

Public Document Pack



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PUBLIC

To: Members of Cabinet

Wednesday, 15 February 2023

Dear Councillor,

Please attend a meeting of the **Cabinet** to be held at **2.00 pm** on **Thursday, 23 February 2023** in Council Chamber, County Hall, Matlock, the agenda for which is set out below.

Yours faithfully

A handwritten signature in black ink that reads 'Helen E. Barrington'.

Helen Barrington
Director of Legal and Democratic Services

AGENDA

1. To receive apologies for absence
2. To receive declarations of interest (if any)
3. To consider Minority Group Leader questions (if any)

Minority Group Leaders in attendance at the meeting are able to ask a question on a report on the agenda. Any questions should be provided in writing by 12 noon at least 2 working days before the meeting.

4. To approve, as a correct record, the non-exempt minutes of the meeting held on 2 February 2023 (Pages 1 - 6)
5. Regeneration Programme Pipeline – Levelling Up Projects (Pages 7 - 18)
6. Continued provision of food pantries in Derbyshire pending commissioning provision (Pages 19 - 26)
7. Determined admission arrangements 2024-2025 (Pages 27 - 38)
8. Children's Services Capital Budget - Further Allocations (Pages 39 - 44)
9. Schools Block Funding Settlement 2023-24 (Pages 45 - 56)
10. Audit Charter (Pages 57 - 70)
11. Budget Transfer and Management for Asset Optimisation Through Corporate Landlord (Pages 71 - 104)
12. East Midlands Combined County Authority Financial Arrangements (Pages 105 - 110)
13. Treasury Management Mid-Year Report 2022-23 (Pages 111 - 134)
14. Forward Plan (Pages 135 - 154)
15. Exclusion of the Public

To move “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 to the Local Government Act 1972 would be disclosed to them.”

16. To approve, as a correct record, the exempt minutes of the meeting held on 2 February 2023 (Pages 155 - 158)
17. Nicotine Replacement Therapy Contract Award (Pages 159 - 164)
18. Extension of the Wide Area Network and Internet Services Contracts (Pages 165 - 172)

PUBLIC

MINUTES of a meeting of **CABINET** held on Thursday, 2 February 2023 at Committee Room 1, County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

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

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), Ellie Houlston (Director Of Public Health), Joe O'Sullivan (Executive Director - Corporate Services and Transformation), Paul Stone (Assistant Director of Finance), Chris Henning (Executive Director - Place) and Helen Jones (Executive Director - Adult Social Care and Health).

12/23 TO RECEIVE DECLARATIONS OF INTEREST (IF ANY)

None.

13/23 TO CONSIDER MINORITY GROUP LEADER QUESTIONS (IF ANY)

None.

14/23 TO APPROVE, AS A CORRECT RECORD, THE NON-EXEMPT MINUTES OF THE MEETING HELD ON 12 JANUARY 2023

RESOLVED:

To approve, as a correct record, the minutes of the meeting held on 12 January 2023.

15/23 RESERVES POSITION AND RESERVES POLICY

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that requested the Cabinet to note the current and forecast positions for both the General and the Earmarked Reserves and sought approval of the Reserves Policy.

RESOLVED TO:

- 1) Note the current position on Earmarked Reserves;

- 2) Note the details of the amounts to be released from the Earmarked Reserves balances;
- 3) Note the allocation of £11.913m Earmarked Reserves release to the Budget Management Earmarked Reserve; and
- 4) Approve the updated Reserves Policy at Appendix five to the report.

16/23 **BUDGET CONSULTATION RESULTS**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that enabled Cabinet to consider the outcome of the Council's budget consultation exercise in formulating its budgetary proposals to Full Council regarding the Revenue Budget for 2023-24.

RESOLVED to:

Note the views of the consultation respondents in formulating its proposals to Full Council regarding the Revenue Budget for 2023-24.

17/23 **REVENUE BUDGET REPORT 2023-24**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that made proposals to Full Council regarding the Revenue Budget and Council Tax for 2023-24.

RESOLVED to recommend to Council that it:

- 1) Notes the details of the Autumns Statement 2022 and Provisional Local Government Finance Settlement as outlined in sections 4.3 and 4.4 of the report;
- 2) Notes the Government's expectations about Council Tax levels for 2023-24 as outlined in section 4.5 of the report;
- 3) Approves the precepts as outlined in section 4.5 and Appendix four of the report;
- 4) Approves that billing authorities are informed of Council Tax levels arising from the budget proposals as outlined in section 4.5 and Appendix four of the report;
- 5) Approves the contingency to cover non-standard inflation as outlined in section 4.7 of the report. The contingency to be

allocated by the Interim Director of Finance and ICT, as Section 151 Officer, once non-standard inflation has been agreed;

- 6) Approves the service pressure items identified in section 4.8 and Appendix five of the report;
- 7) Approves the level and allocation of budget savings as outlined in section 4.9 and Appendix six of the report.
- 8) Notes the comments of the Interim Director of Finance and ICT, as Section 151 Officer about the robustness of the estimates and adequacy of the reserves as outlined in section 4.10 of the report;
- 9) Notes the details of the Council's consultation activity as outlined in section 5 of the report;
- 10) Approves the Council Tax requirement of £387,461,515, calculated as follows:

	£
Budget Before Pressures and Budget Reductions	641,217,881
Plus Service Pressures – ongoing	15,894,018
Plus Adult Social Care Precept	4,650,142
Plus Service Pressures - one-off	23,707,000
Less Budget Reductions	-16,190,000
Decrease in Risk Management Budget	5,349,198
Net Budget Requirement	674,628,239
Less Top-Up	-97,773,890
Less Business Rates	-15,365,000
Less Revenue Support Grant	-15,714,332
Less New Homes Bonus	-1,105,736
Less General Grant	-122,996,933
Less PFI Grant	-10,503,833
Less Use of Earmarked Reserves	-23,707,000
Balance to be met from Council Tax	387,461,515

- 11) Approves the use of the Revenue Contributions to Capital Expenditure Earmarked Reserve to provide one off support to the 2023-24 Revenue Budget; and
- 12) Authorises the Interim Director of Finance and ICT, as Section 151 Officer, to allocate cash limits amongst Cabinet portfolios; Executive Directors will then report to Cabinet on the revised

Service Plans for 2023-24.

18/23 **CAPITAL PROGRAMME APPROVALS, TREASURY MANAGEMENT AND CAPITAL STRATEGIES FOR 2023-24**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval for proposals for submission to Council in relation to the Capital Starts Programme for 2023-24 and the Treasury Management, Investment and Capital Strategies.

RESOLVED to recommend to Council that it:

- 1) Approves the new Capital Starts Programme for 2023-24 set out in Appendix two of the report and approves the procurement and award of contracts which support the delivery of the Capital Programme. All contract awards will then be subject to approval by Executive Directors (via an Executive Director Report) under the relevant Departmental Scheme of Delegation;
- 2) Approves the detailed Planned Maintenance Programme for 2023-24 as set out in Appendix three of the report;
- 3) Adopts the Treasury Management Strategy for 2023-24 as set out in Appendix four of the report;
- 4) Adopts the Investment Strategy for 2023-24 as set out in Appendix five of the report; and
- 5) Adopts the Capital Strategy for 2023-24 as set out in Appendix six of the report.

19/23 **DERBYSHIRE AND DERBY MINERALS LOCAL PLAN - APPROVAL OF PRE-SUBMISSION DRAFT MINERALS LOCAL PLAN FOR PUBLICATION AND FORMAL PUBLIC CONSULTATION**

Councillor C Renwick, introduced a report, which had been circulated in advance of the meeting, that sought approval for the content of the Derbyshire and Derby Pre-submission Draft Minerals Local Plan, support for the Executive Director – Place in liaison with Derby City Council, undertaking any minor amendments as necessary, and then presenting the Plan and relevant background papers to Full Council for approval.

RESOLVED to:

- 1) Approve the content of the Derbyshire and Derby Pre-submission

Draft Minerals Local Plan, attached to the report at Appendix two;
and

- 2) Support the Executive Director – Place, in liaison with Derby City Council, undertaking under delegated authority any minor amendments as necessary, and presenting the Plan and relevant background papers to Council for its approval to enable:-
 - (a) their publication in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the 'proposed submission documents for the joint minerals local plan for Derbyshire and Derby for the period up to 2038; and
 - (b) their use for public consultation in accordance with regulations 19 and 35 with a period for making representations of eight weeks.

20/23 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 are excluded from the meeting for the remaining 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.

21/23 LONG TERM WASTE MANAGEMENT CONTRACT

Councillor S Spencer introduced a not for publication report, which had been circulated in advance of the meeting, in relation to the Long-Term Waste Management Project.

RESOLVED:

To approve the recommendations in the not for publication report.

The meeting finished at 2.59 pm

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

Report of the Executive Director - Place

Regeneration Programme Pipeline – Levelling Up Projects
(Cabinet Member for Infrastructure and Environment)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 To provide Cabinet with a progress update on the current programme of regeneration projects and set out additional projects to be added to the programme; to seek approval for the Council acting in a delivery role for Ashbourne Reborn; adding public realm and highway works to the capital programme, approving the initiation of procurement of contractors and authorising the making of planning applications and the carrying out of consultation, and to seek approval to the acceptance of grant funding to deliver walking and cycling infrastructure within Markham Vale.

4. Information and Analysis

- 4.1 At its meeting of 13 October 2022, Cabinet received an update on the Council's active regeneration programme (Minute No. 180/22 refers) consisting of a pipeline of 50+ major projects, framed around four broad programme areas which are:
- Market Towns
 - Enabling Infrastructure
 - Growth Zone South
 - Growth Zone North
- 4.2 Projects within the programme have been initiated either by the County Council (e.g. transport schemes such as Ashbourne Relief Road), by Government (e.g. town deal proposals) or by district/borough councils (e.g. Hollis Lane Link Road).
- 4.3 The projects which make up the regeneration programme are at varying stages of preparation; some, such as Swarkestone and Shirebrook Access, are at very early stages of development (Stage 0) whilst others are more advanced at either outline business case stage (Stage 2 to 3) or beyond (detailed design and construction etc).
- 4.4 The Council has a key role to play either as a direct sponsor or as a delivery partner in any of these projects, some of which have been subject to separate reports and approvals (e.g. for match funding of submission of business cases to Government); others may not have needed approvals to date due to their state of preparation i.e. the projects are at an early stage of development. Also, the Council's role in a project may vary over time; for example, from lead sponsor and enabler to 'delivery partner' when perhaps a district authority may pick up lead responsibility.
- 4.5 Given the inevitable changes over time in the release of Government grant funding, plus the emergence of district and borough council policies and priorities, the exact content of the pipeline will always be fluid. In order to ensure that Cabinet remains sighted on the entire regeneration programme, it is proposed that each project update (such as this report) also provides an overview of the programme as it stands at that point in time, with all committed and anticipated projects tabulated (see below). NB: Cabinet will note that some projects are close to completion with regard to the Council's delivery role but will be retained in the programme update to report on the achievement of wider project outcomes such as the delivery of homes or commercial premises.

4.6 The current programme overview is provided in the table below:

Project (and approximate gross infrastructure cost)	Current Position	Decision Required	Status Rating
Stage: Delivery (DCC role as lead sponsor)			
Woodville-Swadlincote Regeneration Route (£13.4m)	New 1km road to facilitate development and relieve traffic congestion at Clock Island. Now open to traffic and complete.	N	G
Ashbourne Airfield Expansion (£6m)	New roundabout and link road to bring forward employment and housing site; now substantially complete.	N	G
Hollis Lane Link Road Phase 1 (£10.8m)	Enabling work (land assembly and relocation of builders' merchant) complete. Tender process for highway construction on phase 1 link road has commenced and due to be completed during June 2023. Go/ no go' gateway decision to progress construction anticipated mid 2023. RAG rating reflects the status of on-going work.	N	A
Stage: Project Preparation (DCC role as specified)			
Fairfield/Hogshaw Enabling Infrastructure (£2.4m)	Led by High Peak Borough with DCC support as advisor. New roundabout and access to facilitate housing development. Provides section of White Peak Loop. Now substantially complete.	N	G
Chesterfield-Staveley Regeneration Route (£165m)	In Large Local Majors funding pipeline with DCC as sponsor. Highly complex scheme. Outline Business Case formally submitted to Government in January and dialogue with DfT continuing pending formal feedback and confirmation of grant request. Land assembly and site access discussions progressing, along with negotiations of private sector collaboration agreements. RAG rating reflects the complex nature of the project and the critical pressures to ensure timely progress and pending confirmation of grant funding	N	A/R
South Derby Growth Zone (£55m)	Part of Levelling Up funded project with DCC as sponsor. Outline Business Case submitted to Government and dialogue with DfT continuing, pending	N	A

	<p>formal feedback and confirmation of grant allocation.</p> <p>Land assembly discussions progressing, along with negotiations of private sector collaboration agreements.</p> <p>RAG rating reflects the complex nature of the project and the critical pressures to ensure timely progress</p>		
Elvaston Castle (£35m)	<p>Business case in preparation with DCC as sponsor. Planning application for access and car park to enable wider regeneration awaiting determination – now due in March 2023.</p> <p>Work now being undertaken to develop commercial business case</p> <p>RG rating reflects the need to resolve project funding over the medium to long term</p>	N	A
Ashbourne Relief Road (>£20m)	<p>Work being undertaken by DCC to prepare more detailed design and planning application</p>	N	G
Access to Shirebrook (c£50m)	<p>Option assessment work currently ongoing by DCC in liaison with Bolsover District Council.</p>	N	G
Swarkestone Bridge (c£50m)	<p>Early assessment of size and scale of problem being undertaken by DCC.</p>	N	G
A61 South of Chesterfield	<p>Assessment of scheme options to improve connectivity. Public consultation exercise just completed and subject to a separate (Cabinet Member) report.</p>	N	G
Ashbourne Reborn	<p>Newly confirmed Levelling Up project for Derbyshire Dales District Council. Made of three separate projects – one of which is a highways and public realm project with DCC as proposed sponsor. No issues at present but RAG rating reflects need for formal agreements to be reached over funding, roles and responsibilities</p>	Y (DCC role in delivery)	A
Key Cycle Network	<p>Strategy and implementation plan for a number of walking and cycling routes across the County. All subject to separate approvals.</p> <p>Progress/ construction is dependent on availability of funding</p> <p>RAG rating reflects lack of funding certainty for full implementation of whole KCN.</p>	Y (grant acceptance)	A

Long Eaton Town Investment Plan (£25m)	Town Deal for Long Eaton consists of a number of separate projects, two of which have DCC as sponsor (subject to previous decisions by Cabinet). Both projects are at design and business case development stage which also includes testing of value for money. This work is ongoing. Long Eaton Town Deal Board on 27 January agreed to delete The Green from the programme of works due to very low cost/ benefit ratio. RAG rating reflects the time critical nature of remaining work.	N	A
Staveley Town Investment Plan (£25m)	Town Deal for Staveley consists of a number of separate projects, two of which have DCC as sponsor (subject to previous decisions by Cabinet). i These are Staveley Basin and Wheels to Work. Both projects are at the stage of pre-contract (funding) compliance RAG rating reflects the time critical nature of the delivery programme	N	A
Clay Cross Town Investment Plan (£25m)	Town Deal for Clay Cross consists of a number of separate projects some of which may be proposed for DCC as sponsor. This includes the Skills Hub, relocation of the library and Clay Cross Connection. The RAG rating reflects the time critical nature of the work and the need for formal agreements over roles and responsibilities in delivery. Connection	N	A
Revitalising the Heart of Chesterfield (£20m)	Levelling Up funded project. DCC acting in advisory role to assist Chesterfield Borough Council	N	G
East Midlands Freeport (£25m seed funding)	DCC has role in delivery of enabling infrastructure in the form of walking and cycling routes around a key site RAG rating reflects lack of progress in finalising funding as awaiting Government sign off of the Full Business Case for the Freeport	N	A
Stage: Project Assessment (DCC role to be confirmed)			
Chesterfield Station Masterplan (costs to be established)	Proposal includes Hollis Lane Link Road Phase 2 . Delivery & funding plan to be agreed with Chesterfield BC	N	G
Market Towns Programme – Mobility Hubs	DCC role in preparation and delivery of hubs to cluster active and public transport infrastructure, information and services.	N	G

Projects Requiring Cabinet Approvals

- 4.7 To enable progress on projects within the programme, there are recommendations made to Cabinet on two of these:

Ashbourne Reborn

- 4.8 In response to Government's call for a second round of Levelling Up Fund projects, Derbyshire Dales District Council (DDDC) submitted a package of projects for Ashbourne which are of significant interest to the County Council:

- A community hub operating within the town's Methodist Church - incorporating 'mobility hub' components.
- Public realm and connectivity improvements across the town centre, which include improvements to key spaces and the routes between them.

