

**MINUTES** of a meeting of **CABINET** held on 16 January 2020 at County Hall, Matlock.

**PRESENT**

Councillor B Lewis (in the Chair)

Councillors A Dale, A Foster, C Hart, T King, S A Spencer and J Wharmby.

**Declarations of Interest**

There were no declarations of interest made.

**1/20 MINORITY GROUP LEADERS' QUESTIONS**

There were no Minority Group Leader questions.

**2/20 MINUTES RESOLVED** that the non-exempt minutes of the meetings of Cabinet held on 21 November 2019 be confirmed as a correct record and signed by the Chairman.

**3/20 CABINET MEMBER MEETINGS - MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:

- (a) Economic Development & Regeneration – 7 November & 5 December
- (b) Adult Social Care – 21 November 2019
- (c) Corporate Services – 21 November & 18 December 2019
- (d) Highways Transport & Infrastructure – 21 November 2019
- (e) Strategic Leadership, Culture & Tourism – 22 November & 6 December 2019
- (f) Young People – 3 December 2019
- (g) Health & Communities – 5 December 2019

**4/20 VOLUNTARY AND COMMUNITY SECTOR REVIEW** (Adult Care, Health and Communities and Strategic Leadership, Culture and Tourism) Cabinet considered a joint report which sought approval to consult on proposals for the future funding of Voluntary and Community Sector (VCS) infrastructure providers and to outline the Council's ambition to further develop its approach to grant funding.

The VCS plays a crucial role in supporting communities across Derbyshire and there was an increasing need to have a consistent corporate approach to the sector which would ensure that resources allocated to the

VCS support the Council's ambitions and encourage the long-term sustainability of the sector. The key drivers for the review therefore, were to:

- Secure improved outcomes
- Enable efficient and effective investment
- Support a fairer and more equitable allocation of funding
- Ensure taxpayers are getting value for money

Over the past ten months, the Council had established a baseline of current grant funding approaches across the Council and undertaken work to develop a shared understanding of the VCS infrastructure landscape in Derbyshire. Proposals for the future delivery of VCS infrastructure support had also been developed and were now ready to go forward for consultation. Engagement with partners such as the CCGs and district and borough councils had also taken place with the aim of understanding each other's organisational priorities, budgets and timescales.

On 21 November 2019, Cabinet agreed that funding for all 2019-20 grant funded organisations be extended for the first six months of 2020-21 until 30 September 2020, to ensure that organisations were not adversely affected during the review process and to maintain the security and stability of the sector. Cabinet also agreed that a separate report, outlining further details of the grants review be presented to Cabinet in January 2020.

VCS Infrastructure provider organisations offer information, support, guidance, training, funding advice for groups, promote good practice and provide a voluntary sector perspective to the statutory sector at strategic level forums. The role and shape of public services and its relationship and demands of infrastructure providers had changed significantly over recent years. Whilst having a recognised and experienced infrastructure offer provided a crucial support role to the sector as a whole, there was an increasing need for the Council to have a consistent and equitable approach across the County. This would ensure that resources allocated to VCS infrastructure organisations supported the Council's ambitions and encourage the long-term sustainability of the sector moving forward.

A review of the support provided by infrastructure organisations to the voluntary and community sector had taken place with partners and the infrastructure providers themselves. A significant amount of work had been completed to understand the Council's requirements for future infrastructure provision across the County and proposals, centred around the achievement of the high level outcomes detailed in the report had been developed for consultation.

Draft infrastructure proposals, setting out the Council's future relationship and proposed delivery model with providers and the outcomes framework were attached at Appendices A and B respectively to the report.

It was recommended that there was now a twelve week period of consultation, which was required under the current Derbyshire Compact. The consultation process would commence on 24 January 2020 and close at the end of March 2020. During this time, there would be a series of consultations with key stakeholders, partners and the sector itself.

This proposal was a new way of working with infrastructure providers across the County which could have a significant impact on the way in which providers were funded and what they would be asked to deliver moving forward. The anticipated impact of the proposal had been outlined in the EIA, a copy of which was attached at Appendix C to the report. This would be reviewed and amended following consultation. It was also recommended that a further report on the outcome of the consultation and final VCS infrastructure proposals be brought to Cabinet for consideration in June 2020.

During the 2018-19 financial year, the Council awarded over 600 grants to VCS organisations across the County. The Council's ambition was to further develop its approach to grant funding, which would lead to a fundamental change in the way the Council currently develops, administers and monitors grants across the organisation. It was proposed that new standards for awarding grants take an outcomes based approach to ensure that future investment supported the Council's strategic priorities moving forward. It was proposed this new approach would take the form of a Grants Framework. Of the 600 grants awarded during 2018-19, a significant number were recurring and long-standing grants which had not been reviewed for some time. A review of current arrangements was therefore vital to ensure that future funding of the sector reflected the move to an outcome based approach.

**RESOLVED** to (1) approve proposals on the future funding of voluntary and community sector infrastructure support, for consultation for a period of twelve weeks starting on 26 January 2020;

(2) receive a further report on the outcome of the consultation and final VCS infrastructure proposals in June 2020; and

(3) receive a further report on the Grants Framework for consultation in March 2020.

**5/20 ONE PUBLIC ESTATE: SWADLINCOTE TOWN CENTRE REGENERATION AND ESTATE RECONFIGURATION; FEASIBILITY STUDY TO EXPLORE OPPORTUNITIES ACROSS THE PUBLIC SECTOR IN SWADLINCOTE FOR A NEW CIVIC HUB SHARED PUBLIC SERVICE BUILDING** (Corporate Services)

The Executive Director – Commissioning Communities and Policy sought approval to participate in a feasibility study to consider the viability of developing a joint public sector civic hub in Swadlincote and for the Council to enter into a Memorandum of Understanding (MoU) with the partnership and to note that a further report be submitted to Cabinet when the results of the feasibility study were available.

Swadlincote was the key service centre in southern Derbyshire for a range of public service providers. The town was growing rapidly and now had a population of some 40,000. South Derbyshire has also been one of the fastest growing districts in the country outside of the South East over the last decade and now had a population of over 104,000 (ONS population estimate 2018). The Local Plan would see an additional 12,618 homes constructed over the period 2011-2028. Public services were delivered from numerous buildings in Swadlincote town centre dating from the 1950s, '60s, '70s, 80's owned or rented by individual partner organisations. Many of the buildings, and in particular the main Civic Offices, were in a poor state and did not meet the needs of current services. Operating and maintenance costs were high and rising. There were no existing office premises in the centre of Swadlincote of a size that could accommodate the relocation/co-location of services. Discussions regarding collaboration and new civic facilities had taken place in recent years, however there had been a lack of resources and technical expertise available to take this forward.

The opportunity provided by the One Public Estate Programme (OPE) and associated funding had galvanized partners' interest in undertaking feasibility work to explore the scope for and format of a Civic Hub that would meet the needs of Swadlincote and its surrounding areas in the future. Details of the vision, aims and issues associated with the future development of Swadlincote town centre were presented in the report.

The OPE partners from Derbyshire County Council, South Derbyshire District Council, Derbyshire Fire and Rescue Service (DFRS), Derbyshire Constabulary, the Department of Work and Pensions and Derbyshire Community Health Services had come together to explore opportunities to deliver public services more collaboratively. The proposal could potentially reconfigure, realign and release public assets which could realise:

- A more fit for purpose public estate,
- Tangible financial savings through capital receipts from the sale of surplus assets and reduced property running costs,

- Benefits of improved service delivery through co-location and integration,
- Easier access to a range of public services,
- Regeneration/Creation of land for housing development,
- Improved community facilities and customer experience of public services through a single point 'hub' and 'multi-space'

Since 2015, Derbyshire County Council had been the lead authority for the North Midlands One Public Estate Programme (OPE) and had identified the opportunity to reconfigure operational assets to support a progressive service delivery model identified in the approved Asset Management Framework. Programme activity had identified a real need to collaborate across the public sector to realign the type of assets held to meet the changing demands of a changing area and would enable the partnership to develop and potentially implement a strategy that would ensure organisation are focused on the best use of asset to support service delivery in the medium to long-term, further details of which were presented.

