relation to Contracts to procure procurement of the services of a partner organisation in line with Option 3 in the report, to assist in developing a segmentation

customer insight model for use in developing a new customer focused place based property asset strategy for Derbyshire.

26. ADOPTION AND MAINTENANCE OF UNDERFILLED BRIDGE AT BRIDGE STREET, TUPTON (Jobs, Economy and Transport)

The Acting Strategic Director – Environmental Services reported to Cabinet on the proposed adoption of works in respect of the above and sought approval to accept a financial contribution of £20,000 from the developer to cover the costs of dealing with invasive weed growth and other remedial works.

Decision

Cabinet (1) noted the proposed use of Section 228 of the Highways Act 1980 for adoption of the street works; and (2) approved the payment of £20,000 to the County Council by the Homes and Communities Agency.

27. ADDITION TO THE CAPITAL PROGRAMME – DERWENT GROVE FLOOD DEFENCE SCHEME – DESIGN AND PHASE ONE WORKS (Jobs, Economy and Transport)

The Acting Strategic Director – Environmental Services sought approval to add flood defence works and a long-term mitigation solution to the 2013/14 Capital Programme in respect of Derwent Grove, Alfreton.

Decision

Cabinet approved that the Derwent Grove Flood Defence Phase One Works and the Derwent Grove Flood Mitigation Phase Two Design be added to the Capital Programme 2013/14.

28. MANAGEMENT OF GREEN LANES – APPROVAL OF ACTION PLAN EXPENDITURE FOR 2013/14 (Jobs, Economy and Transport)

The Acting Strategic Director – Environmental Services sought approval for expenditure of £140,000 in respect of the management of Green Lanes as detailed in Appendix 1 to the report.

Decision

Cabinet approved (1) the 2013/14 Action Plan and associated expenditure; and (2) that any underspend associated with each of these schemes shall be channelled into further improvements on the routes listed or those on the reserve list.

29. INFRASTRUCTURE PLANNING AND DEVELOPER CONTRIBUTIONS (Jobs, Economy and Transport)

Cabinet considered a report of the Strategic Director – Environmental Services seeking approval to publish revised versions of the Derbyshire Infrastructure Plan and Developer Contributions' Protocol and also to take further actions to assist how the future delivery of strategic infrastructure and services could be secured.

Decision

Cabinet (1) approved the publication of the refreshed Derbyshire Infrastructure Plan and Developer Contributions Protocol; (2) authorised the Acting Strategic Director – Environmental Services to make technical amendments and updates to the Derbyshire Infrastructure Plan and Developer Contributions Protocol as and when required; (3) noted that there would be a full review of the Derbyshire Infrastructure Plan and Developer Contributions Protocol every three years, or earlier if triggered by significant wider policy changes; and (4) noted that the outcome of work on a cross-departmental delivery plan for capital investment in infrastructure over the short to medium term, to support the delivery of Local Plans, would be reported to Cabinet in 2014.

30. SECONDARY ASSOCIATE SCHOOL IMPROVEMENT ADVISORS AND PARTNERSHIP DEVELOPMENT (Children and Young People)

The Strategic Director – Children and Young People sought Cabinet approval to increase the Authority's capacity for secondary school improvement by recruiting additional associate school improvement advisers for one year initially and to engage appropriate partners in order to continue our Journey to Excellence.

Decision

Cabinet approved the request for an additional sum of £100k from Children and Younger Adults earmarked reserves to secure the additional capacity to the Secondary School Improvement Team as highlighted in the strategies outlined above.

31. STATUTORY GUIDANCE ON THE PARTNERSHIP OF YOUNG PEOPLE IN EDUCATION, EMPLOYMENT OR TRAINING (Children and Young People)

The Strategic Director – Children and Younger Adults updated Cabinet on the final Raising of the Participation Age (RPA) guidance published in March 2013 and on progress made against the current RPA

implementation plan.

Decision

Cabinet noted (1) the final Raising of the Participation Age (RPA) guidance published in March 2013; (2) progress made against the current RPA implementation plan; and (3) that realistic targets were to be set for the Local Authority ambition to be in the top quartile of performance moving from 108th position to one of the top 38 local authority areas for sixteen and seventeen year old participation.

32. DERBYSHIRE INTEGRATED APPROACH TO HEALTH AND WELLBEING AND A NEW WELLBEING SERVICE (Health and Communities)

The Director of Public Health sought approval for a new Derbyshire integrated approach to health and wellbeing and the proposed associated budget allocation and also to a period of consultation on the proposed new approach, prior to further consideration by Cabinet in the New Year.

Decision

Cabinet approved (1) the overall approach to an integrated wellbeing approach and the overall proposed budget; and (2) the progression to consulting on the proposed changes to service prior to further consideration by Cabinet in the New Year.

33. HEART OF DERBYSHIRE HEALTHY EATING CAMPAIGN (Health and Communities)

The Director of Public Health sought approval to proceed with the development of a Derbyshire healthy eating campaign to improve the health of people in the County through healthier eating by aiming to change the content and amount of food sold by Derbyshire food producers and retailers. This would include lowering salt content to help reduce heart attacks and strokes, reducing the fat content of food and controlling portion size in some takeaway businesses and other food outlets.

Decision

Cabinet (1) approved the proposal to establish a 'Heart of Derbyshire' Healthy Eating Campaign; (2) Supported the proposed evaluation as set out in the report; and (3) agreed to receive further reports on the progress of the campaign.

Other Considerations

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

Background Papers

Cabinet papers –1 and 22 October and 12 November 2013.

RECOMMENDATION

That the report be noted.

**Councillor A Western
Leader of the Council**