- 4.9 On 19 January 2023, Government confirmed the Ashbourne bid had been successful in securing LUF 2 monies. In advance of this, DDDC had been proactive in building up project proposals and governance and through early discussion, there is clarity about its preference for the County Council's role in delivery, described below.

- 4.10 The context for this project is the significant amount of work already taking place on various Ashbourne projects and the strong working relationships between the County Council and DDDC. These include:

- Completion of enabling infrastructure for the Ashbourne Airfield Industrial Estate and the delivery of associated housing and commercial development.
- A response to the town's Air Quality Management Area, for which a number of highways and transport proposals are under investigation.
- Preparation of the Ashbourne Relief Road, with a planning application programmed for submission towards the end of 2023.
- Highway works already within the capital programme, building upon traffic management and connectivity measures originally undertaken during the Covid-19 pandemic.

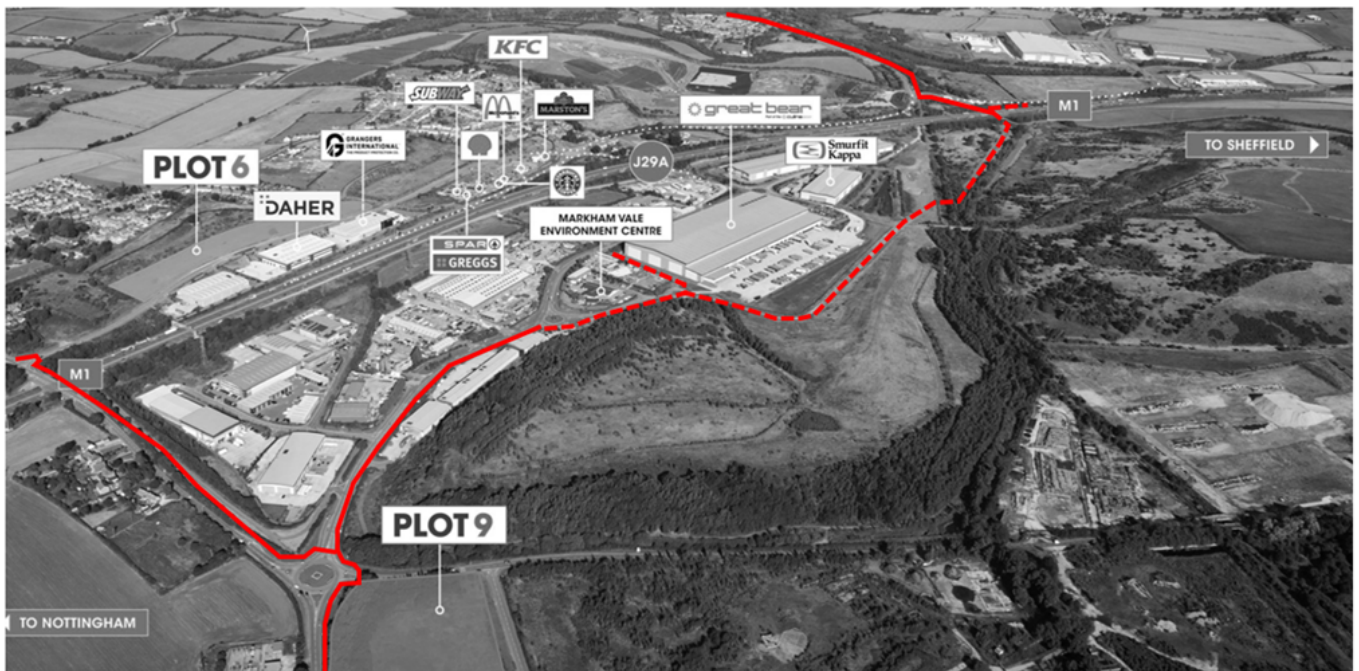
- 4.11 Given there is such a significant degree of synergy with existing projects, both DDDC and County Council officers consider it would be sensible for the County Council to lead on delivery of the public realm and highway works (with a combined budget of £8.8 million). Adding these projects to the capital programme, as recommended through this report, will reduce the need for legal agreements over adoption and allow permitted development rights to be exercised for some works.

- 4.12 This approach will require a collaboration agreement with DDDC to ensure that all relevant fees are covered and that the County Council is not placed at financial risk. It is recommended that delegated authority be granted to enter into this and any other required agreements. Cabinet's approval is also sought to initiate procurement of design and construction contractors and to the making of planning applications and the carrying out of public consultation.
- 4.13 Given the close interaction between the projects set out in Paragraph 4.11, there are clearly both opportunities and threats, including:
- the potential for efficiencies in design and delivery
 - the need to ensure the coordination of works in the public domain to minimise disruption
 - the potential for virement of funding between projects
 - the need for clear communications.
- 4.14 To ensure the above are addressed as efficiently as possible it is proposed to convene an Ashbourne Town Centre Programme Control Board at officer level, with a dedicated senior executive and a programme manager, plus representatives of key interested parties. Within the scope of this programme will be:
- the Ashbourne Reborn public realm and highway projects
 - potentially, those elements of the Ashbourne Reborn community hub which involve County Council assets
 - other town centre traffic management works, including any added to the programme to address air quality problems
 - potentially, relevant projects from the Bus Service Improvement Plan on mobility hubs and traffic management and bus priority
 - also potentially, preparation of the Ashbourne Relief Road.
- 4.15 The recommendation in this report for delegated authority to be granted to the Executive Director – Place to manage Ashbourne town centre programmes follows the model used for other major regeneration projects and will be exercised through liaison with relevant Cabinet members. Given the broad scope described above, including the potential for financial virement, it is proposed that this Member liaison takes place through convening an oversight board including the portfolio holders for Infrastructure and Environment, Highways, Clean Growth and Finance.

Markham Vale – Walking and Cycling Infrastructure

- 4.16 During the later stages of negotiating the East Midlands Devolution Deal, Government made available an amount of capital funding for housing and low-carbon projects, the major constraint being that as much as possible had to be drawn down during the financial year 2022-34.
- 4.17 An assessment of the Council’s infrastructure pipeline identified that only one project was able to meet the restrictive spend criteria; this is a walking and cycling route within Markham Vale linking the Environment Centre to the Seymour Link, which already benefits from full planning consent and sits on the capital programme.
- 4.18 It is also genuinely additional in that it was, up to this point, unfunded and would therefore only be made feasible by a grant funding. Officers therefore submitted a business case to the D2N2 MCCA programme office and were advised at the end of December 2022 that it had been successful in securing £750,000 to construct the route. The alignment (dotted red line) and location are shown on Figure 1 below:

Figure 1



- 4.19 The grant funding covers, in full, all required activity on the project including fees and contingency. Cabinet will wish to note though, that acceptance of the grant will require the Council to commit to cover any cost overruns should these arise during construction. In this event, funding would need to be vired from within the capital programme.

Future Anticipated Decisions

- 4.20 Having regard to the wider regeneration pipeline of activity Cabinet is advised that future updates in 2023 are likely to include recommendations for:
- 4.21 Approval to procure a contractor for the Hollis Lane Link Road Phase 1.
- 4.22 Approval to make Compulsory Purchase and Side Road Orders for the South Derby Growth Zone.
- 4.23 Approval to consult and then submit a planning application for the Chesterfield-Staveley Regeneration Route, along with a potential compulsory purchase exercise.

5 Consultation

- 5.1 No public consultation is required relating to the recommendations of this report, but Cabinet will note that public consultation is likely to take place on elements of Ashbourne Reborn. The walking and cycling infrastructure, within Markham Vale, has planning consent and as such, has been subject to previous consultation processes.

6 Alternative Options Considered

- 6.1 Option 1: The Council can decline to accept grant funding for the walking and cycling infrastructure. However, this would result in the planned scheme remaining unfunded and retain pressure in the Council's capital programme.
- 6.2 Option 2: the Council can decline to take a role in the delivery of Ashbourne Reborn but as the highway and transport authority for the area, this into considered appropriate.

7 Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8 Background Papers

- 8.1 Cabinet Report, Regeneration Programme Pipeline, dated 10 March 2022 (restricted) (Minute No. 80/22 refers).
- 8.2 Cabinet Report, Regeneration Pipeline, dated 16 June 2022 (partially exempt) (Minute No. 118/22 refers).

8.3 Cabinet Report, Regeneration Programme Pipeline, dated 13 October 2022 (partially exempt) (Minute No.180/22 refers).

9 Appendices

9.1 Appendix 1 – Implications.

10 Recommendations

That Cabinet:

- a) Notes the continued progress made across the current regeneration pipeline and the addition of Ashbourne Reborn.
- b) Approves the County Council acting in a delivery role for highway and public realm works under the Ashbourne Reborn programme.
- c) Agrees to the addition of Ashbourne Reborn works to the capital programme and, in principle, to the Council acting as applicant for planning consent, carrying out procurement of contractors and carrying out public consultation as required.
- d) Authorises the Executive Director – Place, in liaison with the Cabinet Member for Infrastructure and Environment and the Director of Legal Services, to enter into legal agreements with Derbyshire Dales District Council over Ashbourne Reborn.
- e) Approves the receipt of £750,000 of grant funding for delivery of walking and cycling infrastructure within Markham Vale.

11 Reason for Recommendations

11.1 To enable the receipt of resources to bring forward projects supporting connectivity within Markham Vale and regeneration benefits for Ashbourne.

12 Is it necessary to waive the call in period?

12.1 No.

Report Author: Jim Seymour

Contact details: Jim.Seymour@derbyshire.gov.uk

Implications

Financial

- 1.1 The portfolio of projects set out in this report is supported in a number of ways, through grants including the Local Growth Fund, Large Local Major schemes programme, Towns Fund, Housing Infrastructure Fund and Levelling Up Fund. Collaboration agreements will be required for Ashbourne Reborn to ensure that the Council is at no financial risk and, as stated in the body of the report, there will be a need to commit to meet cost overruns on the walking and cycling infrastructure within Markham Vale. For this project, though, the tender documents and design incorporate significant flexibility which allows the scope to vary (increase or decrease) the range of works without impacting on the length of route being constructed. It also includes a suitable level of contingency.

Legal

- 2.1 Director of Legal and Democratic Services will advise as necessary in relation to the collaboration agreements with Derbyshire Dales District Council for Ashbourne Reborn. Further reports to Cabinet will be required to seek approval for further steps required for each of the projects and to update Cabinet generally as to progress.

Human Resources

- 3.1 The portfolio of regeneration projects has significant implications for the workload of staff within the Economy and Regeneration Service and for supporting legal, property, finance and highways functions in particular. External support is commissioned for individual projects within their confirmed budgets, but additional in-house capacity is being established (as was reported to Cabinet through the Regeneration Kick Start Fund approval referred to in 1.1 above).

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 Individual projects within the portfolio will be subject to equalities impact assessment at the appropriate stages of their development.

Corporate objectives and priorities for change

- 6.1 The regeneration portfolio addresses directly a number of objectives and priorities set out in the Council Plan.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

Property and Asset Management

- 7.1 No direct implications arise from the recommendations of this report.

Environmental Sustainability

- 7.2 Under the Council's Climate Change Strategy and Action Plan all infrastructure projects sponsored by the County Council will now be subject to a Climate Impact Assessment covering the whole-life carbon cycle and impacts upon resilience.



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 23 February 2023

Report of the Director - Public Health

**Continued provision of food pantries in Derbyshire pending
commissioning provision**

1. Divisions Affected

1.1- County-wide

2. Key Decision

2.1 This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 This report seeks to gain Cabinet approval to:

1. Grant fund Rural Action Derbyshire (RAD) £0.150 million to ensure continuity of provision of the Affordable Food Network initiative (food pantries) from 1 April 2023 to 31 March 2024 while a commissioning exercise is undertaken.

4. Information and Analysis

4.1 Cost-of-living pressures have the potential to negatively impact communities across Derbyshire. The National Health Service (NHS)

Confederation noted that soaring costs of household essentials could cause a public health emergency, which would further strain services. Recent findings from the Office of National Statistics suggests that the cost of food has risen by 14.6% in the past year, with the average food shop expected to rise by £643. Data from the Food Foundation's food insecurity tracker identified that in September 2022, up to 9.7 million adults and up to one (1) in four (4) households with children experience moderate or severe food insecurity every month – this has a cost implication for local services, as malnutrition is estimated to cost the NHS £19.6 billion per year. This contributes the increasing prevalence of physical and mental health conditions caused by acute and chronic hunger and obesity caused by cheaper, unhealthy foods.

- 4.2 The impact of inflation, and consequently the risk of food insecurity is not faced equally: lowest income households face the highest rates of inflation, which was estimated by the Institute for Fiscal Studies to be around 7% in October 2022. This higher level is driven by lower income households spending a larger proportion of their overall income on energy bills, leaving many low-income families, people with disabilities, older people, and undocumented migrant families, at a greater risk of food insecurity. This has been confirmed in a recent health needs assessment (HNA).
- 4.3 On 11 March 2021, Cabinet approved the allocation of £0.300 million over two (2) years to RAD to provide a steppingstone out of crisis by creating a more sustainable alternative to food banks. The Affordable Food Network initiative was established in response. It focuses on building networks of community pantries that give people access to good quality, affordable and nutritious food.
- 4.4 There are seven (7) established food pantries, with an additional five (5) in development. Current localities with access to a pantry include Bolsover, Chesterfield, Derbyshire Dales, North East Derbyshire and Amber Valley. Given the geographical nature of Derbyshire, multiple areas of deprivation, and the challenges around supporting existing pantry users, additional resources are needed to develop further pantries in 2023/24.
- 4.5 The project initially estimated an output of 100 families per food pantry, however uptake by the public has significantly exceeded the supply. The current seven (7) food pantries have seen over 2000 households access their support, leading to some pantries having to establish a waiting list. This demonstrates the considerable unmet need in Derbyshire and the need for increased funding of this initiative. Challenges faced by this initiative include rising cost of food, rising cost

of energy, rising cost of petrol, reduced donations from the public and reduced availability of volunteers. This has been exacerbated by the cost-of-living pressures.

4.6 Given the unprecedented demand for this intervention, rising costs for households, and potential unmet need across Derbyshire, Public Health Senior Management Team (SMT) agreed to include this initiative as part of the substantive contract to be commissioned by April 2024, however this leaves a period without confirmed funding which this paper seeks to address.

4.7 Anticipated outcomes include:

- Reduced reliance and dependency on emergency food banks,
- Improved self-esteem and mental wellbeing for households who can access affordable food without relying on a foodbank,
- Improved self-reliance and community resilience by supporting households to help their budgets go further and reduce the risk of falling into debt and crisis,
- Increased opportunities to provide community pantry customers with additional services which may include a wrap-around financial advice service and/or healthy eating on a budget skills.

Cost of Living: Food insecurity and Winter Pressure

4.8 The Trussell Trust (an anti-poverty charity) issued a briefing paper which presented new research highlighting the negative impact that the cost-of-living pressure is having on people who survive on the lowest income. They detail the accelerating need – including from people who are working – as more households are pushed into poverty. Although central government issued payment to mitigate against the worst of the pressures, inflation continued to rise, and the cost of essentials continued to soar. In a survey, the Trussell Trust found that 64% of respondents had used their first cost of living payment to buy food.

4.9 In Derbyshire, the Trussell Trust reported that there had been an increase of 117.4% rise in food banks in Erewash, 47.7% in Bolsover and 31% in North East Derbyshire. Although food banks are available across Derbyshire, they are an emergency provision and unsuitable for long-term support.

4.10 Food pantries provide a service that differs from food banks: they strengthen communities and improve community connections, improve health and wellbeing (physical and mental), improves household finances which allows families to meet other essential costs, supports a

healthy diet, tackles food waste and nurture a sense of dignity and agency.

- 4.11 The requested funding is separate from monies requested in a recent Cabinet Member paper (23 January 2023) which seeks to grant £0.100 million from the Covid Outbreak Management Fund (COMF) to Foundation Derbyshire to administer the emergency funding to food banks.

5. Consultation

- 5.1 There is no statutory requirement to undertake a public consultation on this proposal, however an online stakeholder engagement survey was carried as part of the Health Needs Assessment which provided insights from community pantry providers to explore the level of need and inform commissioning intentions.

6. Alternative Options Considered

6.1 Option One: Do not grant fund this organisation

This is not a preferred option as it risks the security of this provision and the residents who access it and poses a reputational risk to the Council as it has been demonstrated that there is an ongoing high level of need in Derbyshire with regards to food insecurity.

6.2 Option Two: Partially grant fund this organisation

This is not a preferred option as it would not meet the needs of Derbyshire residents due to the overwhelming demand already experienced by the food pantries. This poses a reputational risk to the Council as it has been demonstrated that there is an ongoing high level of need with regards to food insecurity.