Specifically for Derbyshire County Council, this project was focussed on the future service and resulting property requirements of the Council's Swadlincote and surrounding area based services and identifying opportunities of how services could be enhanced through co-location and co-delivery with other public sector partners in a civic hub and could bring further opportunities for services to develop a better understanding of other pathways and lead to further integration opportunities. The assets occupied by Derbyshire County Council which could provide potential opportunities for the County Council were:

- Adult Education Centre, Rink House, Swadlincote
- Childrens Services, Rink House, Swadlincote
- South Derbyshire Area Office, Civic Way, Swadlincote
- Newhall Day Service Centre, Newhall
- Woodville Teachers and Youth Centre, Woodville
- Swadlincote Library
- The Elms Family Support Centre Midway

**RESOLVED** to (1) approve the undertaking of a feasibility study to consider the viability of developing a civic hub in Swadlincote and the Council to enter into a Memorandum of Understanding (MoU) with the partnership organisations involved; and

(2) receive a further report when the results of the feasibility study were available.

**6/20 TREASURY MANAGEMENT MID-YEAR REPORT 2019-20** (Corporate Services) The Director of Finance and ICT reported on Treasury Management

activities during the first half of 2019-20 (to 30 September 2019) and to indicate the Council's compliance with the prudential indicators set by Council at its meeting of 6 February 2019, in accordance with the Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017 (the Code), further details of which were presented.

**RESOLVED** to note the Treasury Management Mid-Year Report 2019-20 and the Council's compliance to date with the prudential indicators set by Council for 2019-20, in accordance with the terms of the Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017.

**7/20 SEVERE FLOOD EVENT – INFORMATION REPORT OF THE EFFECT ON HIGHWAYS ASSETS** (Highways, Transport and Infrastructure)  
The Strategic Director – Economy, Transport and Environment provided Cabinet with an update on the recent Derbyshire wide severe flooding and the consequent implications identified to date.

Between 7 and 17 of November 2019, the whole of Derbyshire experienced a prolonged period of excessive rain. On 7 November 2019, Derbyshire experienced a month's rainfall in a single day, resulting in a major incident being declared and the tragic death of the former High Sheriff of Derbyshire.

The major incident resulted in a multi-agency response, to deal with the immediate threat to life and infrastructure. Matlock also received a Prime Ministerial visit on 8 November 2019. This event was only three months on from the emergency surrounding Toddbrook Reservoir and the County Council, as highway authority, was still dealing with the network damage that the emergency caused.

From a Highways perspective, the severe flooding had caused significant damage to highways infrastructure across the County and this was being assessed in the aftermath of the event. The Highways Service was still in the recovery phase and was working to understand the impacts of the event. However, it was clear that there were still significant risks to highways assets that were likely to manifest themselves over the coming months as more detailed assessments and surveys were undertaken.

Details of the scale of damage, identified to date, were summarised as below:

- During the event, there were in excess of 200 locations across the whole of Derbyshire that were affected by the severe flood event.
- 199km of Derbyshire's carriageways were affected.
- There were 7 landslips.

- 25 highways structures were affected.
- 8 Rights of Way structures were affected.
- 13,481 gullies and associated drainage connections were affected.

The recovery phase was underway and was likely to continue for some time. To date, the estimated costs allocated to this phase were estimated to be £600,000 and this was likely to rise as further works were identified. However, the cost of this recovery work was minor, compared with the estimates of permanent repair outlined below. The immediate post event emergency related work might be eligible for grant under the Bellwin scheme, although, this was still being assessed at this time.

To ascertain both the short and long-term impacts of the flooding, the Highways Service applied appropriate asset management principles aligned to the Well-Managed Highways Infrastructure Code of Practice. This had provided the framework to which the County Council undertakes appropriate condition surveys, applies appropriate lifecycle planning, and cyclic maintenance in order to prioritise its work on the highway, in order to deliver a safe, reliable and resilient network.

The severe flooding event had visually obvious impacts, as was the case with a landslip at Abney, and severe carriageway damage at Gashouse Lane, Eckington. However, the unseen damage through the shortening of the life of assets was concerning and would effect Derbyshire's budgets for many years to come.

The Department for Transport (DfT) had acknowledged the impacts that the flooding has had on highways assets and had requested that a response be provided to the DfT, outlining the scale of the damage and an estimate of the cost to repair such infrastructure. In response to this request, the Highways Service had prepared estimates of the damage identified to date, with a caveat that there would be damage still yet to be identified. At this time, it was estimated that damage in excess of £20m had been caused by the floods. Given the budgetary constraints, it was clear that the scale of the damage could be contained within the Department's budgets. Hence, the financial assistance from the DfT was vital in ensuring that the burden on highways budgets was not further exacerbated.

**RESOLVED** to note the report.

**8/20 KEY CYCLE NETWORK DEVELOPMENT AND FUNDING** (Economic Development and Regeneration) The Strategic Director – Economy, Transport and Environment reported on the defined Key Cycle Network (KCN) for Derbyshire and sought approval for the principles guiding its implementation.

The Derbyshire Cycling Plan, launched in early 2016, set out aspirations shared by Derbyshire Sport (now superseded by Active Derbyshire), the County Council and Derby City Council. These aspirations were to create “the most connected and integrated county for cycling in England”, with Derbyshire being recognised as a world class cycling destination for all.

At its meeting on 14 September 2017, Cabinet agreed the development of a KCN for the County, identifying the most important routes to create a cycling network for commuting, leisure and tourism; this included both established routes and new/improved routes. It was agreed to then establish investment priorities, having regard to consultation feedback, through a Cycling Infrastructure Delivery Plan (CIDP).

Based on additional comments, Drawing no. DIIP-19-10 showed the proposed KCN now recommended to Cabinet, identifying those links added to or removed from the version considered by Cabinet in 2017 (Drawing no. DIPP-17-01).

Over the period of KCN development, the County Council had adopted the Derbyshire Climate and Carbon Reduction Manifesto which included provisions to “*support and promote the development of low carbon travel*”. This spotlight on tackling climate change had provided a timely platform from which to promote and encourage more sustainable modes of travel; clearly, the KCN was capable of making a significant contribution to achieving this pledge, offering high-standard routes for low-carbon travel for both residents and visitors to the County.

It was important the emerging Local Industrial Strategy for the Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) area recognised the above issue and its impact on supporting ‘good’ growth for the area. This, in turn, would influence the allocation of infrastructure investment around agreed KCN priorities.

Public health was another key driver behind KCN implementation. There was strong evidence that boosting walking and cycling was beneficial to both physical and mental health and road safety would always be a key consideration in implementation. The KCN was intended to provide continuous routes that were both safe and enjoyable to use, either off-road or on quiet roads with limited traffic. Reducing risks where users interact with vehicular traffic would always be a key consideration of detailed route selection and design. Clearly, the more progress made on completion of the KCN the easier it becomes for users to access this without needing to travel by other modes or on busier routes.

However, preparation of specific routes would always need to take into account the extent to which these might encourage car travel to and from the KCN, and whether adequate, consequential parking was in place.

A detailed assessment of those sections of the KCN not currently in place had been undertaken and recommendations for further activity had now been prepared. Having regard to the fact that external grant funding would be required to support full implementation of the KCN, consideration had been given to the criteria likely to be included as part of the bidding process. It should be noted, however, that full business case development (where any project was dependent upon grant funding) would always require the consideration and application of the Green Book criteria, details of which were presented.

