

PUBLIC

**MINUTES** of a meeting of **CABINET** held on Thursday, 8 December 2022 at Committee Room 1, County Hall, Matlock.

**PRESENT**

Councillor S Spencer (in the Chair)

Councillors A Dale, C Hart, N Hoy, T King, J Patten, K S Athwal and C Renwick.

Apologies for absence were submitted for Councillor B Lewis.

Officers present: Emma Alexander (Managing Director), Helen Barrington (Director - Legal and Democratic Services), Carol Cammiss (Executive Director - Children's Services), Alec Dubberley (Head of Democratic and Registration Services), Peter Handford (Director Of Finance and ICT), Chris Henning (Executive Director - Place), Ellie Houlston (Director Of Public Health), Helen Jones (Executive Director - Adult Social Care and Health) and Joe O'Sullivan (Executive Director - Corporate Services and Transformation).

**199/22 TO RECEIVE DECLARATIONS OF INTEREST (IF ANY)**

None.

**200/22 TO CONSIDER MINORITY GROUP LEADER QUESTIONS (IF ANY)**

None.

**201/22 TO APPROVE, AS A CORRECT RECORD, THE NON-EXEMPT MINUTES OF THE MEETING HELD ON 17 NOVEMBER 2022**

**RESOLVED:**

To approve as a correct record, the minutes of the meeting held on 17 November 2022.

**202/22 CAPITAL BUDGET MONITORING AND FORECAST AS AT QUARTER 2 2022-23**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, informing Cabinet of the latest Capital budget monitoring position as at 30 September 2022.

**RESOLVED to:**

Note the current position on the monitoring of Capital schemes.

**203/22**    **PERFORMANCE MONITORING AND BUDGET  
MONITORING/FORECAST OUTTURN 2022-23 AS AT QUARTER 2  
(30 SEPTEMBER 2022)**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that provided an update of the Council Plan performance and the Revenue Budget/forecast outturn for 2022/23, as at 30 September 2022 (Quarter 2).

**RESOLVED to:**

- 1) Note the update of Council Plan performance and the Revenue Budget position/forecast outturn for 2022-23 as at 30 September 2022 (Quarter 2);
- 2) Note the performance information where targets have not met the desired level; and
- 3) Note the position on General and Earmarked Reserves.

**204/22**    **PRIMARY EDUCATION IN TIBSHELF**

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, providing the outcome of a consultation into the future buildings of Tibshelf Infant and Nursery School and Townend Junior School as well as seeking approval to move forward with plans for a new school building, subject to funding.

**RESOLVED to:**

- 1) Note the outcome of the consultation; and
- 2) Agree to proceed with a new school building for the co-location of the infant and junior schools subject to securing additional funding.

**205/22**    **CHILDREN'S SERVICES CAPITAL BUDGET - FURTHER  
ALLOCATIONS**

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, seeking approval of further allocations from the Children's Services Capital Budget and from temporary borrowings to individual projects.

**RESOLVED to:**

- 1) Note the allocations made, under delegated powers, by the Executive Director for Children's Services and the Children's Services Head of Development as detailed at Appendix 2 to the report;
- 2) Note the receipt of the funds received/returned to the Children's Services Capital Budget as detailed at Appendix 4 to the report;
- 3) Approve £5,908,536 from previous years balances in advance of the receipt of the 2023-24 Basic Need allocation as detailed at Appendix 3 to the report; and
- 4) Approve the allocations to the projects as detailed at Appendix 3 to the report.

**206/22    UPDATE ON DELIVERY OF CHILDREN'S SERVICES STRATEGY**

Councillor J Patten introduced a report, which had been circulated in advance of the meeting, updating members on progress with the development and delivery of the Children's Services Strategy 2022-25.

**RESOLVED to:**

Note progress to date with development and delivery of the Children's Services Strategy.

**207/22    LOW LEVEL SUPPORT**

Councillor N Hoy introduced a report, which had been circulated in advance of the meeting, setting out proposals for the future provision of the Older People's Independent Living Services.

**RESOLVED to:**

- 1) Approve the redesign and procurement of a low-level support service in line with the proposal laid out in section 4.32-35 of the report;
- 2) Allow the current commissioned contracts and Inter Authority agreements that deliver the Older People's Independent Living Services to come to their natural end on 31 March 2024; and
- 3) Note the progress of the system wide review of the Falls Recovery Service that is currently embedded in the Older People's Independent Living Service as described in section 4.27 of the

report.