6.3 Option Three: Commission a separate service

This is not a preferred option as would duplicate the existing provision. Although there is a planned commissioning exercise currently underway, there is not enough time to commission a service and ensure there would not be a gap in provision. This poses a risk to the residents who access it and poses a reputational risk to the Council.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

Feeding Derbyshire and Financial Action and Advice Derbyshire grant extension, Cabinet member paper 20.06.22

<https://democracy.derbyshire.gov.uk/documents/s15260/Feeding%20Derbyshire%20Grant%20Extension.pdf>

Feeding Derbyshire: Affordable Food Network, Cabinet paper 11.03.2021

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendation(s)

That Cabinet:

1. Approve a grant to Rural Action Derbyshire (RAD) for a total of £0.150 million to ensure continuity of provision of the Affordable Food Network initiative (food pantries) 1 April 2023 to 31 March 2024 while a commissioning exercise is undertaken.

11. Reasons for Recommendation(s)

- 11.1 To ensure continuity of service provision for households and to make best use of existing relationships, training materials and work already commenced by Rural Action Derbyshire to develop further pantries.
- 11.2 To meet the ongoing and increasing need in the Derbyshire population during 1 April 2023 to 31 March 2024 to enable more residents to be able to access a community pantry and reduce their food insecurity.
- 11.3 To support identified Public Health priorities to tackle issues related to food insecurity

12. Is it necessary to waive the call in period?

12.1 No

Report Author: Victoria Clarke, Public Health Lead, Health Improvement Team

Contact details: 01629 536105 | Victoria.clarke@derbyshire.gov.uk

Implications

Financial

- 1.1 The proposed grant to Rural Action Derbyshire of £0.150 million from 1 April 2023 – 31 March 2024 will be met from the Public Health Grant.
- 1.2 Total cost of grants to Rural Action Derbyshire is £0.150 million
- 1.3 This grant is separate from the additional funding to Foundation Derbyshire via Contain Outbreak Management Fund (COMF) of £0.100 million for emergency funding to food banks enabling the purchase of food and associated costs due to cost-of-living pressures.

Legal

- 2.1 The Council has power to provide grants to voluntary and community sector organisations under the general power of competence set out in section 1 of the Localism Act 2011.
- 2.2 Under the Council's Financial Regulations, grants of over £100,000 require Cabinet authorisation.
- 2.3 The Council's standard grant agreement shall be used to set out the terms and conditions for which the grant is made, it will also stipulate that the Council is not liable for any employment liabilities

Human Resources

- 3.1 There are no anticipated negative HR related implications attached to this proposal.

Information Technology

- 4.1 There are no tangible IT related implications attached to this proposal.

Equalities Impact

- 5.1 In preparing this report the relevance of the following factors has been considered: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sex.

There are no anticipated negative impacts from this decision.

Corporate objectives and priorities for change

- 6.1 This initiative links to the Public Health Outcomes Based Accountability (OBA) priorities on health risking behaviours and also supports priorities

included in the Council Plan: Resilient, Healthy and Safe Communities and Effective Early Help for Individuals and Communities

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality of opportunity, environmental, health, property and transport considerations.

There are no anticipated negative impacts from this decision



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 23 February 2023

Report of the Director - Schools & Learning

Children's Services Determined Admissions Arrangements 2024 - 2025
(Cabinet Member for Education)

1. Divisions Affected

County Wide

2. Key Decision

Yes

3. Purpose

- 3.1 To report on the annual consultation, and to seek Cabinet approval for the proposed determined admission arrangements for the academic year 2024/25.

4. Information and Analysis

- 4.1 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' (September 2021) – requires that the admission arrangements for the 2024/25 academic year are consulted for a minimum of 6 weeks between October 2022 and 31 January 2023 and determined no later than 28 February 2023.

5. Consultation

- 5.1 Consultation information was posted on the Derbyshire County Council website from 14 October 2022, setting out the proposed changes to arrangements for the 2024/25 academic year.

The following were also consulted:

- (a) Community, Voluntary Controlled, Academy, Voluntary Aided and Foundation primary and secondary schools in Derbyshire.
- (b) Neighbouring Local Authorities and Diocesan Authorities.
- (c) Neighbouring authority schools which are adjacent to the County boundary and may be affected by Derbyshire's arrangements.

The consultation was publicised by schools' extranet and e-mail on 18 October 2022 and 8 November 2022. The consultation period finished on 27 November 2022 and the responses are shown below.

There are no changes proposed to the over-subscription criteria for community and controlled schools.

A copy of the arrangements is available on the Derbyshire County Council website. [School admission arrangements 2024 to 2025 - Derbyshire County Council](#)

Published Admission Numbers [PANs] The consultation included a number of proposed changes to school Published Admission Numbers (PANs) listed in Appendix 1. These have all been requested by schools and are in line with revised net capacity assessments. A number of objections have been received through the consultation period and these are detailed in 11.3. The changes recommended to go forward are listed in Appendix 2.

Fair Access Protocols There are no changes to the Fair Access Protocols. Copies of the Primary and Secondary Fair Access Protocols are available on the Derbyshire County Council website.

<https://www.derbyshire.gov.uk/education/schools/school-places/admissions/admission-arrangements.aspx>

Co-ordinated Admissions Scheme. It is proposed to make no significant changes to the Co-ordinated Admissions Scheme, other than to bring forward relevant dates into the 2024/25 admission rounds.

6. Alternative Options Considered

N/A

7. Implications

- 7.1 The DfE School Admission Code requires authorities to consult on their admission arrangements annually where they propose changes to the policy. If no changes are required, then the admission authority must consult once every 7 years. As the admission authority is making changes to published admission arrangements which include reductions, the council is legally obliged to consult and determine the admission arrangements for the 24/25 academic year by 28 February 2023.

8. Background Papers

School Admissions Code (DfE September 2021).
Schools Admissions Appeals Code (DfE October 2022).
2023/24 Consultation documents.
Proposed Admission Arrangements for community and voluntary controlled schools in Derbyshire for the 2023/24 academic year.

9. Appendices

- 9.1 Appendix 1 – proposed changes to Published Admission Numbers as per the consultation.
- 9.2 Appendix 2 – proposed changes to Published Admission Numbers following consultation.

10. Recommendation(s)

That Cabinet:

10.1 Considers the outcome of the consultation and approves the proposed determined admission arrangements for the academic year 2024/2025, with the exception of Appendix 1 which has been replaced with Appendix 2. Cabinet to consider the changes to PANs as detailed in Appendix 2.

11. Reasons for Recommendation(s)

- 11.1 To ensure legal compliance with the statutory obligations for school admissions as defined in the DfE School Admission Code (2021)
- 11.2 The consultation period has now closed.
- 11.3 A number of responses to the consultation were received in relation to the proposed PAN changes at Risley Lower Grammar School and Speedwell Infant School. A summary and consideration of the issues raised are included as Appendices 3 and 4.

12. Is it necessary to waive the call-in period?

12.1 No

Report Author: Nicola Sharpe

Contact details: Nicola.Sharpe@derbyshire.gov.uk

This report has been approved by the following officers:

<p>On behalf of:</p> <p>Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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Implications

Financial

1.1 None

Legal

2.1 None

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 None

Corporate objectives and priorities for change

6.1 Not applicable

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 Derbyshire County Council has a statutory duty to ensure there are sufficient primary and secondary school places and is committed to working in close partnership with schools, academy trusts, the dioceses and key partners to ensure that the supply of school places across Derbyshire is in the right location, is of sufficient size, is viable and of good quality. We know that schools can face challenges in meeting pupils' needs, particularly where pupil numbers are falling, and that in some cases, changes to the pattern of school organisation in an area can help secure the viability of schools, improve opportunities and raise standards.

Appendix 1

Published Admission Numbers for Community and Controlled Schools for 2024/25

Primarily as a result of a review of the accommodation of the schools and the net capacity assessment of the buildings, proposed changes to Published Admission Numbers (PANs) for 2024/25 are as follows –

<u>School</u>	<u>Movement of PAN</u>	<u>Details</u>
Reductions		
Speedwell Infant School	40 to 30	Operational reasons
Risley Lower Grammar School	19 to 15	Review of accommodation

Increases

Hunloke Park Primary School	40 to 45	Expansion of accommodation
Ridgeway Primary School	15 to 25	Review of accommodation
Chapel-en-le-Frith primary School	60 to 75	Expansion of accommodation

All other PANs remain as published in the 2023/24 arrangements.

Appendix 2

Published Admission Numbers for Community and Controlled Schools for 2024/25

As a result of a review of the accommodation of the schools and the net capacity assessment of the buildings, proposed changes to Published Admission Numbers (PANs) for 2024/25 are as follows –

<u>School</u>	<u>Movement of PAN</u>	<u>Details</u>
Reduction		
Risley Lower Grammar School	19 to 15	Review of accommodation
Increases		
Hunloke Park Primary School	40 to 45	Expansion of accommodation
Ridgeway Primary School	15 to 25	Review of accommodation
Chapel-en-le-Frith primary School	60 to 75	Expansion of accommodation

All other PANs remain as published in the 2023/24 arrangements.

Appendix 3

Responses to the consultation on reducing the PAN of Speedwell Infant School.

The reduction has been requested by the leadership of the school due to the difficulties faced by operating at the current PAN of 40 and having an intake of 31 in September 2021. Reception intakes of 34, 31, and 32 are currently forecast for the next 3 years, those these may increase over time as a result of housing development across the area. As of September 2025, the reception intake is forecast to fall to below 30, however this does not include potential yields from housing developments. Analysis indicates that an additional 8 infant aged children will be residing within Speedwell's normal area by 2024.

This request would see the school reduce to an intake of 30 reception children per year ahead of forecast demand dropping below what the reduced PAN would be. Population data indicates all age cohorts aged 1 to 4 years broadly consistent with the ages currently in the school.

Financial viability is acknowledged as a critical issue for the school and one which needs to attract any support available in the form of financial assistance. However, there are a number of factors which need to be considered in terms of ensuring that sufficient local places exist for families within the normal area. An objection has been received to the proposal which highlights how the change might be detrimental to local families. The points made are set out below.

For context Speedwell Infant School is located alongside Staveley Junior School on College Avenue off the A619 in Staveley. Most pupils progress from the infant school to the junior school.

- The anticipated demand for reception places exceeds 30 for the next 3 years. Therefore, it is of concern that a number of families may be unable to access a Reception place at Speedwell Infants within that timescale. In terms of their ability to secure a local school place elsewhere it should be noted that 3 of the 5 other primary phase schools within 1 mile are projected to be oversubscribed. It is important not to prevent access to a school place at Speedwell Infants for a family resident in the normal area who might struggle to access education elsewhere due to travel distances and costs, these potentially being significant barriers to accessing education.

It is worth noting that the closest school to Speedwell for reception places is St Joseph's Primary school, which consistently operates at capacity, attracting a large proportion of it's pupils from Speedwell. Looking further afield, Inkersall and Poolsbrook could potentially offer alternatives for pupils unable to secure a place at Speedwell, however the other options of Hollingwood and Barrow Hill are projected to be full. There are another 5 primary phase schools within 2 miles.

- The school is located within an area of very high deprivation. The need to ensure that local school places are available is paramount. Any families unable to secure a place due to the reduction might find themselves in an impossible situation of having children already in Speedwell and/or the adjacent Staveley Junior School having to drop off and pick up at two different schools. This will potentially cause movement out of both Speedwell and Staveley to wherever primary places can be secured, exacerbating the longer-term problems of falling rolls in each of the two schools.
- In terms of future pupil numbers, there is a development of 400 dwellings at Inkersall Road which is due to start building at a rate of 50 per year as of 2022/23. This being in the normal areas of Speedwell and Staveley schools, as well as Inkersall's, we would expect this to increase pupil numbers as the development builds out. Likewise housing development in other schools' normal areas around the wider locality may reduce the numbers of places available at other schools for families in the Speedwell normal area and cause some 'push back', thus increasing demand for the school.
- The likely impact on Staveley Junior School needs to also be considered. If parents of pupils at Speedwell and Staveley are unable to secure a reception place for a younger sibling, they may need to remove their older child so that their children can attend the same primary school. This scenario could work to reduce numbers at both schools, potentially resulting in redundancies.

Recommendation –

In order to fulfil the statutory requirement to ensure sufficiency of local school places, it is the view of Children's Services Development that the proposal should not proceed at this point in time. It is recommended that the proposal is revisited in the next annual consultation and considered in light of current pupil projections and population data at that point.

Appendix 4

Responses to the consultation on reducing the PAN of Risley Lower Grammar School

This reduction was a request from the school on the basis of the unsuitability of the current PAN for their accommodation. The use of the rooms within school were considered and it is agreed that 15 fits well as a PAN and is more appropriate than the current 19.

Two representations were received in response to the consultation to reduce the PAN. The concerns have been summarised and considered below.

- Concern that the lower numbers will mean that the school will run only 3 classes and mix Key Stages:

The school have confirmed that they plan to run four classes. Reception would be a discrete class to allow the delivery of the EYFS curriculum without the need to divert attention to the National Curriculum for year one. There would be a KS1 class of 15 Y1 and 15 Y2. This would reach the legal maximum of 30 in an infant class. Key Stage 2 would be taught across two classes.

- The school will struggle financially in the longer term if it takes lower numbers, as 105 would never allow 4 full classes:

The school is currently prevented from running five classes of 30 children because the 5th classroom is too small, at 36 square metres, to accommodate a full class. The school has previously been able to employ five teachers with less than five full classes. The finances of the school do depend on the number of children, and they have calculated that they can afford four teachers (including teaching time from the Headteacher) for four classes.

- Concern that the reduction will prompt a downward spiral for the school and a fear that school will lose pupils and end up closing:

Governors and staff are keen to work with all concerned to prevent this from happening. A central attraction of the school is understood to be its small size and church links.

- A feeling of a lack of consultation with parents ahead of the proposal. Why weren't parents given the opportunity to ask questions, for example through an information evening?

Governors made the decision to pursue the PAN reduction with input from the stake holders represented in the Governing board. Parents were informed of the consultation and provided with a written account of the school leadership's assessment of what it would mean for current parents seeking to have siblings admitted to the school. The Headteacher has provided details of the process of engagement with parents, including an anonymous electronic survey and communication inviting further contact.

- Would there be further reductions in numbers in the future, seeing the school continue to decline in size?

An assessment of the capacity of the school indicates that 15 is a more suitable PAN than 19 due to the accommodation available. There are four good sized classrooms and no hall, and it is not envisaged that any PAN below 15 would be suitable. There are no plans to reduce the size of classrooms or the number from either the school or DCC.

- Why are school reducing to 105 instead of one which would lead to a population of 120? (this would be 17) What other options have been considered and why have they been rejected?

When looking at numbers it is necessary to have a workable class structure to deliver the curriculum. It is not as easy as 30 children x 4 classes equals 120 children. Then 120 children divided by 7-year groups equals a PAN of 17.

There is a legal class size limit for infant classes of 30 children. Working to a capacity of 120 would mean 17 reception age and 13 Y1 age in the first class. The second class would be 4 Y1, 17 Y2 and 9 Y3 children. The third class would be 8 Y3, 17 Y4 and 5 Y5. The last class would be 12 Y5 and 17 Y6. Having two classes with three-year groups in them (classes 2 and 3), as well as two classes with multiple curriculums or key stages (classes 1 and 2) is not a curriculum structure you would design.

If you wanted to avoid three years in one class, then you would split the 51 children in years Reception to 2 between two classes. The remaining 68 children would be split between two junior classes. This has small numbers in the infants but large numbers in the juniors. It would also require Reception and Y1 to be mixed.

It is worth noting that the upper range of the net capacity would allow school some flexibility to operate in excess of 105. It is possible to admit over PAN as and when there is demand and existing class sizes allow. This can be requested on a year-by-year basis through agreement with DCC.

- What are the pros and cons as envisaged by the school?

The school and DCC want the children coming in to have the best start at the school. It is the considered opinion of the Head, staff and Governors that a single age reception class provides that. The smallest classroom has been used for Reception previously but is too small and has no access to outdoor play space. EYFS need a large room with access to the outside (ie their current room). Providing this means that there are only three large rooms left for the rest of the school. These 4 rooms are those which are included on the Net Capacity Assessment and fit with a PAN of 15.

Recommendation -

It is the view of Children's Services Development that the proposal fits with the capacity of the school buildings and that all concerns voiced have been addressed by the school leadership.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 23 February 2023

Report of the Executive Director - Children's Services

**Children's Services SEND Capital Budget (High Needs Provision Capital)
Allocations**

1. Divisions Affected

1.1 Alfreton and Somercotes & Clay Cross South

2. Key Decision

2.1 This is key decision because it will result in the Council incurring expenditure totalling £1,480,000 and affects communities living or working in an area comprising two or more divisions/county electoral areas.

3. Purpose

3.1 To seek approval for allocations from the Children's Services SEND Capital allocation for projects at Swanwick School and Sports College and Pilsley Primary School (Chesterfield).