The amount of associated work was considerable and therefore, it was not possible to carry out a full assessment for every potential scheme at this stage. Early 'sifting' of options needed to be carried out so that more detailed work could be done on a smaller number of proposals. On this basis, 127 separate sections were given initial consideration, with 24 being taken forward for consideration in more detail. The outcome of this stage of the assessment process (127 sections of KCN) was set out in Appendix 1 to the report, together with a technical note on the assessment method. Cabinet should note that three of these sections had already been progressed since the assessment was commenced.

Although it was intended to prepare a CIDP that sets out the delivery programme for new sections of the KCN, at present, there was no consolidated source of funding from which sustainable transport projects could be supported. In the short-term, therefore, delivery of the KCN needed to be pragmatic taking advantage of resources when they became available, even if these did not necessarily address those sections having the strongest overall case. Whilst not ideal, it was considered this was the most pragmatic approach to allowing gradual delivery of the KCN according to available resources and was the best way of ensuring the whole network was delivered over time.

At the present time, a modest budget for KCN delivery was included in the Economy, Transport and Environment Department's Service Plan (alongside resources for KCN maintenance). Whilst most opportunities for KCN delivery would be driven by the availability of funding, Cabinet was asked to note that the preparation of 'unfunded' sections would be focussed upon the priorities identified through the technical assessment set out in the report and in Appendix 1 to the report. In the short-term, therefore, this would concentrate upon sections of the White Peak Loop. The same considerations on future maintenance costs would apply to these projects, as well as to those promoted by external bodies.

With regard to the Terms of Reference for Externally Promoted Projects, the County Council would:

- offer policy support for the initiation and development of sustainable transport infrastructure, but
- would not be able to directly support delivery unless the circumstances justified such a recommendation to Cabinet or Cabinet Member;
- the Council may be able to offer access to consultancy and contracting frameworks, but would include project management or administration costs in the project budget;
- all project risks will remain with the scheme promoter;
- most importantly, the Council will wish to see a full assessment of the assets proposed for adoption and the inclusion of a suitable commuted sum in project budgets.

In deciding whether to adopt the infrastructure, any commitment towards its maintenance (for example clearance of vegetation), would be a key consideration. It was not intended these criteria apply to infrastructure which had been specifically requested by the County Council, i.e. where it was seeking developer obligations associated with planning applications. For these, issues such as responsibility for future maintenance would be addressed on a case-by-case basis and negotiated with the relevant local planning authority.

Whilst Cabinet was requested to adopt the KCN as shown on DIIP-19-10, it was inevitable that a review of the proposals would be required from time to time to ensure continued alignment with economic growth objectives and wider land use proposals. One key influence on this might be the production of a Local Cycling and Walking Investment Plan (LCWIP) covering the geography of the D2N2 (Derby, Derbyshire, Nottingham and Nottinghamshire) Local Enterprise Partnership. Work towards this included an independent assessment of priorities which could bring forward new information that impacts on potential routes in Derbyshire. In addition, it would capture the shared, cross-boundary delivery priorities D2 and N2 which could consequently influence the Derbyshire KCN priorities for development and future expansion. At this stage it was difficult to identify a suitable timescale for the review so it was recommended that an 'annual report' on KCN development is incorporated in the Economy, Transport and Environment Department's Service Plan.

**RESOLVED** to (1) approve the proposed Network shown on Drawing No. DIIP-19-10;

(2) note the potential opportunities for Network development through the funding streams set out in the report, but to approve the concentration of

other preparation work against the order of priorities set out in Appendix 1 to the report.

(3) approve the terms of reference set out in the body of the report for the County Council's role in supporting projects promoted by external bodies; and

(4) agree the proposal to include an 'annual report' on Key Cycle Network development to be included in the Economy, Transport and Environment Department's Service Plan.

**9/20 EXPANSION OF GLOSSOPDALE SCHOOL** (Young People) The Executive Director – Children's Services reported on the outcome of the non-statutory consultation on the expansion of Glossopdale School and sought permission to proceed to the issue of a Statutory Notice.

In September 2018, the new Glossopdale School was opened to all age groups from 11 – 18. The old school was split across three sites in Glossop and Hadfield. The new building however, was on a single site in Hadfield. The replacement school was designed to be delivered in two phases. The core facilities (sports hall, hall and dining) had been built to accommodate 1440 pupils, however in the initial phase, the teaching accommodation was limited to supporting 1200 pupils. It had been intended to carry out the second phase of building at a later date to provide places generated by the housing development in the town and funded by the Section 106 contributions.

Demand for places however had been very high, exacerbated by the large cohort of pupils moving from primary to secondary education at this time which was in line with many other areas of the Country. Following a review of pupil numbers, current projections and the extent and speed of housing development in Glossop, consideration was given to bringing the second phase of the project forward. A non-statutory consultation took place between 14 October 2019 and 15 November 2019 to seek the views of interested parties before reporting to Cabinet and a copy of that consultation paper was attached at Appendix A to the report.

There were 58 responses to the consultation. 56 responses supported the expansion, 1 was opposed and 1 was critical of the current position but did not express a view. There was criticism of the decision to deliver the school in two phases however as this consultation was focussed on moving forward to deliver phase 2, whilst those views were noted, they were not addressed in this report. There were common themes to the comments had been grouped together and a summary presented in the report. The consultation demonstrated overwhelming support for proceeding with the expansion and the next stage of the consultation process was to issue a Statutory Notice, a copy of which was attached at Appendix B to the report. The School was

currently a maintained school although the Department for Education had issued an academy order. If the school were to become an academy, it would be the Multi Academy Trust's (MAT's) responsibility to issue the Statutory Notice. However at present, there was no confirmation of an agreed conversion date. The consultation on the Statutory Notice would take place over a 4 week period from 24 February 2020 to 20 March 2020. The outcome of that consultation would be reported to Cabinet.

Funding was yet to be identified for the project however it was hoped that that would have been agreed prior to the issue of the Statutory Notice. The expansion project would also be subject to planning permission.

**RESOLVED** to, having considered the outcome of the non-statutory consultation, issue the statutory notice for the expansion of Glossopdale School whilst planning and funding was sought.

**10/20 SCHOOL BLOCK ALLOCATIONS** (Young People) The Executive Director – Children's Services sought approval to the mainstream school block budgets for 2020-21, further details of which were presented.

**RESOLVED** to (1) note the Schools Block settlement, including Pupil Growth funding, for 2020-21;

(2) approve that mainstream school budgets be calculated in accordance with the proposals in section 2.3 of the report;

(3) note that the allocation of Pupil Growth funding was a matter for the Schools Forum;

(4) notwithstanding (3) above, approve that the additional cost of supporting free schools would be funded by a drawdown from reserves as indicated in section 2.4 of the report;

(5) approve that matters of detail regarding the calculation of school budgets be delegated to the Executive Director for Children's Services in consultation with relevant Cabinet Members; and

(6) approve the request from the Schools Forum to de-delegate and top-slice funding from maintained schools' 2020-21 budgets for a range of services in accordance with Appendix 4 to the report.

**11/20 SCHOOL ADMISSION ARRANGEMENTS FOR THE 2021-22 ACADEMIC YEAR** (Young People) The Executive Director – Children's Services reported on the annual consultation and to sought approval for the proposed determined admission arrangements for the academic year 2021-22.

The regulations concerning school admissions, namely, the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and the statutory Department for Education 'School Admissions Code' (December 2014), require that the admission arrangements for the 2021-22 academic year were consulted for a minimum of 6 weeks between 1 October 2019 on before 31 January 2020, and determined by no later than 28 February 2020. Details of the consultation undertaken were detailed in the report. The consultation period had now ended and there had been no responses. There were no changes proposed to the over-subscription criteria for community and controlled schools.

