

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 11 JULY 2019

Present:

Councillor Martin E Thacker MBE JP (Chair) (in the Chair)
Councillor Alex Dale (Vice-Chair)

Councillor Charlotte Cupit
Councillor Barry Lewis
Councillor Richard Welton

Councillor Jeremy Kenyon
Councillor Alan Powell

Also Present:

A Maher	Senior Governance Officer
J Dethick	Head of Finance and Resources
K Hanson	Joint Strategic Director - Place
L Hickin	Joint Strategic Director - People
D Swaine	Joint Chief Executive
V Dawson	Solicitor - Team Manager (Contentious)
S Lee	Strategic Partnership Co-ordinator

110 Apologies for Absence

An apology for absence was received from Councillor P Parkin.

111 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no interests declared at this meeting of Cabinet.

112 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of Cabinet held on 13 June 2019 be approved as a correct record and signed by the Leader.

113 Voluntary and Community Organisations

The report to Cabinet explained that the Council had funded a number of voluntary organisations during 2018/19. This investment was intended to help achieve the Council's Corporate Plan 2015-19 target of assisting over 13,000 vulnerable and disadvantaged households year on year. In this context, Cabinet received a presentation about the specific outcomes delivered by one of the bodies funded during 2018/19, the Derbyshire Unemployed workers Centre (DUWC).

At the end of the presentation Members thanked the co-ordinator of the DUWC,

Colin Hampton, for his comments.

RESOLVED – That Cabinet notes the report and the presentation.

REASON FOR DECISION – To ensure that the Council maximises efficiencies and outcomes when commissioning voluntary sector organisations to help achieve corporate priorities.

OTHER OPTIONS CONSIDERED & REJECTED – No alternative options were considered as the report and presentation were intended to increase the accountability of services which had already been commissioned by the Council.

114 Treasury Management

Cabinet considered a wide ranging presentation from representatives of the Council's Treasury Management Advisors, Arlingclose Limited, S Kitching and S Jones.

In particular, the presentation explained the purpose of Treasury Management, the legislative framework which governs what local authorities can and cannot do with their financial resources and the specific responsibilities of elected Members to approve the Council's Treasury and Investment Strategies; as well as the 'prudential indicators', such as the Capital Finance Requirement and the Authorised Borrowing Limit.

Cabinet discussed the points made in the presentation with the Arlingclose Ltd representatives. As part of this discussion they considered the scope for improving prudently the rate of return on the Council's investments as a way to increase income.

At the conclusion of the discussion, Members were informed that a report setting out future investment strategy options would now be prepared for Cabinet to consider.

RESOLVED –

That Cabinet notes the presentation.

REASON FOR DECISION – The presentation was intended to explain the role of the Council's Treasury Managers.

OTHER OPTIONS CONSIDERED & REJECTED – No other options would have been appropriate as no decision from Cabinet was required.

115 Decision and Referendum on Brackenfield Neighbourhood Plan (Ref: HF)

RESOLVED –

- (1) That Cabinet accepts the Examiner's report and recommended modifications to the Plan, as set out in the Decision Statement at Appendix 1 to the report.
- (2) That the Brackenfield Neighbourhood Plan, as amended, be taken forward to a referendum within the Parish as outlined in the report.
- (3) That Brackenfield Parish Council be asked to consider a referendum date of 5 September 2019, or to agree a later date in compliance with the regulations set out in the report.
- (4) That Cabinet delegates authority to the Chief Executive, in consultation with the Leader and Portfolio Holder for Environment & Climate Change, to bring the Neighbourhood Plan into effect ('made') if more than half of those voting in the referendum vote in favour of it.

REASON FOR DECISION – To comply with the requirement that the Council must consider each of the recommendations made in the Examiner's report and decide what action to take in response. To confirm that no amendments to the Examiner's recommendations would be proposed by the Council.

OTHER OPTIONS CONSIDERED & REJECTED – No amendments were considered necessary following the Examiner's modifications to the Plan.