4. Information and Analysis

4.1 In 2017, the Department for Education (DfE) allocated a £215m fund from 2018 – 2021 to support local authorities to invest in provision for children and young people with special educational needs and disabilities (SEND) between birth and 25 years, to improve the quality

and range of provision available to families within the local authority. Further investments of £50m in May 2018 and £100m in December 2018 were made, totaling £365m.

The receipt of £1,750,202 for Derbyshire's share of the funding was included in the Executive Director's report of 25 February 2020 and also advised of a future allocation of £427,606 which would bring the total allocation to £2,177,809. The report approved the allocation of funding for three small projects totalling £43,278 leaving a remaining balance was £2,134,531.

On 29 June 2021 the Executive Director for Children's Services approved under delegated powers an allocation of £250,000 from the 2018-21 SEND capital budget for adaptations to the existing buildings to provide 2 additional places at Holbrook School for Autism.

Further allocations received from the Department for Education are detailed below.

2021-22 allocation announced March 2021 - £2,489,980

2022-23 allocation announced March 2022 - £6,233,592

2023-24 allocation announced March 2022 - £6,848,826

The current unallocated balance of the SEND capital budget is £17,456,929.

- 4.2 Swanwick School and Sports College – modular classroom. Following the SEND sufficiency survey, it was established that there was a need for an additional 8 places at the College. The project is to provide a single classroom to increase the capacity in the school and it has been designed to allow for further expansion. It will be necessary to negotiate a small amendment to the academy lease to the adjoining Swanwick Hall School as there is a small encroachment onto their site. The scheme has been costed at £625,000.
- 4.3 Pilsley Primary School (Chesterfield) – modular classroom, internal remodelling and sensory pod. Some years ago, one of the mainstream classrooms was converted to an Enhanced Resource (ER) space however this has now created pressure on the mainstream capacity in the school. The proposed classroom will be a purpose built, dedicated space for the ER and the sensory pod will enhance the provision for both the ER and other pupils in the school. The internal remodelling will be required to put the current classroom back into use for mainstream pupils. The scheme has been costed at £855,000.

- 4.4 If the allocations set out above are approved the unallocated balance of the Children's Services SEND Capital budget will be as detailed in the Appendix 1 – Financial Implications.

5. Consultation

- 5.1 Not applicable.

6. Alternative Options Considered

- 6.1 The SEND Capital budget is an allocation of capital from the DfE. This capital grant is to deliver new places and improve existing provision for children and young people with SEND, particularly those with more complex needs, and for those pupils that require alternative provision, which is collectively referred to as 'high needs' provision.

The grant must be spent in accordance with the terms of the grant to support the Council in its duty to ensure there are sufficient places and improve existing provision in the County children and young people with SEND and cannot be used for any alternative purposes. The proposed schemes have been identified as areas of need from a review of SEND provision within the County.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 These are held in the Children's Services Development Section.

9. Appendices

- 9.1 Appendix 1 – Implications

10. Recommendation(s)

That Cabinet:

- a) Notes the allocation and receipt of further funding from the DfE as detailed in 4.1.
- b) Approves the allocation of £625,000 from the SEND capital budget 2018-21 for the project at Swanwick School and Sports College.
- c) Approves the allocation of £855,000 from the SEND capital budget 2018-21 for a project at Pilsley Primary School (Chesterfield).

11. Reasons for Recommendation(s)

- 11.1 To ensure the Council meets its duty to ensure there are sufficient places and improve existing provision in the County for children and young people with SEND, particularly those with more complex needs, and for those pupils that require alternative provision.

12. Is it necessary to waive the call in period?

- 12.1 No

Report Author: Jill Beacham

Contact details: Jill.Beacham@derbyshire.gov.uk

Implications**Financial**

- 1.1 The financial considerations are as explained in section 2 of the report.
- 1.2 The unallocated balance of the Children's Services SEND Capital budget is as set out in the table below:-

Year	Opening Balance £	Allocations in this Report	Balance £
2018-21	1,884,531	1,480,000	404,531
2021-22	2,489,980		2,489,980
2022-23	6,233,592		6,233,592
2023-24	6,848,826		6,848,826
Total	17,456,929	1,480,000	15,976,929

- 1.3 All goods, works and services required to undertake the identified projects in the report will be procured and awarded in accordance with the Council's Financial Regulations.
In-line with the Council's Financial Regulations this report also seeks approval from Cabinet to obtain permission to commence the procurement process. The projects will be considered as included within the Council's Forward Procurement Plan and any subsequent contract award will be in accordance with the Council's Departmental Scheme of Delegation. It should be noted that these procurement exercises will normally take the form of a competitive tender process, but should it be decided that using a Framework is the best option, a separate report will be submitted seeking approval for this.

Legal

- 2.1 The Education Act 1996 sets out the statutory duty on local authorities to secure sufficient school places, which they must do with regard to securing special educational provision for pupils with SEND. The Children and Families Act 2014 also places important responsibilities on local authorities (LAs) for supporting children and young people with SEND, including keeping the sufficiency of educational provision for them under review.
- 2.2 The funding allocations are made in accordance with the local authority's financial regulations.

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 The proposed schemes will provide specialist provision for pupils with SEND and ensure their access to education appropriate to their needs.

Corporate objectives and priorities for change

6.1 Not applicable

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 Not applicable



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23rd February 2023

Joint Report of the Executive Director for Children's Services and Interim Director of Finance & ICT

**Schools Block Funding Settlement 2023-24
(Education)**

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 Yes, this is a key decision that will determine the budgets of mainstream schools and academies for all divisions and communities within Derbyshire. This is a Key Decision because it is likely to result in the Council incurring expenditure which is significant, having regard to the budget for the service or function concerned (this is currently defined as £0.500m).

3. Purpose

3.1 Cabinet is asked to approve the basis for calculating mainstream school and academy budgets for 2023-24.

4. Information and Analysis

4.1 Background

On 16th December 2022, the DfE published local authorities' Dedicated Schools Grant (DSG) allocations for 2023-24. Details of Derbyshire's allocation are summarised in Table 1 Below.

Table 1 – Derbyshire DSG Block Allocations 2023-24

Block	2023-24 £m	2022-23 £m	Change £m	Change %
Schools*	553.503	538.817	+14.686	+2.73
Schools - Pupil Growth	2.493	2.509	-0.016	-0.64
High Needs	111.255	100.293	+10.962	+10.93
Early Years	44.910	41.648	+3.262	+7.83
Central School Services	4.412	4.591	-0.179	-3.90
Total DSG	716.573	687.858	+28.715	+4.17

*Comparative rates have been adjusted for the 2022-23 Supplementary Grant

It should be noted that following the Chancellor of the Exchequer's Autumn Statement 2022, the settlement also included a Maintained Schools Additional Grant (MSAG) worth around £19.411m. This grant, which is equivalent to a further 3.6% increase in schools' delegated resources, will provide additional funding for the 5 to 16-year-old age range and will be available to maintained primary and secondary schools, academies and free schools. The grant is outside of the DSG and the National Funding Formula (NFF). The Education and Skills Funding Agency (ESFA) propose publishing institution-level allocations in Spring 2023 based on the following:

- Primary £119 per pupil
- Key Stage 3 £168 per pupil
- Key Stage 4 £190 per pupil
- Lump sum £4,510 per school
- £104 per eligible primary pupil on the Free School Meal Ever 6 count
- £152 per eligible secondary pupil on the Free School Meal Ever 6 count

The amounts calculated will be paid by the ESFA to academies directly and to local authorities for onward distribution to maintained schools, Authorities will not be allowed to vary the amounts calculated by the ESFA for maintained schools. The ESFA intend that the grant will be subsumed into the DSG and mainstream NFF for 2024-25.

The remainder of this report considers the Schools Block of the DSG which funds mainstream maintained and academy schools' formula budgets, the other blocks will be the subject of further reports to Cabinet in the next few weeks.

4.2 Schools Block Settlement 2023-24

The 2023-24 allocation for Derbyshire is set out in Table 2 below.

Table 2- 2023-24 Schools Block allocation

	Primary		Secondary		
	2022-23	2023-24	2022-23	2023-24	
Primary & Secondary Units of Funding (PUF/SUF) per pupil	£4,772.87	£5,041.46	£5,822.05	£6,146.50	
Including Supplementary Grant	£4,915.51		£6,002.10		
£ increase in PUF/SUF		£125.95		£144.40	
% increase in PUF/SUF		+2.56%		+2.41%	
Oct 2021 & 2022 pupil counts	58,294	57,865	40,449	41,084	
Sub-total excl. premises (£m)	286.545	291.724	242.779	252.520	
Premises - PFI (£m)	0.000	0.000	2.503	2.934	
Premises - Split site (£m)	0.100	0.104	0.137	0.143	
Premises - Rates (£m)	3.582	3.535	2.758	2.475	2023-24
Premises – Except'nl site (£m)	0.042	0.046	0.085	0.089	Total £m
Total ex Pupil Growth Fund	290.283	295.406	248.262	258.097	553.503
Pupil Growth Fund	0.576	0.755	1.933	1.738	2.493
Total Schools Block	290.859	296.161	250.195	259.835	555.976

The primary and secondary allocations have been derived from the mainstream NFF. Details of the NFF multipliers used in these calculations are provided in Appendix 2. The 2022-23 figures have been adjusted for the £15.598m of School Supplementary Grant (SSG) funding that has now been incorporated into the 2023-24 Schools Block and NFF multipliers. The 2023-24 NFF multipliers have increased by between 0.5% e.g. Minimum Per Pupil Level (MPPL) threshold, to around 4.1% for deprivation. The basic entitlement and lump sum allocations received by all schools have increased by 2.4% on a like for like basis.

4.3 Schools Block allocations 2023-24

Applying the NFF multipliers to the DfE's published school formula data is estimated to cost £557.379m, a shortfall of £3.876m compared to the Schools Block total allocation, excluding Pupil Growth Fund. The £3.876m shortfall is largely due to increases in deprivation, as measured by the Ever 6 and free school meals indicators, business rate revaluations and low prior attainment.

The calculated cost assumes a Minimum Funding Guarantee (MFG) of 0.5% per pupil and no cap on individual schools' year on year gains. The MFG mechanism provides a minimum year on year per-pupil increase for each school and the DfE requires LAs to set their own rate within national parameters, 0% to +0.5% being the limits for 2023-24. The rate of +0.5% was proposed in the Authority's consultation with schools and was widely supported by respondents.

It is permissible to use resources within the Pupil Growth Fund (PGF) element of the Schools Block to support mainstream school formula budgets and help close

the shortfall. In addition to providing general support for mainstream budgets, the purposes of the PGF are to:

- (i) support schools with significant in-year increases in pupil numbers;
- (ii) help individual schools meet Key Stage 1 class size requirements; and
- (iii) provide support to new Free Schools over and above their formula allocations whilst their numbers on roll build up.

PGF allocations are a matter for the Schools Forum rather than the Council. The shortfall was anticipated and Schools Forum have already given consideration to the capacity within the PGF to support mainstream school formula budgets, at its meeting on 15th December 2022 the Schools Forum agreed a £0.500m contribution plus a further £0.250m to fund the increase in free schools' pupil numbers from September 2023.

The above allocations left the remainder of the PGF (£1.743m) available to meet the other responsibilities listed in (i) – (iii) above and the Forum agreed the following allocations for next year:

Table 3 Approved Pupil Growth allocations 2023-24

	2023-24
Budget	£m
In year pupil growth – Free Schools	0.250
Support for formula budgets	0.500
Contribution to Free School reserve	0.500
In year pupil growth – Other schools	0.300
Key Stage 1 class sizes	0.450
Residual contingency	0.493
Total	2.493

As a result of the School Forum's decisions, the total resources available next year has increased to £554.253m, leaving a residual shortfall of £3.126m. In order to contain the cost of school budgets within the total resources available, the balance of the shortfall will be met by a 0.70% pro-rata reduction in formula multipliers. Schools and Schools Forum were consulted on this in autumn 2022, and their response is summarised in section 5 below.

The indicative allocations for 2023-24 are summarised in Appendix 3.

4.4 De-delegated and top-sliced resources

Schools Forums are permitted to take-back monies delegated through the formula to mainstream schools to fund a range of prescribed functions. Academies' budgets are not subject to de-delegation and therefore remain responsible for meeting their own costs directly.

In September 2022 the Authority consulted maintained schools on which services should be funded via de-delegated resources for 2023-24 and the results were reported to the Schools Forum meetings in October 2022. Given the widespread

support from schools, the Schools Forum agreed to approve the de-delegation of funds once more for 2023-24, a list of the relevant services is provided in Appendix 4. It should be noted that the list of services no longer includes cover for the reduction in the School Improvement Monitoring and Brokering Grant (SIMBG) which supports school improvement activities. This funding was agreed by Schools Forum in January 2022 as a short-term solution for 2022-23 only. The SIMBG ceases at the end of 2022-23 and no replacement funding will be de-delegated in 2023-24, Options are being considered for reshaping the offer by the school improvement service in response to this withdrawal of grant.

The decision to accept responsibility for costs funded from de-delegated and top-sliced resources is a matter for Cabinet and it is recommended that Cabinet agree to the Schools Forum’s request for 2023-24.

The proposed de-delegation and top-slice rates for 2023-24 are summarised in Appendix 4.

5. Consultation

- 5.1 The Authority has previously consulted schools and academies on the distribution of the Schools Block and there has been general support for the Authority’s approach of mirroring the NFF in its own local formula, as far as resources permit.

With regards to the proposals for 2023-24 in this report, schools, academies and the Schools Forum were consulted on the need to cap or scale NFF multipliers in order to make the local formula affordable within the School Block allocation and were provided with the detail of how the local formula multipliers would be affected as a consequence. 110 schools responded to the consultation, 79% of responses supported the Authority officers’ recommendation to pare back all multipliers. 89% of respondents supported the Authority officers’ recommendation to set MFG at 0.5%.

LA maintained schools were also consulted in the summer of 2022 on the de-delegation of resources for 2023-24. 103 schools responded to the consultation.

Table 4 – Responses to de-delegation consultation

	Percent of responses supporting de-delegation							
	Contingencies	Maternity	Public Duties	Trade Union FT	School Improv’t	Costs of redundancy	Fmr ESG services	Insurance
Primary	94%	97%	94%	90%	88%	95%	93%	95%
Secondary	66%	n/a	n/a	83%	100%	83%	83%	100%

The results of the consultation were reported to at the October 2022 meeting of Schools Forum and maintained primary and secondary school representatives agreed to request to continue de-delegation in all areas.

6. Alternative Options Considered

None, the proposals will continue to ensure the LA's formula allocations mirror the NFF as closely as possible within the available resources.

7. Implications

Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 DfE document: - Schools revenue funding 2023 to 2024 Operational guide December 2022 Publication
- 8.2 Consultation de-delegation letter to schools 24 June 2022 - ref SK0001
- 8.3 Derbyshire Consultation: Proposed Changes to School and Academy Funding 2023-24 Funding Consultation Autumn 2022 published 22nd September 2022.
- 8.4 Schools Funding settlement announcement 16th December 2022

9. Appendices

- 9.1 Appendix 1 - Implications.
- 9.2 Appendix 2 - National Funding Formula multipliers 2023-24
- 9.3 Appendix 3 - Analysis of mainstream formula budgets 2023-24 by indicator
- 9.4 Appendix 4 - List of proposed de-delegated and top-slice funded services 2023-24

10. Recommendation(s)

That Cabinet:

- a) Notes the overall DSG settlement for 2023-24 and the additional grant for schools;
- b) Notes the Schools Block allocation for 2023-24;
- c) Notes the National Funding Formula multipliers set out in Appendix 2;
- d) Approves the local mainstream formula multipliers set out in Appendix 3 as the basis for calculating Derbyshire school and academy budgets;
- e) Approves a Minimum Funding Guarantee of 0.5% per pupil for 2023-24;
- f) Approves that no cap on individual school gains will be applied in 2023-24;
- g) Approves the request from the Schools Forum to de-delegate/top-slice funds from LA maintained primary and secondary schools' 2023-24 budgets for the services listed in Appendix 4;
- h) That Cabinet notes the Pupil Growth Fund settlement and the budget decisions approved by the Schools Forum.
- i) Approves that any matters of detail regarding the calculation of school budgets be delegated to the Executive Director for Children's Services and the Interim Director of Finance & ICT in consultation with the Cabinet Member for Education; and

j) Agrees to receive further reports on the other DSG blocks at future meetings.

11. Reasons for Recommendation(s)

11.1 To ensure the Authority meets its statutory obligations in determining mainstream school and academy budgets for 2023-24.

12. Is it necessary to waive the call in period?

12.1 Yes.

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Implications

Financial

- 1.1 The Authority's current and projected accumulated DSG deficit mean that the costs of school and academy formula budgets must be contained within the quantum set by the DfE. The report's proposals, as set out in sections 4.1 to 4.4 above achieve this.
- 1.2 The formula proposals were submitted to the Education and Skills Funding Agency (ESFA) before 20st January 2023 for approval and to ensure compliance with the Regulations and associated guidance.