A new free school, Highfields Spencer Academy, was due to be constructed to serve part of the Highfields Farm residential development. The site for the new school was currently located within the primary normal area of Findern Community Primary School. A new normal area was proposed to serve Highfields Spencer Academy, details of which were presented. The Academy was due to open in September 2020, but the new arrangements were proposed from 2021 to ensure that provision was available should the delivery of the school be delayed. Co-ordinated admissions arrangements would be in place from 2021.

Following consultation, changes to the school Published Admission Numbers (PANs) listed in Appendix 2 to the report were recommended. These had all been agreed by the schools. All of these changes were in line with revised net capacity assessments. The only school where the PAN was less than the indicated admission number (IAN, which was usually the minimum number), was now Spire Junior School. The published number was 50 while the indicated admission number was 51. This was agreed in 2008-9 following consultation within the community so that the PANs of Spire Infant and Spire Junior School were co-ordinated. No change was proposed this year.

There were no changes to the Fair Access Protocols and no significant changes to Co-ordinated Admissions Scheme.

**RESOLVED** that having considered the outcome of the consultation, to approve the proposed determined admission arrangements for the academic year 2021-2022 including:

- (1) the new normal area for Highfields Spencer Academy as detailed in Appendix 1 to the report; and
- (2) the PANs as listed in Appendix 2 to the report.

**12/20 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT 2019** (Health and Communities) Cabinet were informed of the production of the Director of

Public Health Annual Report for 2019 and agreement was sought to publish the Report.

The Health & Social Care Act 2012 created a duty for the Director of Public Health to produce an annual report on the health of the local population. The County Council also had a duty to publish the report. The content and structure of the report was for local determination and the Director could tailor the report to align with local issues and priorities. This year's annual report highlighted the important issue of ageing well and reducing our chances of becoming frail in later life. In a departure from previous approaches, the report takes the combined format of a short animation which was shown to Cabinet and also online publications. The aim was to try to reach as many people as possible around Derbyshire, and to get the message across in a way that everyone could relate to. A summary on progress against the 2018 annual report, which focused on the relationship between work and health, was also provided.

**RESOLVED** to (1) note the production of the Director of Public Health Annual Report 2019 and the recommendations contained within it; and

(2) approve the formal publication of the Director of Public Health Annual Report 2019.

**13/20 THE BIG CONSULTATION** (Young People) The Executive Director – Children's Services sought approval to consult stakeholders on the future arrangements for consultation and engagement to replace the Derbyshire Youth Council (DYC).

There were many requirements and reasons for Children's Services to involve children and young people in the work they do, further details of which were presented.

An independent review of the arrangements to support children's participation was commissioned and concluded in late summer 2018. The review looked at a number of activities including facilitating and supporting children and young people to participate in democracy and representation. This included support for the Children in Care Council 'Our Voice', facilitating the Derbyshire Youth Council, working with the British Youth Council and six Locality Youth Forums to ensure the voices of children and young people help shape both services and strategy.

The review recommended that further consideration should be given to the balance of activities to support children and young people's participation. Some activities, including the Children in Care Council, were statutory and help the Council to meet its responsibilities as a corporate parent to children in care. The review identified that these activities needed to continue. However,

the review also identified that a significant proportion of the available staff time and resource was devoted to facilitating the Derbyshire Youth Council. The DYC works well and was highly valued by those young people who participated, but it benefitted a relatively small number of children and young people across the County. The review recommended that the annual programme for the DYC should be re-considered, and more strategic arrangements developed to enable broader consultation and engagement with children and young people. It also identified scope to achieve modest efficiency savings as a result of re-focusing the programme of activities.

The department facilitated a number of different opportunities for consulting and engaging young people across a range of issues, further details of which were presented. Although most of the opportunities were facilitated by officers within Children's Services Department, they were significant to the Council as a whole as they provided opportunities to engage and consult with young people about all aspects of the Council's business, and for young people to learn about and experience local democracy.

Initial consultation had taken place with representatives from the DYC and some Schools to capture their views about the replacement of the DYC with a new framework for consultation and engagement. A summary of the outcomes of the initial consultation was presented as detailed below:

- When we asked them about their experience of being part of the DYC they told us that the work of the DYC was really great to be part of but it was only available for a few young people and the money should be spent on enabling more young people to be involved in decisions taken by the Council.
- When we talked to them about how it could be developed they were keen to build on pre-existing groups and meetings and connecting them in a better way, possibly through the use of technology. They wanted to develop different ways of communicating about different issues and they wanted us to make sure that local issues were given as much importance as Derbyshire issues.
- When we asked them about the issues they wanted to be consulted on they told us they were most interested in the following:
  - Things that affect most young people rather than a few.
  - How the Council spends the money it receives and its long term plans.
  - What the Council and others are doing to meet their environmental responsibilities.
  - The quality of schools and services and what the Council and others are doing to improve things where they need to
  - Parks and Leisure opportunities.
  - 16+ services and work experience.
  - Equality and Diversity issues.

- Which young people are struggling and what the Council is doing about it?
- When we asked them about the options of either not replacing the DYC or developing a replacement they told us their preference was to develop a network round the current school council structure and connect them to one another.
- As a final question we asked them how they prefer to be communicated with and most of them said they prefer email, text, face to face and by speaking to them on the phone.

It was clear from our initial consultation with young people that the Derbyshire Youth Council in its current form is not their preference for the future of consultation and engagement. Their preference was for a new network to be developed around the school council structure which:

- Enables as many young people as possible to be involved in the key decisions made by the Council and its officers;
- Ensures the Council consult children and young people about the issues that really matter to them in a way that works for them;
- Ensures the experiences and views of children and young people are used to shape the Council's services and
- Ensures children and young people have access to a representative body who can provide challenge and hold services to account when outcomes should be better.

The draft timeline for further consultation was attached at Appendix 1 to the report.

**RESOLVED** to approve that further consultation takes place with a range of stakeholders including children and young people, voluntary organisations, service providers, Derby and Derbyshire Safeguarding Children Partnership, schools, elected members, managers and staff on the proposal for the DYC to be disbanded and replaced with a strategic network developed around the current school council and other structures.

**14/20 EXCLUSION OF THE PUBLIC FROM THE MEETING. RESOLVED** that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING**

1. To consider Minority Group Leaders' Questions (if any).

2. To confirm the Exempt Minutes of the meetings of Cabinet held on 21 November 2019.
3. To receive the exempt minutes of Cabinet Member meetings as follows:
  - (a) Adult Care – 21 November 2019
  - (b) Corporate Services – 21 November and 18 December 2019
4. To consider exempt reports as follows:-
  - (a) Local Growth Fund Programme Update – Proposals For The A61 Growth Corridor And Woodville – Swadlincote Regeneration Route (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
  - (b) Ashbourne Airfield Business Park (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
  - (c) Project Support – External Advisors And Noting Of Urgent Decision taken By The Executive Director, Economy, Transport and Infrastructure (Highways, Transport and Infrastructure) (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
  - (d) Supply And Delivery Of Groceries And Provisions – Contract Award (Children’s Services) (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
  - (e) Business Services Review (Young People) (Contains information likely to reveal the identity of any individual)
  - (f) Extension of CTP626 – Provision Of Janitorial Supplies (Corporate Services) (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

**MINUTES** of a meeting of **CABINET** held on 23 January 2020 at County Hall, Matlock.

**PRESENT**

Councillor B Lewis (in the Chair)

Councillors A Dale, A Foster, C Hart, T King, S A Spencer and J Wharmby.

**Declarations of Interest**

There were no declarations of interest made.

**24/20      MINORITY GROUP LEADERS' QUESTIONS**

There were no Minority Group Leader questions.

**25/20      REVENUE BUDGET MONITORING 2019-20 (as at 31 October 2019)** (Strategic Leadership, Culture and Tourism) The Director of Finance and ICT provided Cabinet with the Revenue Budget position for 2019-20 as at 31 October 2019.