116 Customer Service Report 2018-19 (Ref: RP)

Cabinet considered a report of Councillor C Cupit, Portfolio Holder for Environment and Climate Change on the Brackenfield Neighbourhood Plan. Members were informed that the examiner had now made a number of modifications to the Plan. Cabinet accepted all of the examiner's suggested modifications and agreed that the Plan now proceed to a referendum.

There was a consensus that the Parish Council should be asked to consider holding the referendum on 5 September 2019, but if this was not possible, then it be asked to agree a later date for it.

Cabinet also agreed that if there was a vote in favour of the Plan at the referendum then the Chief Executive, in consultation with the Leader and Portfolio Holder for Environment and Climate Change, should be given delegated authority to bring the Brackenfield Neighbourhood Plan into effect ('Made').

RESOLVED – That Cabinet notes the overall performance on Customer Service Standards and Compliments, Comments and Complaints.

REASON FOR DECISION – To enable Cabinet to monitor performance against customer service standards.

OTHER OPTIONS CONSIDERED & REJECTED – No other options were applicable as the report provided an overview of performance on Customer

Service Standards and Compliments, Comments and Complaints.

117 Child Protection Policy (Ref: KA)

Cabinet considered a report of Councillor B Lewis, Portfolio Holder for Partnerships and Leisure, proposing revisions to the Council's Child Protection Policy and subsequent amendments.

Members were reminded that the Policy had been first adopted in 2012 and had been last reviewed in 2016.

It was explained that the proposed revisions would bring the Policy into line with Derbyshire County Council's (DCC) Child Protection Policy and Procedures.

Members were reminded that the Council's own Policy has always sought to mirror that of the County Council, as it holds the primary responsibility for children and young people services as well as for adult social care.

Cabinet discussed the report. Members made it clear that they took seriously the Council's corporate parenting responsibilities. They felt that the revised Policy reflected the Council's commitment to discharging these responsibilities appropriately. In this context, Members discussed the different types of training that would be appropriate to both officers and Councillors and the way in which this training could be delivered.

Cabinet also considered the scope and scale of harm which occurred against children and vulnerable adults and the different forms that this could take.

Cabinet heard that monitoring information was shared between partners on the "Multi-Agency Safeguarding Group". However, Members felt it important that Cabinet should also receive an annual update report, with the appropriate anonymised information so that it too could better understand the scope and scale of safeguarding issues in the District.

RESOLVED:-

- (1) That Cabinet approves the Child Protection Policy and subsequent amendments, as appended to the report.
- (2) That Cabinet receives an annual update report on Adult and Child Safeguarding in the District.

REASON FOR DECISION – The Council's Child Protection Policy needs to be updated in the light of changes introduced by Derbyshire County Council and new legislative guidance.

OTHER OPTIONS CONSIDERED & REJECTED – There were no alternatives to reviewing the existing policy. Not having a Child Protection Policy would not be good practice and would be against Government guidance.

118 British Sign Language (BSL) Charter (Ref: MB)

Cabinet considered a report of Councillor M E Thacker MBE, Leader of the Council and Portfolio Holder for Overall Strategic Leadership. The report recommended that the Council support and signs up to the British Sign Language (BSL) Charter.

The report explained that by signing up to the Charter, the Council would be required to:-

- Consult formally and informally with the local deaf community on a regular basis;
- Ensure access for deaf people to information and services;
- Support deaf children and families;
- Ensure that staff working with deaf people can communicate effectively using British sign language;
- Promote learning and high quality teaching of British sign language.

Cabinet discussed the report. Members were pleased that the Council had already gone some way towards meeting the Charter commitments, but recognised that more needed to be done. There was a consensus therefore that the Council should support and sign up to the British Sign Language Charter. Cabinet also requested that this support be publicised across the Council's social media and other communication platforms.

RESOLVED:-

- (1) That Cabinet supports and signs-up to all five pledges of the British Sign Language Charter.
- (2) That a three year action plan be developed and implemented, in consultation with the deaf community and working with the British Deaf Association (BDA), to ensure all five pledges are delivered.
- (3) That a budget of £9,500 be allocated to fund three years support from the BDA, to assist in the development and delivery of the action plan.
- (4) That Rykneld Homes be requested to consider the BDA British Sign Language Charter and adopt each of the charter pledges relevant to their service.