Legal

- 2.1 The Designated School Grant and allocation of block funding are made pursuant to the Education Act 2002, the School Standards and Framework Act 1998 and the Education and Inspections Act 1998. The proposed allocations are in line with the statutory DfE Guidance as set out in Schools operational guide: 2023 to 2024 - GOV.UK (www.gov.uk)

Human Resources

- 3.1 None

Information Technology

- 4.1 None

Equalities Impact

- 5.1 None

Corporate objectives and priorities for change

- 6.1 The proposals will support the Council's objective to work creatively together to inspire and empower children, young people and their families and communities to be the best they can be: safe, healthy, happy, learning and working.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 None

	2023-24 Multiplier	2022-23 Multiplier	Increase	Increase
Primary	£	£	£	%
Basic Entitlement per pupil: KS 1 & 2 ¹	3,394.00	3,314.00	80.00	2.40%
Deprivation: Current Free School Meals	480.00	470.00	10.00	2.40%
Deprivation: Ever 6 Free School Meals ¹	705.00	675.00	30.00	4.30%
Deprivation: IDACI F	230.00	220.00	10.00	4.30%
Deprivation: IDACI E	280.00	270.00	10.00	4.30%
Deprivation: IDACI D	440.00	420.00	20.00	4.30%
Deprivation: IDACI C	480.00	460.00	20.00	4.30%
Deprivation: IDACI B	510.00	490.00	20.00	4.30%
Deprivation: IDACI A	670.00	640.00	30.00	4.30%
Low Prior Attainment	1,155.00	1,130.00	25.00	2.40%
English as an Additional Language (EAL)	580.00	565.00	15.00	2.40%
Mobility	945.00	925.00	20.00	2.40%
Lump Sum ¹	128,000.00	124,980.00	3,020.00	2.40%
Sparsity	56,300.00	55,000.00	1,300.00	2.40%
Minimum Per Pupil Level ¹	4,405.00	4,384.00	21.00	0.50%
	2023-24 Multiplier	2022-23 Multiplier	Increase	Increase
Secondary	£	£	£	%
Basic Entitlement per pupil: Key Stage 3 ¹	4,785.00	4,673.00	112.00	2.40%
Basic Entitlement per pupil: Key Stage 4 ¹	5,393.00	5,267.00	126.00	2.40%
Deprivation: Current Free School Meals	480.00	470.00	10.00	2.40%
Deprivation: Ever 6 Free School Meals ¹	1,030.00	989.00	41.00	4.30%
Deprivation: IDACI F	335.00	320.00	15.00	4.30%
Deprivation: IDACI E	445.00	425.00	20.00	4.30%
Deprivation: IDACI D	620.00	595.00	25.00	4.30%
Deprivation: IDACI C	680.00	650.00	30.00	4.30%
Deprivation: IDACI B	730.00	700.00	30.00	4.30%
Deprivation: IDACI A	930.00	890.00	40.00	4.30%
Low Prior Attainment	1,750.00	1,710.00	40.00	2.40%
English as an Additional Language (EAL)	1,565.00	1,530.00	35.00	2.40%
Mobility	1,360.00	1,330.00	30.00	2.40%
Lump Sum ¹	128,000.00	124,980.00	3,020.00	2.40%
Sparsity	81,900.00	80,000.00	1,900.00	2.40%
Minimum Per Pupil Level ¹	5,715.00	5,687.00	28.00	0.50%

Note 1 – 2022-23 supplementary grant multipliers have been added before applying % increase shown.
All 2023-24 multipliers are rounded.

Analysis of mainstream formula budgets 2023-24 by indicator

Appendix 3

Indicator	Primary			Secondary		
	2023-24	2023-24	2023-24	2023-24	2023-24	2023-24
	Count	Multiplier	Budget	Count	Multiplier	Budget
		£	£		£	£
Per Pupil – Key Stage 1 & 2	57,959.75	3,370.12	195,331,312	-	-	-
Per Pupil – Key Stage 3	-	-	-	25,081.00	4,751.33	119,168,107
Per Pupil – Key Stage 4	-	-	-	16,009.00	5,355.05	85,728,995
Current FSM	16,361.99	476.62	7,798,450	10,278.00	476.62	4,898,700
Ever 6FSM	16,881.37	700.04	11,817,630	11,293.00	1,022.75	11,549,915
IDACI F	4,925.51	228.38	1,124,887	3,466.52	332.64	1,153,102
IDACI E	6,829.69	278.03	1,898,857	4,593.82	441.87	2,029,869
IDACI D	2,642.50	436.90	1,154,507	1,783.13	615.64	1,097,767
IDACI C	3,082.94	476.62	1,469,390	2,187.81	675.22	1,477,251
IDACI B	3,024.74	506.41	1,531,757	2,049.74	724.86	1,485,776
IDACI A	761.76	665.29	506,793	537.26	923.46	496,141
Low Prior Attainment	17,027.70	1,146.87	19,528,563	9,306.25	1,737.69	16,171,381
English as an Additional Language	1,430.76	575.92	824,004	299.24	1,553.99	465,020
Mobility	200.95	938.35	188,558	0.00	1,350.43	
Lump Sum	354.00	127,099.39	44,993,184	45.00	127,099.39	5,719,472
Sparsity	48.25	55,903.88	2,697,628	0.25	81,323.75	20,330
Split site: <500m	4.00	2,909.84	11,639			
Split site: >500m	2.00	46,170.31	92,340	1.00	143,332.85	143,332
Private Finance Initiative	-	-	-			2,934,339
Rates			3,897,343			2,632,078
Exceptional Circumstances			42,489			89,599
Minimum Per Pupil Level			1,404,605			602,458
Minimum Funding Guarantee <small>see note 2</small>			202,648			11,084
Total Formula Budgets			296,516,594			257,874,726
TOTAL BOTH SECTORS						554,391,320

Note 1 – The multipliers are below the national rates in Appendix 2 as they have been reduced in line with the LA’s consultation to pare back multipliers in order to make the formula affordable with the overall schools block allocation, taking into account the £0.750m from the growth fund.

Note 2 – the Minimum Funding Guarantee has been set at 0.5% per pupil in accordance with the LA’s consultation.

List of proposed de-delegated and top-sliced funded services 2023-24

Appendix 4

			2023-24 Proposed		2022-23	
<u>Item</u>	<u>Purpose</u>	<u>Basis</u>	<u>Primary</u>	<u>Secondary</u>	<u>Primary</u>	<u>Secondary</u>
School Contingency Fund	e.g. schools in financial difficulty, exceptional unforeseen costs, unreasonable for a GB to meet	Per pupil	6.00	6.00	6.00	6.00
Insurance	Includes premises, cash in transit, public liability and employers' liability	Per pupil	22.75	22.75	22.25	22.25
Staff Costs: Maternity	Cover costs for staff on maternity, paternity or adoption leave	Per pupil	15.60	N/A	15.00	N/A
Staff Costs: Public Duties	Cover costs for staff on jury service.	Per pupil	0.21	N/A	0.20	N/A
Staff Costs: Trade Unions	Cover costs for staff undertaking union duties	Per pupil	4.28	4.28	4.12	4.12
School Improvement	Services include Leadership forums, single named contact for advice, guidance, signposting & support, e-noticeboard, reduced rate attendance at courses and conferences plus core package of 3 days of school improvement activity plus governor support package	Lump sum	2,950.00	2,950.00	2,850.00	2,850.00
	Replacement for school improvement monitoring grant	Lump sum	0.00	0.00	1,800.00	1,800.00
Redundancy (top-sliced)	Cost of release where agreed by LA as necessary	Per pupil	4.00	4.00	4.00	4.00
Former ESG (top-sliced)	Funds a range of HR, Finance, pensions, ICT and asset management functions	Per pupil	29.00	29.00	27.11	27.11

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

Report of the Executive Director - Corporate Services and Transformation

Update to Audit Charter
(Corporate Services and Budget)

1. Divisions Affected

1.1 Not applicable.

2. Key Decision

2.1 This is not a key decision.

3. Purpose

3.1 The purpose of this report is to inform Cabinet of the review and update of the Audit Charter, which is a specific requirement of the Public Sector Internal Audit Standards (PSIAS) and recommend that Cabinet endorses the Audit Charter as Council policy.

3.2 Cabinet are asked to:

a) endorse the Audit Charter as Council policy

4. Information and Analysis

- 4.1 Since the implementation of the PSIAS, the Council is required to formally approve an Audit Charter. The existing Audit Charter was considered and approved at a Cabinet meeting in January 2020.
- 4.2 The Audit Charter draws together existing practice and formalises procedures which are already embedded in the Council's governance framework (e.g., the provisions of Financial Regulations and Standing Orders relating to Contracts, the Anti-Fraud and Anti-Corruption Strategy, Fraud Response Plan, the requirements of Whistleblowing – The Confidential Reporting Code etc.) into a single reference document which embodies those requirements specified in the PSIAS.
- 4.3 The Charter is reviewed by the Assistant Director of Finance (Audit) in consultation with other appropriate officers and the Audit Committee to ensure it continues to reflect the requirements of the regulatory framework and key legislation on which it is based.
- 4.4 The following minor amendments have been made to the Audit Charter:
- Updated the dates of the latest Local Government Application Note (LGAN).
 - Reference is now made to the Managing Director as well as Executive Directors.
 - Updated title for Whistleblowing Policy.
 - Changed cover to reflect position of the Assistant Director of Finance - Audit.
- 4.5 The revised Charter is attached at Appendix 2.
- 4.6 The Audit Committee, acting in its role as “those charged with governance”, has endorsed the revised Charter and the PSIAS requires that the Audit Charter is approved by Cabinet.

5. Alternative Options Considered

- 5.1 Cabinet could decide not to approve the refreshed policy.

6. Implications

- 6.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

7. Background Papers

7.1 A file held by the Assistant Director of Finance - Audit.

8. Appendices

8.1 Appendix 1- Implications.

8.2 Updated Audit Charter

9. Recommendation(s)

9.1 That Cabinet:

a) Note the review of the Audit Charter and approve it as Council policy

10. Reasons for Recommendation(s)

10.1 To comply with the requirements of the PSIAS.

11. Is it necessary to waive the call-in period?

11.1 No

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Implications

Implications

a) Financial

None directly arising from this report.

b) Legal

The Council has a duty to maintain an adequate and effective system of internal audit of its accounting records and system of internal control.

Audit Services discharges the Council's statutory responsibilities under Regulation 5 of the Accounts & Audit Regulations 2015 and fulfils significant aspects of the Director of Finance & ICT's statutory duties under Section 151 of the Local Government Act 1972.

c) Human Resources

None directly arising from this report.

d) Equalities Impact

None directly arising from this report.

e) Corporate objectives and priorities for change

None directly arising from this report.

Other

None directly arising from this report.

DERBYSHIRE COUNTY COUNCIL
AUDIT SERVICES
AUDIT CHARTER



Dianne Downs
Assistant Director of Finance (Audit)



Introduction

The Relevant Internal Audit Standard Setters, which includes the Chartered Institute of Public Finance and Accountancy (CIPFA) in respect of local government across the United Kingdom, adopted a common set of Public Sector Internal Audit Standards (PSIAS) supplemented by a Local Government Application Note (LGAN) with effect from the 1st April 2013; the PSIAS were subsequently updated in March 2017 and LGAN in February 2019. The PSIAS requires the Council to adopt an Internal Audit Charter as part of the requirements of the Standards, this is fundamental to the effective delivery of internal audit within the Council.

Definitions

For the purposes of this Charter the following definitions of PSIAS terms apply at the Council:-

‘Board’	The Council’s Audit Committee
‘Senior Management’	Managing Director, Executive Directors and Directors
‘Chief Audit Executive’	Assistant Director of Finance (Audit)

Legislative/Regulatory Basis of Operation

The Council’s statutory responsibilities under Regulation 5 of the Accounts and Audit Regulations 2015, as amplified by the PSIAS, are discharged by the Audit Services Unit. It also discharges significant aspects of the Director of Finance & ICT’s statutory duties under Section 151 of the Local Government Act 1972 on his behalf. The Unit works closely with the Director of Legal and Democratic Services particularly in relation to promoting and maintaining good governance arrangements.

The Unit works in partnership with the Council’s appointed auditors, Mazars, in accordance with the agreed External and Internal Audit Protocol which clarifies the working relationship between Mazars and Audit Services and seeks to formalize areas of co-operation and assistance. The role and responsibilities under the PSIAS of the Unit are further clarified and reinforced in the Council’s Constitution, Financial Regulations and Standing Orders relating to Contracts, Anti-Fraud and Anti-Corruption Strategy, Fraud Response Plan, the requirements of the Whistleblowing Policy and the Unit’s Audit Manual.

Mission of Internal Audit

The Council recognises the mission of Audit Services as set out in the PSIAS:-

To aspire to enhance and protect organisational value by providing risk-based and objective assurance, advice and insight.

Definition of Internal Audit

The Council recognises the definition of internal audit formally set out in the PSIAS:-

Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Position of Audit Services within the County Council

The Council has a responsibility for ensuring that an effective system of internal control is maintained and operated in respect of the resources under its control.

The system of internal control can provide only reasonable and not absolute assurance that assets are safeguarded, that transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or should be detected within a timely period.

The system of internal control is based upon a framework which embraces regular management information, Financial Regulations and Standing Orders relating to Contracts, administrative procedures (including segregation of duties), Management supervision and a structure of delegation and accountability. Managers within the Council undertake development and maintenance of the system. In particular, the system includes:

- comprehensive budgeting systems;
- the preparation and regular review of periodic and annual financial reports which indicate financial performance against the forecasts;
- setting targets to measure financial and other performance;
- clearly defined capital expenditure guidelines;
- as appropriate, formal project management disciplines;
- clearly defined and adequately documented, approved procedural and operational guidance.

The internal control framework of the Council is subject to regular review by both Management and the Council's Audit Services Unit.

The Council's Audit Services is an assurance function which provides an independent and objective opinion to the Council on its framework of governance, risk management and control. This framework is subject to regular review by the Unit who, through a structured plan of operational and financial reviews, provide Management with assistance, advice and insight on systems, processes and risks and through this work form a view on the strength of individual aspects of control and the overall control framework.

Audit Services operates in compliance with the requirements of the Accounts and Audit Regulations and the PSIAS. This requires that the Council 'must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes taking into account public sector internal auditing standards or guidance.' These Regulations also require full assistance from officers and Members in the provision of access to documents and records and the supply of information and explanations to enable the proper fulfilment of those Audit responsibilities. The Unit's work conforms with the requirements of the PSIAS, professional best practice and locally by the policies, procedures, rules and regulations established by the Council.

Audit Services' Methodology

In assisting the Council to maintain and develop its control environment Audit Services' staff appraise and review the:

- completeness, reliability and integrity of information, both financial and operational;
- effectiveness of systems established to ensure compliance with policies, plans, procedures, laws and regulations, e.g. control/regulatory frameworks specified by the Members and Management of the Council, and externally by statute or regulatory bodies;
- means employed by the Council to safeguard its assets and recognize risks;
- effectiveness, efficiency and economy with which resources are employed;
- management and security of the Council's information assets including contractual arrangements with third parties;
- operations being carried out to determine whether planned objectives and goals are achieved.

The Audit Services' Manual contains procedures and Professional Standards, the requirements of Professional Best Practice, the Quality Assurance and Improvement Programme and guidance relevant to the work of the Unit. The Manual is held electronically and is available to all members of the Unit's staff.

Scope of Audit Services

Audit Services' remit covers all functions and services for which the Council is responsible. It has unrestricted access to all records, personnel (both Members and officers) and physical properties necessary for the purposes of its work, however and wherever these are held, in accordance with the requirements of the PSIAS. This includes Council information which is held or managed by third parties on the Authority's behalf.

Due to its detailed knowledge of the Council's systems and processes, Audit Services may undertake consultancy work in addition to its primary assurance role. Examples of this may include advice, facilitation and training. The scope of any consultancy work will be agreed with Management and will only be undertaken

where resources permit without impacting on the annual assurance process. In accordance with the PSIAS, approval will be sought from the Audit Committee before any significant, unplanned consultancy work is accepted.

The Director of Finance & ICT is the designated Section 151 Officer and also has line management responsibility for the Assistant Director of Finance (Audit). The Assistant Director of Finance (Audit) has direct access, as appropriate, to:

- all levels of management, including the Head of Paid Service, Director of Finance & ICT (Section 151 Officer), Director of Legal and Democratic Services (Monitoring Officer), Executive Directors/Directors;
- the Audit Committee, all Elected Members, including the Leader and the Chair of the Council;
- all employees of the Council;
- all agents, partners, suppliers and contractors of the Council and their staff.