The report summarised the controllable budget position by Cabinet Member Portfolio as at 31 October 2019 and noted that further reports would be considered at Audit Committee and Council in accordance with the Budget Monitoring Policy and Financial Regulations.

A Council portfolio overspend of £0.583m was forecast, after the use of £3.382m of Earmarked Reserves to support the Highways, Transport and Infrastructure and Young People portfolios. Any underspends in 2019-20 would be used to manage the budget in 2020-21. Interest and Dividends received on balances was estimated to underspend by £0.597m, assuming that returns on the Council's investments in pooled funds remain robust and that these investments were held for all of the financial year. The interest base rate is currently 0.75%, however, the Council utilised a range of investments to maximise its income.

The Debt Charges budget was projected to underspend by £0.621m based on forecast interest payments, anticipated Capital Financing Requirement (CFR), a Minimum Revenue Provision (MRP) of 2.5% in keeping with the policy reported to Cabinet on 22 November 2016 and a £4.500m one-off reduction in the Council's Capital Adjustment Account Reserve. This reduction was made on the basis that the amounts set aside to repay debt over the last ten years were well in excess of what was required to ensure the Council could repay its debts.

The Risk Management Budget was forecast to underspend by £4.535m. This included a virement of £5.000m of budget from the Adult Care portfolio. In 2019-20 a contingency amount of £1.000m was budgeted for burdens associated with complying with the new General Data Protection Regulations (GDPR). Use of this contingency amount was controlled by the Deputy Director of Legal Services. To date, £0.316m of this funding had been awarded to departments. Further awards in the remainder of the financial year were anticipated and additional costs required to comply with GDPR were anticipated to be incurred in 2020-21, therefore it was proposed to establish an earmarked reserve for £0.684m to carry forward any residual balance of this funding.

Corporate Adjustments were forecast to overspend by £0.680m based on a prudent allowance for potential credit losses on the Council's non-rated investments. Details of the Council's Earmarked Reserves balances as at 31 October 2019 were set out in Appendix 1 to the report. In addition to these balances, £5.000m of additional Business Rates Relief grant funding received would be transferred to a newly established Business Rates Relief Earmarked Reserve and £1.015m would be released from Earmarked Reserves to the General Reserve as approved by Cabinet on 21 November 2019.

A summary of the expected achievement of budget savings targets was provided at Appendix 3 to the report. The budget savings target for 2019-20 is £13.393m, with a further £3.480m target brought forward from previous years. The savings initiatives identified to meet this target currently fell short by £5.362m, therefore further proposals would need to be brought forward to ensure the Council continued to balance its budget. Of this total target of £16.873m, £11.145m was expected to be achieved by the end of the financial year. Therefore, there was a £5.728m forecast shortfall in achievement of budget savings. The resulting base budget overspend was offset to some extent by one-off underspends or was being met from one-off funding from earmarked reserves.

The age profile of debts owed to the Council and the value of debts written off was disclosed in Appendix 4 to the report with this information was collected on a departmental rather than a portfolio basis.

A forecast of the Council's General Reserve balance for the period 2019-20 to 2023-24 was detailed in Appendix 5 to the report. The forecast showed that the level of General Reserve was expected to be between 3% to 10% of the Council's Net Budget Requirement in the medium-term. The majority of chief financial officers considered 3% to 5% of a council's net spending to be a prudent level of risk based reserves.

**RESOLVED** to (1) note the 2019-20 budget monitoring position as at 31 October 2019; and

(2) approve the establishment of a GDPR Compliance Earmarked Reserve and a contribution of £0.684m from the Contingency budget into this reserve.

**26/20**      **REVENUE BUDGET CONSULTATION RESULTS** (Strategic Leadership, Culture and Tourism) The Director of Finance and ICTT reported on the outcome of the Council's budget consultation exercises in formulating its budgetary proposals to Full Council regarding the Revenue Budget for 2020-21. The report was considered alongside the Budget Monitoring 2019-20 (as at 31 October 2019) Report; the Revenue Budget Report 2020-21 and the Capital Programme Approvals, Treasury Management and Capital Strategies for 2020-21.

The Council had, for a number of years, undertaken a variety of consultation exercises, using a range of methods, in the preparation of its annual revenue budget. For 2020-21 the Council devised a "Your Council, Your Voice 2019" survey. The online survey, which was developed using the findings from a number of focus groups held across the County at the end of September and early October 2019, combined both budget and residents' consultations and ran for just over six weeks, from 18 October 2019 to 1 December 2019. The headline findings from the survey were being used to refresh the Council Plan for 2020-21 and the budget consultation elements were included in the report. Plans were being formulated to undertake further analysis to support wider strategy development across the Council and engagement with residents and local communities. An infographic summarising key outcomes and demographic information from the budget consultation focus groups had been produced and was attached at Appendix 1 to the report.

Participation in the survey had been encouraged using various means, including social media and a Facebook campaign, features on the Council's website and articles in Derbyshire Now and the Our Derbyshire employee newsletter. To promote participation amongst residents who were less familiar with, or had no internet access, copies of a paper consultation questionnaire, containing the same questions, were made available on request. A freepost address was used to encourage participation. Only one paper questionnaire

was returned. All the other responses were completed online. A map showing the Derbyshire location of respondents was attached at Appendix 2 to the report. Further demographic analysis was also attached for consideration at Appendix 3 to the report.

Local people were asked six budget consultation questions to establish their views on what the Council's top and bottom three priority services should be and why they had chosen these, to rank in order of importance nine options the Council could use to save money or raise additional revenue and whether they had any other suggestions for how the Council could save money or raise additional revenue.

An infographic showing headline results in respect of the budget consultation had been produced and was attached at Appendix 4 to the report.

A budget consultation session was held at the Black Minority Ethnic Forum on 12 November 2019. Grants for organisations came through strongly as a budget priority of the Forum. The Forum's priorities for reducing spending and increasing income were increasing charges and working with other councils, more not for profit partnership working, bringing more services online and making efficiency savings.

The Council's Constitution provided that the Improvement and Scrutiny Committee should also be notified of the budget proposals. The Director of Finance and ICT presented details of the Five Year Financial Plan to the Committee in September 2019. The proposals were discussed and there was a clearer understanding of the financial context in which the Council would be operating over the next few years. The trade unions were consulted at the Corporate Joint Committee held on 7 November 2019 and no particular issues were raised but did ask for a further meeting with the Director of Finance and ICT, which had yet to take place.

In addition, the Local Government Finance Act 1992 required local authorities to consult representatives of business ratepayers in their area about the budget proposals for each financial year. The Council was seeking the views of business ratepayers by corresponding with representatives of Derbyshire and Nottinghamshire Chamber of Commerce and the Federation of Small Businesses on the Council's budget proposals. A verbal update would be provided at the Full Council meeting on 5 February 2020.

**RESOLVED** to take into account the views of the consultation respondents in formulating its proposals to Full Council regarding the Revenue Budget for 2020-21.

**27/20**      **REVENUE BUDGET REPORT 2020-21** (Strategic Leadership, Culture and Tourism) The Director of Finance and ICT reported on proposals to Full Council regarding the Revenue Budget and Council Tax for 2020-21. The report was considered alongside the Budget Consultation Results Report for 2020-21, the Budget Monitoring 2019-20 (as at 31 October 2019) Report and the Capital Programme Approvals, Treasury Management and Capital Strategies for 2020-21 Report also reported to the Cabinet meeting.

The budget had been constructed in the context of currently known information. Details of the Final Local Government Finance Settlement were expected to be published in early February 2020. Information relating to the funding and income streams to the Council are set out in Appendix 1 to the report. The report details 2019-20 budget monitoring, the Spending Round 2019 and the Provisional Local Government Finance Settlement, including Council Tax levels as well as identifying the service pressures facing the Council and consequent budget savings required. The report provided comment on the Council's financial standing and the robustness of the estimates made in preparing the budget.