REASON FOR DECISION – By signing the British Sign Language Charter the Council has demonstrated its commitment to equal opportunities and working with disadvantaged and vulnerable groups, rather than taking decisions and designing services on their behalf.

OTHER OPTIONS CONSIDERED & REJECTED – The Council currently does not have the knowledge to effectively implement, in a meaningful way, the pledges in the Charter. BDA support was seen as a key element in the effective

delivery of the Charter.

119 Payment Cards Industry - Data Security Standards (PCI-DSS) Compliance (Ref:MB)

Cabinet considered a report of Councillor M E Thacker MBE, Leader of the Council and Portfolio Holder for Overall Strategic Leadership. Members were informed that in order to remain compliant with the revised payment card industry data security standards, the Council would have to change the way in which it receives payments. In particular, the report made clear it would cost a disproportionate amount to make the payment kiosk at the Council's Mill Lane offices compliant with the revised standards. It was recommended, therefore, that customers be encouraged to use the other payment methods so that the payment kiosk can be taken out of use.

Members discussed the proposal and the need to take further action to ensure that the Council remained compliant with the data standards. In particular, Cabinet heard about the ongoing work to determine if more use could be made of automatic telephone payments. Cabinet asked to be kept informed about the progress of this work.

RESOLVED:-

- (1) That Cabinet notes the contents of the report and acknowledges the potential cost implications, as outlined in the report.
- (2) That Cabinet supports actively driving-down demand for the kiosk in the Contact Centre, through effective communication and support to customers.

REASON FOR DECISION – To address the significant compliance issue, that could otherwise have resulted in significant additional costs to the Council.

OTHER OPTIONS CONSIDERED & REJECTED – Other options have not been ruled out but have not been actively pursued to-date. A further report on the implications and progress towards driving down demand for the kiosk and the feasibility of using the Automated Telephone Payments (ATP) solution will be submitted to Cabinet.

120 Right to Buy - Buy Back Policy Arrangements (Ref: KA)

Cabinet considered a report of Councillor R Welton, Portfolio Holder for Housing, which sought approval of the Right to Buy – Buy Back Policy and subsequent amendments.

The aim was to improve and speed up the administrative process for buying back former Council Policies that had been sold to tenants under the Right to Buy Scheme.

Cabinet discussed the revised Policy. In particular, Members agreed that it would

be appropriate for buy back proposals to no longer be referred to the Asset Management Group, as this had created pressures in terms of meeting statutory deadlines required by the buy back process.

RESOLVED – That Cabinet agrees to the Right to Buy – Buy Back Policy and subsequent amendments.

REASON FOR DECISION – To ensure that the Council continues to comply with its statutory duty under the Housing Act 2004, the Housing (Right to First Refusal) (England) Regulations 2005.

OTHER OPTIONS CONSIDERED & REJECTED - The option of continuing to take each property through the Asset Management Group was rejected due to the tight legislative time frames.

121 Compact Sweeping Machine Replacements

Cabinet considered a report of Councillor C Cupit, Portfolio Holder for Environment and Climate Change, which sought approval to purchase compact sweeping machines, to replace those currently used by the Council's Streetscene Services Team, which were coming to the end of their operational life.

Members discussed the proposal and in particular the financial benefits to the Council of purchasing rather than hiring the replacement sweeping machines. Members noted that the contract would be placed through the East Shires Purchasing Organisation (ESPO).

RESOLVED:-

- (1) That four compact sweeping machines, as set out at paragraph 5.1.2 in the report, are procured via the ESPO Framework Contract (Ref: 215 Specialist Vehicles – Lot 3) at a cost of £314,173.96.
- (2) That Cabinet agrees the financing of the vehicles be undertaken by way of Prudential Borrowing, as previously approved within the Council's Capital Programme and Treasury Management Strategy.

REASON FOR DECISION – To procure sweeping machines to replace those reaching the end of their five year period of utilisation.

OTHER OPTIONS CONSIDERED & REJECTED – Replacing vehicles by way of finance lease arrangements was not considered to be appropriate or offer good value to the Council.

122 Urgent Items

There was no urgent business to be considered in the public session at this meeting of Cabinet.