The Assistant Director of Finance (Audit) reports directly to the Head of Paid Service and the Audit Committee.

Planning and Performing Audit Work

The Audit Services Unit has an Internal Audit Strategy supported by an annual plan of areas to be examined. This is based upon an assessment of risks and a determination of critical areas for opinion and assurance purposes. The Plan, which is approved by the Audit Committee, is reported to Cabinet and Council and is managed by the Assistant Director of Finance (Audit) throughout the year to ensure delivery of all key aspects of work and the requirement to produce an annual internal opinion on the Council's framework of governance, risk management and control. The performance of Audit Services and the outputs from its work are reviewed on an on-going basis by the Audit Committee which receives regular reports throughout the year on progress against the Audit Plan, assurance levels and recommendations made, accepted and implemented; the format of these reports is reviewed by the Audit Committee to ensure their continued relevance.

Further reviews of Audit Services' performance are undertaken by the Head of Paid Service as part of normal management arrangements and the Director of Finance & ICT as part of the review of the effectiveness of the system of internal control. External assessments of internal audit must be carried out at least once every five years by a qualified, independent assessor or assessment team.

Audit work encompasses both operational systems and those in development and through this work Audit Services:

- assist in formulating, promoting and maintaining sound governance arrangements;
- facilitate good practice in managing risks;
- contribute to ensuring sound resource management;
- recommend improvements in control, performance and productivity;

- provide reassurance and challenge to Managers;
- encourage development of consistent policies and high standards;
- ensure the impartial investigation of irregularities and policy breaches;
- support the achievement of statutory and best practice requirements.

The Constitution gives the Audit Committee overall responsibility for internal and external audit and Audit Services produce Annual Reports to that Committee outlining future planned work and reporting on delivery of the Audit product. The latter report includes the Assistant Director of Finance (Audit)'s opinion on the level of assurance which can be drawn from the work undertaken on the Council's framework of governance, risk management and control.

The assessment of the adequacy of the control environment rests upon the work of managers within the Council. It is informed by the work of Audit Services as described above and also by the work of External Audit as communicated in their annual audit letter and other reports.

Principle 2 of the published Statement on the Role of the Head of Internal Audit (HIA) in Public Service Organisations issued by Cipfa as a best practice requirement states *'The annual HIA opinion is the most important output from the HIA and is one of the main sources of objective assurance that Chief Executives and the leadership team have for their annual governance statement'*. Audit Services' Memoranda and Reports are issued throughout the year and addressed to appropriate Senior Management including the Managing Director, Executive Directors/Directors in accordance with the PSIAS. Audit Services routinely monitor and follow up actions taken to implement agreed recommendations.

Staff of the Audit Services Unit

The Assistant Director of Finance (Audit) must be professionally qualified and have wide experience of internal audit and management.

Audit Services must be appropriately staffed in terms of number, grade, qualification levels and experience to enable the Council's Audit Plan to be delivered effectively. Internal auditors must possess the knowledge (especially of Council activities), skills and other competencies needed to perform their individual responsibilities. Knowledge, skills and other competencies is a collective term which refers to the professional proficiency required of internal auditors to effectively discharge their professional responsibilities. Where the Assistant Director of Finance (Audit) believes that insufficient resources will impact on the provision of the annual audit opinion this will be reported to the Audit Committee.

Audit Services' staff are encouraged to demonstrate their proficiency by obtaining appropriate, relevant professional certifications and qualifications.

Code of Ethics

A Code of Ethics is a mandatory element of the PSIAS which applies to both individual auditors and to the Unit. This Code includes principles of integrity, objectivity, confidentiality and competence, and rules of conduct attached to each of these principles.

The integrity of internal auditors establishes trust and thus provides the basis for reliance on their judgement.

Accordingly, internal auditors are required to perform their work with honesty, diligence and responsibility, to exhibit the highest levels of professional objectivity, to make balanced judgements and not to be unduly influenced by their own interests, and that of others, in forming judgements.

All internal auditors in the public sector must also have regard to the Committee on Standards of Public Life's Seven Principles of Public Life – the Nolan principles.

Audit Services' staff are required by the PSIAS Code of Ethics to be sufficiently independent of the activities they audit so as to ensure that they are able to make impartial and effective professional judgements and recommendations. All staff are required, on an annual basis, to complete and submit to the Assistant Director of Finance (Audit) a return identifying any potential conflicts of interests or confirming that no such conflicts of interests exist.

Independence in the Council is achieved through the organizational status of Audit Services, the objectivity of Audit staff and the Assistant Director of Finance (Audit)'s freedom to report unedited, in their own name, directly to the Head of Paid Service and the Audit Committee.

Core Principles

Audit Services, individual auditors and the internal audit activity, comply with the following principles in delivering and achieving its mission:

- demonstrates integrity;
- demonstrates competence and due professional care;
- is objective and free from undue influence (independent);
- aligns with the strategies, objectives, and risks of the Council;
- is appropriately positioned and adequately resourced;
- demonstrates quality and continuous improvement;
- communicates effectively;
- provides risk-based assurance;
- is insightful, proactive, and future-focused;
- promotes organisational improvement.

Fraud and Irregularities

The Council takes a firm and positive approach to combatting fraud and corruption whether it is attempted on or from within the Authority, and is committed to an effective Anti Fraud and Anti Corruption Strategy which is supported by a Fraud Response Plan. These interrelated procedures are designed to frustrate any attempted fraudulent or corrupt act and cover:

- culture;
- deter and prevent;
- detection and investigation;
- training.

The investigation of alleged fraud and/or corruption centres on the Audit Services Unit and the Council's Financial Regulations and Standing Orders relating to Contracts require that all cases of suspected fraud, misappropriation or misuse of money, materials or equipment, or any mismanagement of money or other assets, or any other irregularities, must be reported immediately to the Assistant Director of Finance (Audit) who will investigate all such cases. The Unit will involve the relevant Executive Director/Director as appropriate and will undertake joint investigations if necessary.

The Council also has a Whistleblowing Policy which is intended to enable individuals or organisations to disclose information about malpractice internally and to provide them with protection from subsequent victimisation, discrimination or disadvantage. This Policy requires that where a concern is regarding financial irregularities or fraud then the Assistant Director of Finance (Audit) should be contacted.

Responsibilities of Management to Facilitate the Audit

All levels of Management have a role to identify key risks to their service and to ensure these risks are effectively mitigated to an adequate degree. Management is also responsible for ensuring that staff are aware of the processes and procedures required to operate the internal control systems.

Managers should assist Audit Services to discharge their duties by:

- the prompt provision of information and explanations that are sought by Audit Services' staff in the course of their work;
- providing input to the Audit Plan to ensure attention is focused on areas of greatest risk;
- providing early notification to Audit Services of plans for change, including new operational systems and processes;
- implementing agreed actions arising from Audit recommendations in a timely and effective manner;
- ensuring that all members of their staff are aware of the requirement to notify any suspicions of fraud, theft, or other irregularity, promptly to the Assistant Director of Finance (Audit) in accordance with the requirements of the Council's Financial Regulations and Standing Orders relating to Contracts.

In such instances the relevant Executive Director/Director should, in consultation with the Assistant Director of Finance (Audit), take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration;

- ensuring that, in consultation with the Assistant Director of Finance (Audit), where Council services are provided under contract by an external organisation, contractual documentation identifies the internal audit arrangements for those key systems including explicit rights of access.

Responsibilities of Audit

Under the Code of Ethics internal auditors are required to respect and contribute to the legitimate and ethical objectives of the organisation.

Internal auditors are required to continually improve their proficiency and effectiveness and the quality of their services.

In seeking to undertake their duties Audit Services will have regard to the resource requirements on Departments, respect information provided and protect its security.

Any concerns about how Audit Services are undertaking their duties should be addressed to the Director of Finance & ICT and the Head of Paid Service.

Arrangements to ensure the continuing relevance of the Audit Charter

The contents of this Charter will be reviewed by the Assistant Director of Finance (Audit) in consultation with the Head of Paid Service, other appropriate officers and the Audit Committee to ensure that it continues to reflect the requirements of the regulatory frameworks and key legislation on which it is based and will, in any event, be subject to a three yearly review on an on-going basis.



Agenda Item

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

**Report of the Executive Director Corporate Services and Transformation,
Executive Director Children Services, Executive Director Place,
Executive Director Adult Social Care and Health and Interim Director of
Finance & ICT**

**Asset Optimisation – To progress the arrangements for 01 April 2023 to
vire the budgets in respect of Tranche 1 assets for Corporate Property to
overview.**

Cabinet Member Corporate Services and Budget

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is not a key decision because it is not likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned.

3. Purpose

3.1 This report seeks approval from Cabinet for the arrangements for the virement of budgets from Council departments in respect of Tranche 1 assets (Appendix 2) to Corporate Property on 01 April 2023. The virement is detailed at Appendix 1 Paragraph 1.2.

4. Information and Analysis

- 4.1 This proposal follows the 14 January 2021 Cabinet decision to implement Asset Optimisation through Corporate Landlord which included the recommendation for a review of the impact of Asset Optimisation on resources in Corporate Property, support functions and service areas.
- 4.2 This proposal which includes three options for consideration follows the recommendation from the Asset Optimisation 'Strategic Decision-Making Group' meeting held on 14 October 2022 when it was recommended to progress with Option 3 (as set out in Paragraph 6.1 below).
- 4.3 The required budget arrangements is a prerequisite and integral to ensure the successful implementation and delivery of the Asset Optimisation model.
- 4.4 Derbyshire County Council covers 255,000 hectares and holds a land and property portfolio comprising over 4,469 separately listed assets. The primary objective for holding land and property is to enable the delivery of services to the people of Derbyshire and the strategic aim is to have appropriate and cost-effective buildings from which to deliver these services. Following the virement of the Tranche 1 budgets the Asset Optimisation Programme will then look to analyse and design a new fit for purpose Service Level Agreement as part of the transition to a Corporate Landlord model.
- 4.5 The Asset Optimisation Policy aligns with the Council's strategic approach and three key areas of activity contained within the Council Plan 2021-25: Vision Derbyshire, Enterprising Council and Thriving Communities.
- 4.6 The Council's Property Asset Management Strategy (the 'Strategy') and the Asset Optimisation Policy provide the foundation and a framework by which Corporate Property will operate going forward.
- 4.7 The Strategy has the following objectives:
- Ensuring that we have the right buildings in the right place to support excellent and dynamic service delivery
 - Creating the right kind of flexible spaces that work effectively and efficiently for everyone who uses them
 - Being ambitious and enterprising in how we manage our buildings to maximise value for money, income, and savings

- Strengthening partnerships to support co-location, co-delivery of services and more resilient communities
 - Responding to the climate change agenda by reducing our carbon footprint
- 4.8 Underpinning all of this and to be able to deliver and achieve these objectives is the support resource requirement to be able to capture and budget monitor the income and expenditure of property related revenue budgets from across the whole of the Council.
- 4.9 The current situation includes Services and Directorates undertaking reactive maintenance or project related works which from a holistic corporate estate this remains uncontrolled. The Property running cost budgets are held across the four departments and monitoring and forecasting is completed predominantly by Finance rather than the budget holders themselves. The property running costs (both budget and actuals) are not always recorded on a site-by-site basis and can be included amongst other revenue budgets that are not specifically property related. This not only makes obtaining a true financial overview extremely difficult and therefore resource consuming, it also sub-optimises Council-wide monitoring, control and decision making in alignment with Council strategies. The Council therefore needs to be able to capture how and where these expenditures are occurring as well as budget monitoring the situation moving forward which will be providing a single version of the truth in respect of how the Council is spending on assets across the whole of the Tranche 1 Estate (Appendix 2) initially and then on to the Council wide Estate.
- 4.10 In alignment with the current proposals and the phased approach it was necessary to firstly identify virement of budgets from the departments that are sufficient to fund the actual revenue costs estimated to be incurred in 2023-24. This means the virement of budgets sufficient to cover these estimated costs rather than transferring the 2022-23 budget amounts. Thereafter the centralised budget will be held and managed by Corporate Property, enabling a global view of the Council's Property running costs, both at the aggregate level and at a site-by-site level.
- 4.11 In respect of the delivery of Tranche 1 (Appendix 2) of the Asset Optimisation model (Appendix 3), budget transfers in respect of property and assets will be centralised to Corporate Property and this will be effective from 01 April 2023. On this basis and from 01 April 2023, Corporate Property need to be working with the council wide services to better understand their requirements to deliver in the most efficient, sustainable, and value for money approach.

4.12 The rationale for the outcome and concluded recommendations will be to ensure that:

- Corporate Property maintains effective budget monitoring to ensure value for money for an efficient estate which will be fit for purpose, to deliver the Council's objectives, and to deliver and manage financial savings from 01 April 2023. This requires the virement of budgets, creating cost centres together with adjusting the SAP arrangements.

5. Consultation

5.1 Not applicable. No formal consultation has taken place.

5.2 Officers have liaised internally at all levels within the organisation to ensure the recommendations are equitable, transparent and can be administered efficiently

6. Alternative Options Considered

6.1 The options considered include:

- 1) (Do nothing) Continue with the status quo with the dispersed and limited budgeting monitoring arrangement across all council wide services and directorates.
- 2) Undertaking the cost centres adjustments and linking the new cost centres to the assets UPRNs.
- 3) The virement of all Tranche 1 Budgets and undertaking the cost centre adjustments and linking the new cost centres to the Asset UPRNs.

Option 1 (Do nothing)

Continue with the status quo with the dispersed and limited budgeting monitoring arrangement across all council wide services and directorates.

Option 1 would continue the current arrangements providing limited budget monitoring across the wider Services and Directorates.

Benefits

- Reduces upfront resource cost to arrange

Drawbacks

- No single version of holding costs

- Admin cost to monitor and report holding costs.
- Disconnected revenue budget expenditure.
- Lack of known spending on an asset-by-asset basis.
- Lacking a strategic and professional property management approach and delivery

Option 2

Undertaking the cost centres adjustment and linking the new cost centres to the assets UPRNs

Benefits

- Corporate Property would be able to see and report the costs of running the assets.

Drawbacks

- The control of costs and budgets would remain with the services
- Not achieving any of the benefits as highlighted.
- Lacking the scope or ability for Corporate Property to challenge and thereby maintain robust cost and budget control.

Option 3

The virement of all Tranche 1 Budgets and undertaking the cost centre adjustments and linking the new cost centres to the Asset UPRNs.

This option will provide identified and correctly allocated revenue budgets and costs across the whole estate on an asset-by-asset basis in respect of all services and directorates with Corporate Property taking ownership of all budget requirements, spending, undertaking, and arrangements.

Benefits

- Correctly identified and allocated budget revenue costs on an asset-by-asset basis.
- Aligns with the objectives of the Asset Optimisation model.
- Providing a planned maintenance approach to maintenance.
- Providing improved Customer Experience.
- Ability to report true holding cost of an asset and the estate.

- Speed of implementation accelerated as resource can be brought in quickly.

Due to the budget monitoring efficiencies expected to be realised through centralisation the reduction in budgets should be more than commensurate to the resource requirement to be relinquished.

Drawbacks

- None

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 14 January 2021 Cabinet decision to implement Asset Optimisation through Corporate Landlord

9. Appendices

Appendix 1 Implications
Appendix 2 Tranche 1 Assets
Appendix 3 Asset Optimisation Policy

10. Recommendation(s)

That Cabinet approves:

- a) The Virement of Tranche 1 asset budgets to the Corporate Property budget from 1 April 2023 as at Appendix 1 Paragraph 1.2.

11. Reasons for Recommendation(s)

11.1 To provide identified and correctly allocated revenue budgets and costs across the whole estate on an asset-by-asset basis in respect of all services and directorates with Corporate Property taking ownership of all budget requirements, spending, undertaking, and arrangements.

12. Is it necessary to waive the call-in period?

12.1 No

Report Author:

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Corporate Services and Transformation | Derbyshire County Council |

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Appendix 1 Implications

Financial

- 1.1 The Council's Financial Regulations states amounts greater than £100,000 per annum resulting in a virement of funds between Departments requires the approval of the Cabinet.
- 1.2 The Revenue Budget Virement from each Service Department is based on Estimated 2023-24 Costs.

	Revenue Budget Virement £
PLACE	1,612,356
Adult Social Care & Health	1,610,338
Childrens Services	739,601
	<hr/> 3,962,296 <hr/>

- 1.3 The figures above are net of the inflationary impact which will be funded by the General Reserve for 2023/24.
- 1.4 Property running costs which are not funded by revenue budgets, including grant or income received in the Service Department, will be recharged back to the Service Department.
- 1.5 To avoid the double-counting of planned budget efficiencies and savings across departmental plans, there will be no virement of affected revenue budgets. The associated costs will be recharged back to the Service Departments and the committed savings and efficiencies will remain within the Service Department's plans and excluded from Corporate Property's Savings Plans

Legal

2.1 None

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 Asset Optimisation will enable the Council to deliver strategic objectives such as carbon reduction, stewardship and enhancing communities.