When setting the budget, the Council must be mindful of the potential impact on service users. The consultation exercises which had been undertaken in the preparation of the 2020-21 budget were relevant in this respect. Section 149 of the Equality Act 2010 imposed an obligation on Members to have due regard to protecting and promoting the welfare and interests of persons who shared a relevant protected characteristic (age; disability; gender re-assignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation).

A high level equality analysis had been carried out and was included at Appendix 7 to the report. Even though this was a high level analysis and, there would be detailed analyses undertaken for specific service reductions, it was still essential that Members had read and considered the analysis to be provided alongside the report. It was noted that the analysis identified a number of potential areas of detriment and Members were asked to pay careful regard to this in considering the recommendations made. Once the budget had been set and as spending decisions were made, service by service, and as policies were developed within the constraints of the budgetary framework, proposals would be further considered by Members and would be subject to an appropriate and proportionate assessment of any equality implications as well as consultation, including consultation on a range of options, where appropriate.

**RESOLVED** to recommend to Council that it (1) notes the details of the Spending Round 2019 and Provisional Local Government Finance Settlement as outlined in sections (b) and (c) to the report;

(2) notes the Government's expectations about Council Tax levels for 2020-21 in section (d) to the report;

(3) approves the precepts as outlined in section (d) and Appendix 3 to the report;

(4) approves that billing authorities be informed of Council Tax levels arising from the budget proposals as outlined in section (d) and Appendix 3 to the report;

(5) approves the contingency to cover non-standard inflation as outlined in section (f) to the report, the contingency to be allocated by the Director of Finance and ICT once non-standard inflation had been agreed;

(6) approves the service pressure items identified in section (g) and Appendix 4 to the report;

(7) approves the level and allocation of budget savings as outlined in section (h) and Appendix 5 to the report;

(8) notes the Director of Finance and ICT's comments about the robustness of the estimates and adequacy of the reserves as outlined in section (i) to the report;

(9) notes the details of the Council's consultation activity as outlined in section (k) to the report;

(10) approves the Council Tax requirement of £342.663m which was calculated as follows:

<b>£</b>	
<b>Budget Before Pressures and Budget Reductions</b>	<b>524,509,187</b>
Plus Service Pressures – on-going	25,252,320
Plus Adult Social Care Precept	6,653,986
Plus Service Pressures - one-off	14,816,000
Less Budget Reductions	-18,795,000
Increase in Debt Charges	5,500,000
Increase in Risk Management Budget	2,274,928
<b>Net Budget Requirement</b>	<b>560,211,421</b>
Less Top-Up	-94,891,733
Less Business Rates	-20,067,433
Less Revenue Support Grant	-13,737,515
Less New Homes Bonus	-2,325,987
Less General Grant	-61,205,762
Less PFI Grant	-10,503,833

Less Use of Earmarked Reserves	-14,816,000
<b>Balance to be met from Council Tax</b>	<b>342,663,158</b>

(11) authorises the Director of Finance and ICT to allocate cash limits amongst Cabinet portfolios; Executive Directors would then report to Cabinet on the revised service plans for 2020-21.

**28/20 CAPITAL PROGRAMME APPROVALS, TREASURY MANAGEMENT AND CAPITAL STRATEGY** (Corporate Services) The Director of Finance and ICT presented a report which sought Cabinet approval for the submission to Council of the capital starts programme for 2020-21 and the Treasury Management, Investment and Capital Strategies.

As with previous years, the proposed new Capital Starts Programme for 2020-21 had been evaluated and it was recommended to proceed with new borrowing of £35.420m (excluding invest to save schemes). The detailed proposals were attached in Appendix 1 to the report.

The Treasury Management Strategy Report for 2020-21 attached to the report at Appendix 2, sets out the Council's management of its cash flow, borrowing and investments and the management of its associated risks.

The Investment Strategy Report for 2020-21 attached to the report at Appendix 3, deals with the management of the Council's balances and reserves, managing the balance between risk and return.

The Capital Strategy 2020-21 attached to the report at Appendix 4 to the report, provided a high level overview of how capital expenditure and capital financing contribute to the provision of local public services.

**RESOLVED** to recommend to Council that it (1) approves the 2020-21 Capital Starts Programme set out in Appendix 1 to the report;

(2) adopts the Treasury Management Policy set out in Appendix 2 to the report;

(3) adopts the Investment Strategy set out in Appendix 3 to the report;  
and

(4) adopts the Capital Strategy set out in Appendix 4 to the report.

**29/20 REVISED VISION AND FUTURE STRATEGY FOR DIRECT CARE HOMES FOR OLDER PEOPLE 2020-25** (Adult Social Care) The Executive Director – Adult Social Care and Health reported on proposals on the future of the Council's Homes for Older People as a result of property

condition surveys carried out last year which had highlighted the poor state of many of the current buildings.

In 2018, detailed property condition surveys were commissioned in relation to some of the Council's residential homes for older people. These related to general building condition and electrical systems in the older homes. This was commissioned in the context of concerns that these ageing buildings were no longer considered fit for purpose and a concern for the state of the buildings given their age and the on-going need to ensure the safety and wellbeing of residents both now and in the future. The Executive Director advised Cabinet Members that an appropriate and rapid course of action was needed to mitigate the concerns raised and ensure the on-going safety of residents. Given the number of properties potentially unfit for purpose an approach that looked at homes on an individual basis was deemed insufficient.

The overall picture that emerged from the work was of a pressing need to address the refurbishment and rewiring requirements of the properties surveyed. Consideration was given to whether vacation of the properties should be immediate. However, to avoid this it was determined that a programme of works could be undertaken to adequately mitigate the risks associated with the need to rewire the homes and this programme of work was underway and due for completion by May 2020. This had meant a more planned approach could be undertaken.

It remained the case that the evidence was that the Council was in possession of a number of homes, with electrical wiring and other refurbishment issues that needed to be addressed with some urgency, but also which were not fit for purpose in terms of modern care standards and could not be modernised to meet those standards irrespective of willingness and availability of resources to fund any refurbishment.

In June 2015, Cabinet approved a Direct Care Strategy for Accommodation, Care and Support for Older People and this detailed a plan to close several Council owned homes for older people and the Ecclesfold short-term/respite care centre in Chapel en-le Frith. In addition to the five homes which closed following consultation activity linked to the 2015 Direct Care Strategy for Accommodation, Care and Support for Older People, a further report was presented to Cabinet in October 2016 that approved the closure of Ada Belfield Home for Older People in Belper as and when a new Council run care home was constructed and opened in the town. This new care home was anticipated to open in Spring 2020.

The 2015 Strategy also made provision for £4.200m capital funding to be available for the refurbishment of the remaining Council run homes for older people. Over the past few years, a programme of maintenance and

refurbishment had been undertaken at a number of establishments, utilising this capital funding alongside the Planned Maintenance Programme allocation (PMP) which was managed by the Council's Corporate Property Team. Through this programme, priority was given to those homes for older people in most urgent need of work. To date, major programmes of maintenance and refurbishment had been undertaken at Rowthorne (Swanwick) and The Leys (Ashbourne). In addition, there had been a programme of refurbishment of sluices, toilets, replacement of assisted baths, fire alarms and call systems.

In planning the programme of refurbishment and maintenance it became clear that more work was required at each establishment than was anticipated in the 2015 strategy evaluation. For example, the original costings for refurbishment work at Hazelwood was outlined to Cabinet in June 2015 as £0.729m but this actually rose to in excess of £2.000m when all works and the loss of income due to the potential partial closure of the home were taken into account. As of December 2019, there was now approximately £1.000m of the initial £4.200m allocation for major maintenance and repair work remaining.