**208/22 REGENERATION PROGRAMME PIPELINE – CHESTERFIELD-STAVELEY REGENERATION ROUTE**

Councillor C Renwick introduced a report, which has been circulated in advance of the meeting, seeking approval to submit the Outline Business Case for the Chesterfield-Staveley Regeneration Route to government for consideration and access to grant funding as well as approval for the release of further resources to support the next stages of project preparation.

**RESOLVED to:**

- 1) Note the issues set out in the report and in Appendices 1 and 2;
- 2) Delegate authority to the Executive Director – Place, in consultation with the Cabinet Portfolio Holder, Infrastructure and Environment and Section 151 Officer to undertake final amendments to the draft Outline Business Case, prior to submission;
- 3) Approve the submission the Outline Business Case for the Chesterfield-Staveley Regeneration Route to Government for access to grant funding.
- 4) Approve the release of £2 million capital receipts, as allocated to the project in June 2022, to fund the next stages of project preparation work; and
- 5) Authorise officers to commence work on collaboration agreements with public and private sector partners over project funding and risk.

**209/22 SOUTH DERBY GROWTH ZONE – BUSINESS CASE, LAND AND LEGAL APPROVALS**

Councillor C Renwick introduced a report, which had been circulated in advance of the meeting, updating members on the proposed South Derby Growth Zone Outline Business Case, Land and Legal Approvals.

**RESOLVED to:**

- 1) Note the progress made to date on the project towards design, land assembly and legal agreements covering resources and risk sharing;

- 2) Agree the proposed approach towards land assembly through negotiated settlement to ensure timely delivery of the South Derby Growth Zone project and the potential requirement for a Compulsory Purchase Order, should negotiated settlements not be possible;
- 3) Note the summary of legal agreements provided at Exempt Appendix 2 to the report and delegate authority to the Executive Director – Place, in consultation with the Director of Legal and Democratic Services and the Cabinet Member for Infrastructure and Environment, to conclude negotiations and enter into relevant legal agreements (including formalising collaboration arrangements between public and private sector partners and separately between the public sector partners over resources and risk sharing);
- 4) Agree, in principle, to submit the Outline Business Case (OBC) to Government and delegate authority to the Executive Director – Place, in consultation with the Director of Legal and Democratic Services and the Cabinet Member for Infrastructure and Environment, to finalise the OBC and complete outstanding matters linked to the conclusion of legal agreements;
- 5) Delegate authority to the Director of Finance and ICT to accept capacity building grant of up to £4.7 million (drawn from the £49.6 million total available) to facilitate pre-construction work packages, once satisfied over arrangements to share risk with public-sector partners; and
- 6) Note the planned approach to procurement and intention to enter into a design and build contract following the acceptance of capacity funding as detailed in the report.

## **210/22 MARKHAM VALE PROGRESS**

Councillor T King introduced a report, which had been circulated in advance of the meeting, updating members on progress being made at Markham Vale and giving an overview of economic development activity between October 2021 and September 2022.

### **RESOLVED to:**

- 1) Commend the level of success and recent progress in bringing forward development sites and jobs at Markham Vale since October 2022; and

- 2) Note and agree the scale and nature of work planned to be undertaken over the coming years to complete development of the project.

**211/22 EXCLUSION OF THE PUBLIC**

**RESOLVED:**

That under Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that in view of the nature of the items of business, that if members of the public were present, exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed to them.

**212/22 MARKHAM VALE DELEGATED DECISIONS**

Councillor T King introduced a not for publication report, which had been circulated in advance of the meeting, informing members of the delegated decisions taken for the continued redevelopment of Markham Vale taken by the Executive Director - Place, in conjunction with the Leader of the Council.

**RESOLVED to:**

Note the decisions taken by the Executive Director - Place and Leader of the Council under delegated powers that support the continued redevelopment of Markham Vale.

**213/22 AWARD OF CONTRACT FOR HIGHWAYS DRAINAGE CLEANSING**

Councillor K S Athwal introduced a report, which had been circulated in advance of the meeting, seeking approval to award a contract for the provision of Highways Cleansing.

**RESOLVED to:**

Approve the award of a contract for the provision of Highways Cleansing in Derbyshire as per the recommendations in the not for publication report.

The meeting finished at 10.42 am