5.2 The benefits of Asset Optimisation have been highlighted in section 4 (Information and Analysis) of this report. Corporate Property will align to the Enterprising Council and the Council Plan. The aim is to create opportunities within Corporate Property and the Council for all of the current workforce and external appointees.

A consistent approach to property decisions will enable strategic delivery of accessibility and inclusion objectives.

Corporate objectives and priorities for change

6.1 This paper is the first stage to deliver the following Council Plan Key Action:

‘Completed a programme to centralise ownership, management, and responsibility for all of the Council’s land and property assets and budgets, within Corporate Property, to ensure the most effective use of land and buildings.’

In addition, the ability to report quickly and accurately will assist in speeding up the rationalisation of the Estate.

Other

7.1 Environmental Considerations

Asset Optimisation will enable the Council to deliver strategic objectives such as carbon reduction, stewardship and enhancing communities.

7.2 Health Considerations

Deliver a safe, clean, and welcoming asset base for employees and visitors.

7.3 Transport Considerations

Service delivery assets will be located in the most sustainable and accessible areas.

7.4 Prevention of Crime and Disorder Considerations

Asset Optimisation will identify and reduce the number of underutilised high-risk assets. This will reduce crime, secure cost savings, and reduce targeted crime specifically against Council assets.

7.5 Social Value Considerations

As detailed in section 4.5 and 4.6, Asset Optimisation will align with the Council's Strategic objectives.

7.6 Risks

Failure to allow the overview transfer and centralising costs could lead to the Council being unable to meet its statutory obligations relating to ensuring that a professional property approach is being taken towards the value for money objectives to be achieved through the Asset Optimisation delivery model as was recommended and approved by Cabinet on 14 January 2021.

No	Date	Description	Likelihood	Severity	Countermeasure
1		Budget monitoring and forecasting is not completed in accordance with cabinet reporting deadlines	High	High	
2		Budget monitoring resource ensures the accuracy of costings and forecasting - the risk is loss of reliable evidence base for strategic decision making leading to cost of suboptimal decision taking	Likely	High	Explore alternative options
3		Savings plans are based upon reliable and accurate budget information – if this is not maintained accurately actual savings realised will deviate from planned targets	Likely	High	

7.7 Interested Parties / Stakeholders

The stakeholder analysis below depicts the positioning of stakeholders to the project that sit outside of the project team. The analysis should be considered dynamic, as the positioning of stakeholders may move depending on how the project progresses and information becomes available. This could also increase the interest or power of stakeholders.

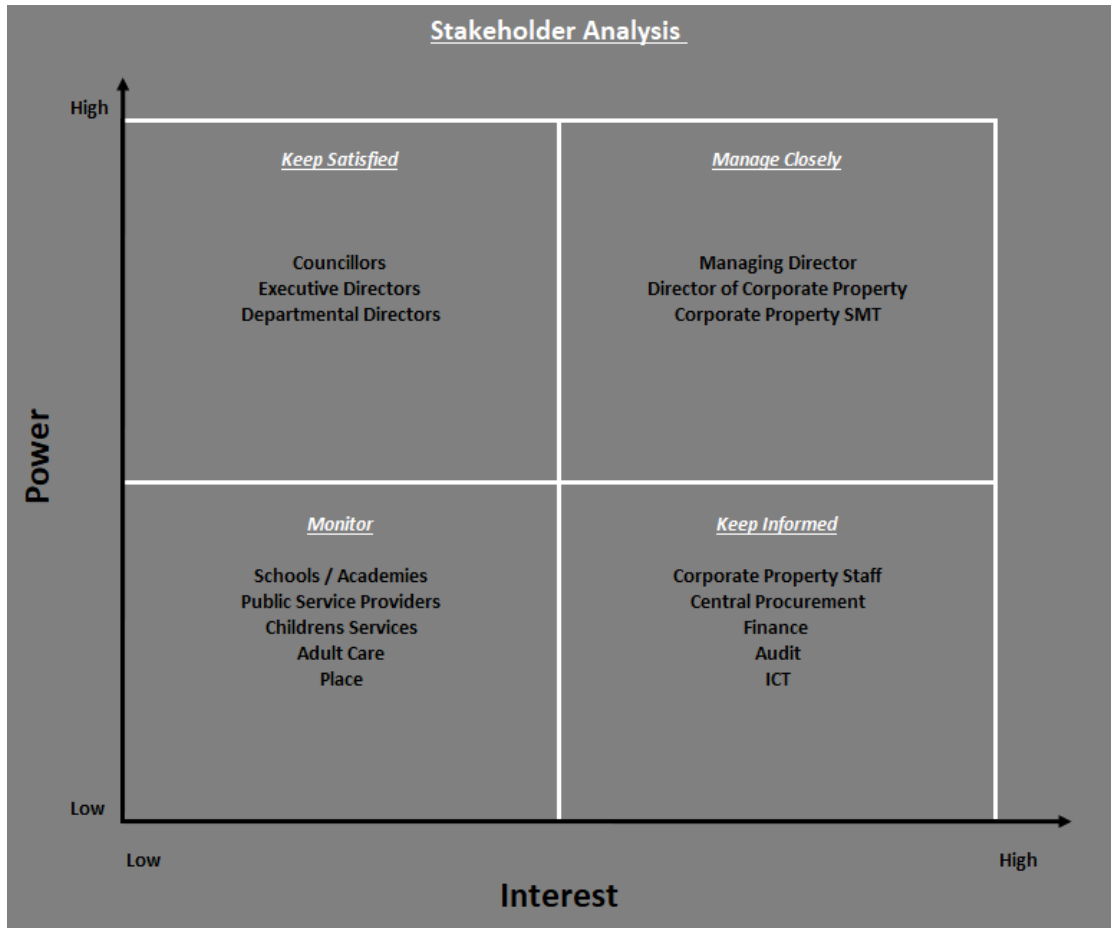


Figure 1 - Stakeholder Analysis

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UPRN	Property	Department	Primary Use
2896-01	Eagle Parade Offices, Buxton	Corporate Services & Transformation	Administration
4031-06	Quarry Road Caravan Site, Grin Low	Corporate Services & Transformation	Caravan Park
2927-01	The Fleet Centre, Belper	Corporate Services & Transformation	Community Centre
1790-01	Darley Dale Depot	Place	Depot
1791-01	Mayfield Road Depot, Ashbourne (Vacant)	Corporate Services & Transformation	Depot
1806-01	Alfreton Road Street Lighting Store	Place	Depot
1809-01	Willington Depot	Place	Depot
1812-01	Ambergate Depot	Place	Depot
1833-01	Denby Depot	Corporate Services & Transformation	Depot
2478-01	Brimington Road Workshops	Place	Depot
3280-01	Hallsteads Vehicle Workshop	Place	Depot
3310-01	Castle Ward Coachworks, Derby	Place	Depot
3435-01	Bridgemont Waste Site, Whaley Bridge	Place	Depot
3559-01	Ryder Point Works, Middleton Top	Place	Depot
4225-01	Stonegravels All Roads Depot	Place	Depot
2589-07	3 Church Street, Heanor	Place	Dwelling
2589-08	3b Church Street, Heanor (Vacant)	Place	Dwelling
2589-09	12 Church Street, Heanor	Place	Dwelling
2589-10	25 Church Street, Heanor	Place	Dwelling
2589-18	3 Gladstone Street, Heanor (SURPLUS)	Place	Dwelling
2589-23	5 Whysall Street, Heanor	Place	Dwelling
2598-01	315 Brimington Road, Chesterfield	Place	Dwelling
1848-01	Land to the Rear of Former Belper Library	Place	Land
2870-01	Manners Industrial Estate - Remaining Land	Corporate Services & Transformation	Land
3022-01	Codnor Gate Industrial Estate - Remaining Land	Corporate Services & Transformation	Land
1009-04	Somercotes Library	Place	Library
1098-01	Newbold Library	Place	Library
1842-01	Alfreton Library	Place	Library
1844-01	Clay Cross Library	Place	Library
1847-01	Wingerworth Library	Place	Library
1851-01	Duffield Library	Place	Library
1853-01	Etwall Library	Place	Library
1854-01	Bolsover Library	Place	Library
1855-01	Creswell Library	Place	Library
1856-01	Shirebrook Library	Place	Library
1861-01	Hayfield Library	Place	Library
1862-01	New Mills Library	Place	Library
1863-01	Tideswell Library	Place	Library
1864-01	Whaley Bridge Library	Place	Library
1865-01	Dronfield Library	Place	Library
1867-01	Old Whittington Library	Place	Library
1870-01	Hadfield Library	Place	Library
1871-01	Heanor Library	Place	Library
1872-01	Ilkeston Library	Place	Library
1875-01	Long Eaton Library	Place	Library
1876-01	Borrowash Library	Place	Library
1878-01	Sandiacre Library	Place	Library
1880-01	Matlock Library	Place	Library
1884-01	Wirksworth Library	Place	Library
1889-01	Staveley Library	Place	Library
1891-01	Eckington Library	Place	Library
1893-01	Swadlincote Library	Place	Library
1894-01	Melbourne Library	Place	Library
2444-01	Chesterfield Library	Place	Library
3245-01	Clowne Library	Place	Library
3338-01	Bakewell Library	Place	Library
3375-01	Gamesley Library	Place	Library
3373-01	Cheeky Monkeys Nursery	Corporate Services & Transformation	Nursery (External)
3079-01	Clay Cross Rangers Post (Declared Surplus)	Place	Rangers Post
4118-01	Derbyshire Record Office, Matlock	Corporate Services & Transformation	Record Office
3296-01	Markham Vale Environment Centre	Place	Small Business Centre

In AO Sc	Property Status	Property Nature	Virement
Yes	Operational Property	Managed - Non Dwelling	-11,000.00
Yes	Operational Property	Managed - Non Dwelling	300.00
Yes	Operational Property	Managed - Non Dwelling	500.05
Yes	Operational Property	Service Delivery	86,110.45
Yes	Vacant Property	Service Delivery	62,167.00
Yes	Operational Property	Service Delivery	0.00
Yes	Operational Property	Service Delivery	38,030.00
Yes	Operational Property	Service Delivery	134,033.49
Yes	Operational Property	Service Delivery	673.70
Yes	Operational Property	Service Delivery	71,735.87
Yes	Operational Property	Service Delivery	66,828.42
Yes	Operational Property	Service Delivery	85,888.75
Yes	Operational Property	Service Delivery	3,393.00
Yes	Operational Property	Service Delivery	38,280.48
Yes	Operational Property	Service Delivery	62,585.00
Yes	Operational Property	Managed - Dwelling	0.00
Yes	Vacant Property	Managed - Dwelling	0.00
Yes	Operational Property	Managed - Dwelling	0.00
Yes	Operational Property	Managed - Dwelling	0.00
Yes	Vacant & Surplus Property	Managed - Dwelling	0.00
Yes	Operational Property	Managed - Dwelling	0.00
Yes	Operational Property	Managed - Dwelling	468.00
Yes	Surplus Property	Land - Non-Tenanted	21,397.00
Yes	Non-Operational Property	Land - Non-Tenanted	4,343.61
Yes	Operational Property	Land - Non-Tenanted	450.00
Yes	Operational Property	Service Delivery	2,530.80
Yes	Operational Property	Service Delivery	6,845.61
Yes	Operational Property	Service Delivery	38,073.00
Yes	Operational Property	Service Delivery	18,023.50
Yes	Operational Property	Service Delivery	1,763.00
Yes	Operational Property	Service Delivery	6,363.00
Yes	Operational Property	Service Delivery	6,245.02
Yes	Operational Property	Service Delivery	32,050.00
Yes	Operational Property	Service Delivery	6,645.95
Yes	Operational Property	Service Delivery	16,266.00
Yes	Operational Property	Service Delivery	8,236.32
Yes	Operational Property	Service Delivery	12,951.28
Yes	Operational Property	Service Delivery	3,142.96
Yes	Operational Property	Service Delivery	10,539.48
Yes	Operational Property	Service Delivery	25,702.12
Yes	Operational Property	Service Delivery	1,790.00
Yes	Operational Property	Service Delivery	6,084.38
Yes	Operational Property	Service Delivery	28,547.50
Yes	Operational Property	Service Delivery	37,409.12
Yes	Operational Property	Service Delivery	26,915.75
Yes	Operational Property	Service Delivery	8,669.00
Yes	Operational Property	Service Delivery	14,112.75
Yes	Operational Property	Service Delivery	16,660.00
Yes	Operational Property	Service Delivery	18,125.00
Yes	Operational Property	Service Delivery	15,131.68
Yes	Operational Property	Service Delivery	22,075.12
Yes	Operational Property	Service Delivery	16,923.00
Yes	Operational Property	Service Delivery	5,570.00
Yes	Operational Property	Service Delivery	285,280.00
Yes	Operational Property	Service Delivery	9,515.33
Yes	Operational Property	Service Delivery	39,579.00
Yes	Operational Property	Service Delivery	13,226.83
Yes	Operational Property	Managed - Non Dwelling	40,035.12
Yes	Operational (Declared Surplus)	Service Delivery	16,514.13
Yes	Operational Property	Service Delivery	67,325.67
Yes	Operational Property	Managed - Industrial	-18,115.00

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Asset Optimisation Policy

2022-2025

1. Contents

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2. Introduction

Local Authorities across the UK hold large property portfolios (assets made up of buildings and land) which have been acquired, gifted, or inherited over many years.

'Derbyshire covers an area of 255,000 hectares. The county lies in the centre of England, forming the north-west part of the East Midlands Region' (PAMF 2019-2022).

'The primary objective for holding land and property is to enable the delivery of services to the people of Derbyshire and the strategic aim is to have appropriate and cost-effective buildings from which to deliver these services' (PAMF 2019-2022).

'The Council's land and property portfolio comprises over 4469 separately listed assets including homes for older people, day centres, country parks, libraries, adult education centres, schools, children's centres, and civic amenity sites' (PAMF 2019-2022).

It is important for the Derbyshire County Council to focus on how it uses all its resources, including, its land and buildings, to achieve its goals and deliver the priorities set out in the Corporate Plan.

This Asset Optimisation Policy document sets out clear principles and objectives together with the essential policies and actions for the Council's land and property portfolio which are required to ensure the delivery of the Council's estate.

2. Introduction

This policy aligns to the strategic approach and three key areas of activity contained within the Council Plan 2021-25:

Vision Derbyshire

- Collaborating with partners in new and powerful ways, maximising existing resources to collectively address complex challenges and shape future services to deliver better outcomes for local people and places

Enterprising Council

- Transforming the organisation, working as one council, ensuring we are prepared for the future and able to respond to the challenges and opportunities that lie ahead

Thriving Communities

- Supporting greater collaboration with and across our communities to bring about change, ensuring people and places thrive

Asset Optimisation brings the responsibility and accountability for land and property asset management, including all budgets and decisions, centralised within Corporate Property.

This policy aligns with the current and any future updating of the Council Plan.

This Asset Optimisation policy shall be implemented through a two-stage approach which consists of:

1. Tranche One: Administration Buildings, Offices, Adult Care Homes and all of the other assets (excluding Countryside, Parks, Schools, and Highways) as contained in Section 6 Scope of the Asset Optimising Model (Table 1: Asset Optimisation Model centralised Corporate Property managed).
2. Tranche Two: Countryside, Parks, Schools, and Highways as contained in Section 6 Scope of the Asset Optimising Model (Table 1: Asset Optimising Model centralised Corporate Property managed).

3. Asset Optimisation

3.1.1 Asset Optimisation Approach

The way Derbyshire County Council manages its land and property assets is important. The council needs to ensure that its land and buildings are managed as 'corporate' resources, the right stakeholders are involved, and decisions are made in the context of the council's priorities and objectives. Derbyshire County Council has adopted the Asset Optimisation model approach to the management of its land and building portfolio.

This Asset Optimisation Policy links to the Council's Asset Management Strategy (2021 – 2025) and supports the following objectives:

- Ensuring that we have the right buildings in the right place to support excellent and dynamic service delivery
- Creating the right kind of flexible spaces, with appropriate facilities, that are safe and work effectively and efficiently for everyone who uses them
- Being ambitious and enterprising in how we manage our buildings to maximise value for money, income, and savings

- Strengthening partnerships to support co-location, co-delivery of services and more resilient communities
- Responding to the climate change agenda by reducing our carbon footprint
- Underpinning all - Planned and preventative maintenance, asset challenge, performance benchmarking and performance monitoring

This Asset Optimisation model approach takes a more strategic approach to property and asset management across the council, bringing together all of property, facilities management, and commissioning responsibilities into a key Corporate Property function under the council's new functional Asset Optimisation model. This will ultimately enable the development and implementation of an estate that supports Derbyshire County Council's Council Plan and the wider corporate objectives of the Council.