In addition to the 2015 strategy consultation, there had also been consultation on the proposal to close Hazelwood, and subsequently Cabinet agreed in February 2018 that the home would close when a new Council run care home had been built on a site in the Cotmanhay area. Subsequently this led to the development of plans for a new residential care home and extra care housing scheme to be constructed on the site of the former Bennerley School.

In October 2018, Cabinet approved the 'Housing and Accommodation for an Ageing Population: A Strategic Vision for Derbyshire 2035'. This needs analysis was further developed in conjunction with district and borough councils and an 'Older People's Housing, Accommodation and Support Commissioning Strategy 2019-2035' was drafted and approved by Cabinet in May 2019. The commissioning strategy sets out analysis of the future anticipated need for housing and accommodation for older people based on projected demographic trends and provides detailed demand modelling across the age designated housing, housing with care, residential and nursing care sectors. Appendix 2 to the report sets out a summary of the strategy analysis in relation to the anticipated need for residential care provision to 2035.

The strategy also outlined associated actions that will enable a person to remain at home with care and support, as well as a number of design and quality standards we would encourage new schemes, or existing provision be re-shaped, to meet. This included Dementia friendly design standards and design features that supports active ageing.

In addition to implementing this strategy, the Council would be embarking on an ambitious programme of care pathway redesign which would

re-focus support arrangements on to 'what clients need' rather than 'what services were available'. It is anticipated that this programme of work will result in potentially fewer people than projected in the current commissioning strategy modelling being admitted to residential care as a long-term admission.

The care pathway redesign programme links to the findings of the latest evidence provided in the current Joint Strategic Needs Analysis (JSNA) for Derbyshire. The JSNA was an ongoing process, drawing together information in order to forecast the main health and wellbeing needs of Derbyshire people over the next 15 years. It provided a snapshot of the current health and wellbeing of Derbyshire's residents and considers the whole population, not just those who receive health and care services. The JSNA evidence base supports service re-design to ensure demand is met and health inequalities are identified. The JSNA also provides a framework for planning across services and agencies to deliver more cost effective services.

The Care Act (2014) outlined a range of duties the local authority had in relation to market shaping. Local authorities work with a range of stakeholders from the public, private, independent and voluntary sector to stimulate a diverse range of care and support services to ensure that people and their carers had choice over how their needs were met and that they were able to achieve the things that were important to them. The objective of market shaping was to ensure that the care market as a whole remains vibrant and stable.

Therefore, the on-going engagement and involvement by the Council with the wider housing and care provider sector would also help deliver the aims and ambitions of the Older People's Housing, Accommodation and Support Commissioning Strategy 2019-2035. This would include engaging with a number of housing providers, who may be particularly well placed to help deliver against the projected net undersupply of housing with care provision. Whilst there was a need for further discussion with providers, at this stage it is anticipated that sufficient alternative provision to residential care would be available to meet additional need. Further details on the proposed activity to develop the market was outlined in Appendix 3 to the report.

Direct Care provision currently played a key role in the local care market in Derbyshire as the largest sole supplier of residential care beds. The Direct Care homes for older people and Community Care Centres could play an important role in the wider market by fulfilling a range a functions, further details of which were presented. It was therefore important that any decisions regarding the future provision of Direct Care homes for older people were considered within the wider market and that the Council uses its resources to best effect where there was either a geographical gap in provision, or

alternatively a specific service where council run services were best placed to deliver that provision.

The following criteria needed to be taken into account when determining which Direct Care homes for older people were required in the medium and longer term;

- The physical condition of the buildings, works required and urgency of those works.
- The strategic need for services on a locality basis, focussing the services on delivering the vision for Direct Care and the supporting commissioning intelligence about future need and the wider market provision now and in the future as detailed in the Older People's Housing, Accommodation and Support commissioning strategy.
- The fitness for purpose of each building when considering the future strategic need for Direct Care services in each area. The quality of service being provided at each home and other operational considerations (for example staff vacancy levels and use of agency staff) which is based in part on current Care Quality Commission (CQC) ratings for each home.

To inform the evaluation of the homes, a programme of building facet surveys was undertaken by Faithful and Gould between November 2018 and January 2019 on the Council's Homes for Older People which were constructed more than ten years ago. In total this involved surveys being undertaken on fifteen of the Council's homes: Ladycross (Sandiacre), Beechcroft (West Hallam), Briar Close (Borrowash), Rowthorne (Swanwick), Holmlea (Tibshelf), New Bassett House (Shirebrook), East Clune (Clowne), Thomas Colledge House (Bolsover), The Spinney (Brimington), The Grange (Eckington), Goyt Valley House (New Mills), Whitestones (Chapel en-le Frith), Gernon Manor (Bakewell), The Leys (Ashbourne), Castle Court (Castle Gresley).

The following seven homes, were identified as needing rewiring as soon as possible: East Clune (Clowne), The Spinney (Brimington); Goyt Valley House (New Mills); Ladycross (Sandiacre); Beechcroft (West Hallam); Holmlea (Tibshelf) and New Bassett House (Shirebrook).

On further evaluation, it became clear that due to the age of the buildings and the poor state of electrical systems, Rowthorne (Swanwick), Briar Close (Borrowash) and Gernon Manor (Bakewell) needed rewiring.

In order to mitigate any increased risks associated with the need to rewire these homes the Council had arranged for essential works to be undertaken, such as upgrading fire alarm systems and replacing fire doors, as

well as increasing the number of night staff within these homes. Details of the project priorities costs were presented in the report.

Strategic Need and locality analysis utilised the analysis of future need outlined in the Older People's Housing, Accommodation Strategy, as summarised in Appendix 2 to the report, to identify factors in relation to the local market and future demographic trends in a particular geographical locality. From this an assessment has been made about the importance of supporting the wider market and the needs of the local population in relation to maintaining an appropriate amount of residential care provision to be operated by the Council.

In order to deliver the vision for Direct Care homes there was a minimum "fit for purpose" requirement in terms of facilities and space. The *Health and Social Care Act 2008 (Regulated Activities) Regulations 2014* (Regulation 15: Premises and equipment) and the associated guidance set out the minimum requirements for care homes built after this date. A number of the Council's older homes do not meet these requirements and as such, whilst they were not in breach of the regulations, the Council believed that the physical environment in these homes was not conducive to providing high quality care to the residents.

The Council had worked closely with the Stirling University Dementia Services Development Centre to refine the design of newer care homes in order to ensure that they are 'Dementia friendly by design', details of which were presented. All six Community Care Centres all meet this minimum requirement and existing homes for older people at Thomas Colledge (Bolsover), Whitestones (Chapel en le Frith), Castle Court (Castle Gresley) and The Grange (Eckington) also meet this requirement. In addition, the new homes which were being constructed at Ada Belfield (Belper) and the Bennerley Fields Scheme in Cotmanhay, Ilkeston met the requirement.

However, eleven homes for older people do not meet these design requirements, namely Ladycross (Long Eaton), Beechcroft (West Hallam), Briar Close (Borrowash), Rowthorne (Swanwick), Holmlea (Tibshelf), East Clune (Clowne), New Bassett House (Shirebrook), The Spinney (Brimington), Goyt Valley House (New Mills), Gernon Manor (Bakewell) and The Leys (Ashbourne).

Appendix 4 to the report, contained a summary of all of the criteria outlined in the report and this analysis had been used to inform decision-making about which homes the Council was proposing to retain and which homes it was proposing to close, subject to the outcome of consultation. The most important criteria the Council had used were the cost of works required within the next five years as identified in the facet surveys, this also indicated the general condition of the building and the availability of other Direct Care

homes in the locality in line with the strategic approach for Direct Care. Of the other criteria, only “Fitness for Purpose” had been directly used to inform the recommendations and this has been on the basis of a distinction between those which were considered to be fit for purpose and those which were considered not to be.

The proposal to consult on possible closure of some of the Council’s Homes for Older People is based on the following conclusions from the information presented:

- The Council would be seeking to offer alternatives to residential care through increased community based services and via engaging with the market in relation to the identified undersupply of housing with care provision to 2035.
- A number of the homes managed by the Council were no longer fit for the purpose they were originally designed for in that they do not have the space, facilities or capability to be adapted to meet the needs of increasingly frail older people.
- A number of the homes required significant expenditure in the short and medium-term in order to address urgent maintenance and refurbishment issues.
- Significant expenditure on those homes which there was diminishing strategic need for and which were not fit for purpose was not the best use of public money.

Under the revised strategy for Direct Care Homes for Older People, the Council would retain the Community Care Centres and more modern care homes plus sufficient other care homes to ensure a minimum of one Community Care Centre and one residential care home for older people in each locality. The exception to this was that it was proposed to treat the North Eastern area of Derbyshire (Chesterfield/Bolsover/North East Derbyshire) as a combined locality, due to its relatively close geography, with this locality having one specialist Community Care Centre and two residential homes for older people. This meant that by area the following homes and Community Care Centres continue to operate:

**North Eastern area** - Staveley Centre (Chesterfield), Thomas Colledge (Bolsover) and The Grange (Eckington)

**Derbyshire Dales** - Meadow View Community Care Centre (Darley Dale) and The Leys (Ashbourne)

**Erewash** - Lacemaker Court Community Care Centre (Long Eaton) and Hazelwood (Cotmanhay to be replaced by a new home in May 2022)

**South Derbyshire** - Oakland Community Care Centre (Swadlincote) and Castle Court

**Amber Valley** - Florence Shipley Community Care Centre (Heanor) and Ada Belfield (Belper to be replaced by a new home in April 2020)

**High Peak** - Thomas Fields Community Care Centre (Buxton) and Whitestones (Chapel en-le Frith)

There were therefore ten homes which the Council feels needed to be reviewed in respect of their medium and long-term future which were as follows:

**North Eastern area** - East Clune (Clowne), Holmlea (Tibshelf), New Bassett House (Shirebrook) and The Spinney (Brimington)

**Erewash** - Ladycross House (Sandiacre), Briar Close (Borrowash) and Beechcroft (West Hallam)

**Amber Valley** - Rowthorne (Swanwick)

**High Peak** - Goyt Valley House (New Mills)

**Derbyshire Dales** - Gernon Manor (Bakewell)

Based on the evaluation criteria set out in this report, and summarised at Appendix 4, the Council is proposing to close the following homes as soon as possible. If approved, following the consultation period, it was recommended that the closures take place in a phased way in order that appropriate planning and alternative arrangements could be made for residents living in these homes. The phasing would also allow for the further development of alternatives in the locality which would ensure that the care market was not destabilised. The proposed phases are:

- **Phase 1** – homes identified for immediate closure (subject to the outcome of consultation) East Clune, The Spinney, Ladycross House, Beechcroft
- **Phase 2** - closure as soon as possible (subject to the outcome of consultation) Holmlea, Goyt Valley House, Gernon Manor

In order to assess the wider impact of these proposed changes, Appendix 6 to the report, models the potential wider market impact if the beds at the above identified homes were removed from the modelling utilised in the Older People's Housing, Accommodation and Support Commissioning Strategy 2018-2035.

If the proposals in this report were approved following consultation, residents in the affected homes would have an up-to-date care and support assessment and care plan devised which takes account of any health conditions or other specific considerations prior to any transfer taking place. Residents and their families would be supported to make a choice about which alternative home they wish to move to and as far as possible this would be in an area local to the home in which they currently lived. The Councils Pledges to Residents were set out in Appendix 5 to the report and the full

arrangements were described in the Major Change and Closure Guidance which was also attached as Appendix 7.

In consideration of the modelling in the Older People's Housing, Accommodation and Support Commissioning Strategy it was clear that in order to effectively manage and support the wider residential care home market, in line with demographic trends, some Direct Care capacity would be required at least until 2025. With this in mind it was proposed that a programme of refurbishment be undertaken on three homes as soon as possible, further details of which were presented.

Depending on what choice was made by individuals this might mean social work staff would need to meet with residents and their families in order to arrange alternative care home placements in the locality in preparation for the refurbishment work commencing. This would need to start three months before the work commences in order to afford time for residents and their families to make choices as far as possible about where they would wish to move to during the time when the work was undertaken. It was anticipated that residents would be supported to return to the respective home once work was completed if they wish to do so.

There were a number of risk factors associated with this report which needed to be taken in to account, most notably the following:

- Delaying rewiring works leads to an increased risk of failure of electrical systems or components, potentially increasing the risk of a fire and/or the need to evacuate homes immediately.
- Current mitigation arrangements include additional staffing at night in the homes which require rewiring which is costly and difficult to sustain indefinitely.
- The care home market position can change quickly potentially leading to a shortfall in care home capacity.

All of the current identified risks were being monitored and mitigated on an on-going basis.

It was proposed that formal public consultation will commence on 31 January 2020 and last for 12 weeks ending on 24 April 2020. This consultation would be for all of the seven homes which are proposed for closure and for those three homes which were proposed for retention and refurbishment. There would be three consultation and engagement events for each establishment. It was anticipated that once consultation had been completed and an Equality Impact Analysis had been undertaken a further report would be presented to Cabinet on the outcome.

The total budget available for the proposals was £30.000m which would be used for both the capital and revenue costs. This would be funded from Adult Social Care and Health earmarked reserves. The costs associated with the refurbishment of three homes were based on two options: option 1 was for the full vacation of the three care homes to be refurbished whilst with option 2, the residents would remain in situ as the work was undertaken. Under option 1, there was a small surplus from the £30.000m resource available and option 2 showed a saving of £2.100m as there would be no requirement to arrange alternative residential care placements for residents whilst the refurbishment work is carried out in the 3 homes.

A sum of £5.000m had been set aside for contingency which formed part of the £30.000m that might be required for both capital and revenue use. The capital costs might vary considerably once the work commenced which had been the case with previous renovations of this scale and nature. The revenue costs may change if the timetable slipped considerably during the implementation phase.

The capital costs for the three homes to be refurbished was estimated to be £11.475m with residents remaining in situ whilst work was carried out, further details of which were presented in the report. The revenue costs for the fire safety mitigations were estimated to be £3.800m for the duration of the proposed programme, further details of which were presented.

The Council had a duty to recognise and mitigate the impact of any changes it proposed upon people in protected groups. The proposals affected older and disabled people living in residential care homes. The Council would take account of the challenges which the people affected by the proposals faced both in terms of participation in the consultation and in ensuring that the impact of any changes was mitigated if they were to be implemented. A full Equality Impact Analysis would be undertaken and this would be reported to Cabinet on the completion of the consultation on the proposals.

**RESOLVED** to approve (1) the revised future strategy for Direct Care Homes for Older People;

(2) consultation on the proposed closure of those homes which, following evaluation, were proposed for the reasons set out in the report to be unsustainable in the long-term, namely: Ladycross House (Sandiacre), Beechcroft (West Hallam), East Clune (Clowne), Holmlea (Tibshelf), The Spinney (Brimington), Goyt Valley House (New Mills) and Gernon Manor (Bakewell);

(3) consultation with residents and their families on the retention and refurbishment of the following homes which would be required in the medium-term according to the Council's market evaluation and investment plan: Briar

Close (Borrowash), Rowthorne (Swanwick) and New Bassett House (Shirebrook);

(4) funding for design and feasibility works to be undertaken on the three homes which it was proposed to refurbish;

(5) funding as outlined in Appendix 3 to the report to support market management and development activity associated with the implementation of the Older People's Housing, Accommodation and Support Strategy 2018-2035 that would seek to create a range of housing and accommodation options for older people to meet demographic demand; and

(6) that a further report be received following the conclusion of the consultation and market engagement processes including a full Equality Impact Analysis