This Asset Optimisation model approach ensures that property shall be centrally managed and maintained as a corporate resource by Corporate Property, with service directorates and maintained schools occupying corporate assets as 'Customers'.

This provides the best mechanism for driving a more strategic approach.

This Asset Optimisation model within the council enables new ways of working across Corporate Property Services and provides:

“A corporate and strategic approach to the management of the council's estate through the centralisation of property budgets and the responsibility for management, involving closer integration of property asset management and facilities management resources, and closer working with service directorates and partners on estate planning – supported by effective governance and decision-making.

A fundamental principle is that all property is treated as a corporate resource such that decisions on the management, maintenance and funding of property assets must be taken in the interests of the council to ensure best value for the taxpayers of Derbyshire.

The overall aim is to enable a more efficient and effective management of property, whilst optimising the estate and aligning it to the future delivery of council services”.

3. Asset Optimisation

Maintenance and statutory obligations are paramount for a compliant property estate, and it is vitally important that Corporate Property look after the Council's assets effectively. The overall arrangement is to ensure that the finite and reducing maintenance resources are prioritised to appropriate buildings, where the money is needed most and, in a way, to enhance the life of Derbyshire County Council's building assets.

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The Asset Optimisation Model relies on a robust governance structure in place which provides direction and transparency of the management of the Council's estate as set out below.

Asset Optimisation Principles 3.1.2

This policy establishes some clear principles by which the Council will manage its land and buildings. This will remain in place for the next five years but be reviewed annually to ensure it is still relevant to what the Council is trying to achieve. The principles include:

- To take a corporate approach to all property, land and buildings which involves bringing property together as a central resource managed by Corporate Property and maintained as a Corporate resource with Service Directorates and maintained schools occupying corporate property as "customers" which provides the best mechanism for driving a more strategic approach
- To ensure that Council Services occupy property that is in the right location, fit for purpose, economic to occupy and compliant with statutory and regulatory codes

- To optimise the value of the investment portfolio to provide valuable revenue income to support Council budgets
- To act as a professional service and effective Corporate Property function for the Council estate, managing it in the best interests of the Council and freeing up services to focus on delivery
- To align the Corporate Property Estate with the Council Plan as well as the Derbyshire Climate and Carbon Reduction Manifesto to 'reduce greenhouse gas emissions from the Council's buildings and operations'
- To deliver the objectives through strong relationships with the public and third sector partners and exploiting opportunities to deliver joined up services from shared buildings where possible

3. Asset Optimisation

Asset Optimisation enshrines the Council's strategies to ensure alignment to both service requirements and Council objectives, which includes:

Customer Offering

- The ownership of an asset and the responsibility for its management, maintenance and funding is transferred from service departments to Corporate Property, which is a centralised corporate body, with associated transfer of budget control
- Adopting a greater strategic focus and business partner approach to work closely with service directorates and partners to better understand their space requirements
- Alignment of the council's assets to enable service transformation and new ways of working, to be supporting the council's economic growth priorities and driving income generation through an enhanced investment portfolio

Processes

- Aligns to the end-to-end asset lifecycle with clearly defined accountabilities with responsibilities
- Contains sufficient controls to ensure that the council provides an estate that is healthy and safe, in compliance with statutory obligations and responsibilities

Technology

- Single point of accountability for asset data and systems
- An asset management system that provides a single version of the truth on the Council's estate

Information

- Enable robust data management to support effective strategic decision making across the estate
- Drive improved customer satisfaction through the definition of standards of service with effective performance management against Service Level Agreements and Service Level Standards

Organisation

- Integration of asset management, capital project and facilities management responsibilities and resources into a single business unit
- Increased strategic and project capacity and capability
- Help property / FM functions to be scalable and resilient to change
- Drive value for money in terms of internal resource and third party spend, with improved visibility and control of costs

People

- Retain, upskill and/or recruit the right people with the right skills and capabilities
- Retain a sufficient level of in-house expertise for intelligent supplier and contract management
- Retain a sufficient level of in-house expertise for planning, budgeting, and programme management

3. Asset Optimisation

Governance

- Adoption of the Asset Optimisation model ensures that all property is treated as a corporate resource such that decisions on property assets must be taken in the interests of the council to ensure best value for the taxpayers of Derbyshire
- Corporate capital/asset governance that supports effective decision making on council assets
- Corporate Property operates as a cost centre on an efficient basis with any surplus used to drive improvement in service delivery

Clarity

- Transparent and clearly setting out responsibilities and expectations for all occupiers of council owned properties

This Asset Optimisation Policy is based upon the alignment and requires the correlation of four key inputs:

Data

- Property to strategic level, accurate, reliable, and auditable data creating value and managing risk

Performance

- Interrogate and report data to enable Property to manage, measure and assess asset performance towards sustainable, social, and financial objectives

People

- Attract, develop, and retain a knowledgeable, ambitious, and happy workforce, providing an environment and culture to excel and succeed

Governance

- Effective governance facilitating collaborative decision making to deliver a consistent transparent and accountable property service

3. Asset Optimisation

Asset Optimisation Intelligent Client 3.1.3

The Asset Optimisation model is an 'Intelligent Client' model across Corporate Property with best-in-class supply chains supporting the functional disciplines of Estates Management, Property Maintenance and Improvements, Projects, and Facilities Management.

The Asset Optimisation model approach provides:

- A centralised, consistent, corporate, and strategic approach in the way that the estate is managed
- Consolidation and better planning of property resources
- Elimination of duplications of effort
- Improved efficiency and better management of risks
- Clear and consistent policies and end to end processes for property
- Assurance that the property portfolio is safe and fit for purpose

- Consistently procured property related services
- Comprehensive understanding of the performance of the portfolio and its use to inform the strategic decision making

Corporate Property's responsibility through the Asset Optimisation Model and the Corporate Property Asset Management Strategy 2021-2025 also extends further to the acquisition, development and disposal of land and buildings.

Corporate Property is responsible for asset planning, reviewing, feasibility, and options appraisal accounting for the needs of all service areas, but most importantly, making decisions based on overall corporate priorities.

Corporate Property is responsible for the following activities:

- Design and Project Management
- Statutory Compliance of Buildings
- Delivery of capital projects
- Energy Management

- Carbon Reduction within the property portfolio
- Management and Commissioning of Repairs and Maintenance
- Facilities Management (in relation to cleaning, catering, security, caretaking, and area facilities officers)
- Estates and Valuation Services
- Strategic Asset Management Planning
- Planning and maximising the safe mode of occupation of our buildings in line with the office Accommodation Policy
- Management of the council's Investment Property

4. Occupation of Property

Corporate Property through this Asset Optimisation Policy will ensure that occupiers of property have a clear understanding of the basis of their occupation and the respective responsibilities and obligations on Corporate Property as building owner and the occupier.

Where council owned properties are occupied by third parties, Corporate Property will ensure that there is appropriate occupational documentation in place between the council and the occupier, including leases, licences, or tenancies at will. These documents will clearly set out the terms of occupation and obligations on both Corporate Property and the Customer. Such documents will be prepared by either the Council's conveyancing department or, where appropriate, external legal advisors under the instructions of Corporate Property.

Where a corporate building is occupied by either a council service directorate or a maintained school, it is not appropriate to document the occupation with a lease, licence, or tenancy at will. Nevertheless, it is important and key to success that there is a clear understanding of the responsibilities of both parties in property terms. Accordingly, Corporate Property has prepared the Responsibilities Documents for use with service directorates and maintained schools.

These documents set out the respective requirements of “landlord” and “customer” and can be found in Appendices:

- a) Responsibilities Document – Service Directorates
- b) Responsibilities Document – Maintained Schools

This principle equally applies where council services are delivered from third party buildings. Provided that it is known, Corporate Property will ensure that all such arrangements are appropriately documented to ensure clarity of responsibilities and to ensure the safety and wellbeing of council staff.

5. Scope of the Asset Optimisation Model

The full range of Corporate Property responsibilities applies to the Council's operational buildings. The Responsibilities Document sets out the respective responsibilities and obligations of Corporate Property and the occupier service directorate.

As the way the Council delivers services changes, its assets will also need to change to support the Council as it moves forward.

There is a wide range of assets within the Council's current portfolio. It comprises offices, youth and community centres, social care centres, elderly people homes, car parks, leisure facilities, depots, schools, assets leased to community organisations, and some used to generate a commercial income etc.

Schools

Due to the nature of schools funding, budgets for maintenance and statutory compliance are devolved to schools. Accordingly, the responsibility for undertaking this work is also devolved to schools. The detailed implications of this are set out in the Responsibilities Document for Maintained Schools.

Land and Buildings held for Regeneration

The council purchases and owns some land and property to support its strategic regeneration aims for the Council. In such cases, Corporate Property will take responsibility for the management of the property and to work closely with the client service departments in the advisor role to support the strategic activities and the delivery of the strategic purpose of the asset. This arrangement supports economic regeneration towards increasing and centralising the Council's investment portfolio.

Due to the nature of regeneration projects, it is common for the asset to be held in the medium term during the delivery of the project. As part of the acquisition of such assets, the business case and financial modelling should include allowances for revenue holding costs of the asset during the life of the project.

Public Art and Sculpture Installations

Corporate Property shall maintain a schedule for the periodic inspection and maintenance of public art and sculpture installations located on council owned corporate land, including parks and the adopted highway.

Corporate Land Holdings

The responsibility for the maintenance and management of open space and operational land (e.g., parks) is vested in Corporate Property.

Corporate Property will provide advice and support to the responsible service directorate relating to estate management matters, including land encroachments, leasing, and other disposals. Service Level Agreements (SLA's) and Service Level Standards (SLS's) will form the basis of the arrangements between Corporate Property and customers. Buildings located within open spaces and operational land shall be managed by Corporate Property working closely with the service area to ensure the maximisation of the utilisation of the buildings.

Overview of the general types of Land and Buildings

Below is the overview of the general types of Land and Buildings assets which are captured within Corporate Property's Asset Optimisation Model: Table 1 confirms the Asset Optimisation Model centralised approach for the property estate by asset type and their management.

5. Scope of the Asset Optimisation Model

Asset Type TRANCHE 1	Number of Assets	Optimising Assets Corporate Centralised Property (CCP) Centralised Budget Managed			
		CS	ASCH	CST	Place
Academy	119	119			
Administration	35	18	6	11	
Adult Care Day Centre	21		21		
Adult Education Centre	17	17			
Car Park	2			2	
Caravan Park	4			4	
Children's Centre	22	22			
Children's Home	13	13			
Civic Amenity Site	13				13
Community Care (External)	3		3		
Community Centre	12	2	2	8	
Community Living Training Unit	1		1		
Community Supported Living Accommodation	8		8		
Coroner's Office	1			1	
Day Service for People with Learning Difficulties	2		2		
Depot	29			12	17
Dwelling	16		1	7	8
Education Centre	4	4			
Family Support Centre	6	6			
Garages	1			1	
Highways	74				74
Highways (Not Adopted)	31				31
Home for Older People/Community Care Centre	25		25		
Home Maintenance Scheme	1		1		
Industrial Estate	18			18	
Land	90	14	4	45	27
Library	40				40
Mental Health Project	1		1		
Museum/Art Gallery	1			1	
Nursery (External)	5			5	
Outdoor Education	2			2	
Playing Field	12			12	
Rangers Post	2				2

*Table continues

Asset Optimisation Policy 2022-25

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5. Scope of the Asset Optimisation Model

Asset Type TRANCHE 1	Number of Assets	Optimising Assets Corporate Centralised Property (CCP) Centralised Budget Managed			
		CS	ASCH	CST	Place
Reclaimed Land	40			7	33
Record Office	1			1	
Registrars	9			9	
Res. Home for People with Learning Difficulties	4		4		
Reserved School Site	8	8			
Residential Home for Adults	1		1		
Retail Space	1			1	
School House/Dwelling	6	6			
Shared Service Hub	2			2	
Small Business Centre	6			5	1
Support Centre/PRU	3	3			
Telecommunications Site	1			1	
Workshop	2		2		
Youth Centre	18	18			
Academy	4	4			
Grand Total	737	254	82	155	246

5. Scope of the Asset Optimisation Model

Asset Type TRANCHE 2	Number of Assets	Optimising Assets Corporate Centralised Property (CCP) Centralised Budget Managed			
		CS	ASCH	CST	Place
Academy	34	34			
Car Park	1				1
Country Park	10				10
Infant School	47	47			
Junior School	35	35			
Nature Reserve	6				6
Nursery School	8	8			
Picnic Site	6				6
Primary School	176	176			
Primary School (Foundation)	5	5			
School Field	50	50			
Secondary School	11	11			
Secondary School (Foundation)	2	2			
Special School	7	7			
Telecommunications Site	2			2	
Trail	16				16
Tree/Plantation/Woodland	31				31
Visitor Centre	11				11
Grand Total	458	375	0	2	81

6. Corporate Property Asset Optimisation – Objectives

There are certain actions and behaviours that the Council need to adopt relating to the land and buildings. These are set out under each of the objectives, but not in any order of priority. It is also accepted that there will be occasions where some of these elements may appear to be in conflict. This Asset Optimisation policy will ensure that an appropriate balance is maintained between all these elements as decisions around land and buildings are made. These include:

1. To plan and manage property as a corporate resource for the benefit of the people of Derbyshire.

- To have clear corporate decision-making and challenge process on all property matters
- Property budgets are managed corporately to prioritise key investment needs
- Property is integrated with other resources
- Corporate Property will ensure effective balance between corporate and service priorities

- Corporate Property will work to ensure that property information is accurate, current, and comprehensive
- Capital Projects will be managed efficiently and effectively and prioritised to support the Council's Strategic Priorities
- Forward planning for property will be targeted at the Council's longer-term Programme

2. To provide the right property, fit for purpose, in the right place, to meet current service needs and to plan. Corporate Property will:

- Ensure that property is suitable and sufficient for service and to provide the optimal environment to enable and support blended working
- Ensure that property is flexible and is planned to respond to future need
- Ensure that property is secure, safe to use and fulfilling statutory requirements
- Work with service areas to understand their longer-term requirements, to plan for the future

- Undertake an ongoing asset challenge process to achieve incremental improvement in the portfolio through investment, disposal, and acquisitions
- Work with community organisations to optimise the use of assets where most beneficial and to support the delivery of essential services by the community sector

3. To manage and maintain property effectively, efficiently, and sustainably, together with optimising financial return and commercial opportunities from the rationalisation and disposal of land and buildings. Corporate Property will:

- Ensure property is suitably managed and maintained within budget constraints
- Challenge the current use of assets and identify co-location opportunities, to include partners, resulting in rationalisation and disposal of our land and buildings where appropriate
- Seek efficiencies in occupancy and utilisation and continue to introduce new ways of working

6. Corporate Property Asset Optimisation – Objectives

- Challenge the cost of property activities to drive performance improvement
- Seek to optimise financial return and commercial opportunities
- Ensure that property is as sustainable as possible in design, construction, operation, and maintenance

- Aim to reduce energy and water consumption, and CO2 emissions, using renewable energy where appropriate

4. To use land and buildings to stimulate development and growth, together with supporting local business needs and encouraging new business to the area. Corporate Property will:

- Use key assets to stimulate and support regeneration and inward investment
- Utilise investment for income generation and to create local employment and training opportunities
- Manage our commercial portfolio

5. To promote joint working where it will provide benefit for service delivery and in securing efficiencies. Corporate property will:

- Work with other agencies to promote co-location and joint service delivery to support the integration of health and social care

7. Asset Optimisation Policy – Planned Approach

Asset Optimisation provides a planned approach to the management of Corporate Property.

The key drivers for this policy are set out below:

- Adopting the centralised Corporate Property approach to the management and financial control of all the Councils property estate
- Rationalisation of the estate to attain operational efficiency and maximising outcomes towards operating efficiently
- Addressing the essential maintenance needs of our remaining buildings through a formal planned maintenance programme designed to address ongoing maintenance requirement and planned capital investment
- Complying with statutory regulations - ensuring that actions are taken to ensure that buildings are compliant with statutory obligations in respect of Fire, Legionella and Asbestos

- Optimising income - protecting existing income streams from assets and investing in buildings where additional income can be generated
- Using less energy - improving energy efficiency in our offices and other buildings and reducing running costs
- Enabling more efficient and centrally - working more flexibly within our buildings, through promotion of property systems which provides the single version of the truth, agile working, and providing modern fit-for-purpose workplaces
- One Public Estate – collaborative working with Public Sector providers on strategic planning and management of their land and buildings as a collective resource
- Serving our customers more efficiently - focusing on what our customers want and need, using better accessible and inclusive facilities

8. Maintaining the Assets

Maintenance and statutory liabilities are a major financial cost to the council, and it is vitally important that Corporate Property look after our assets and ensure that they are fully compliant and safe to use. This Asset Optimising will ensure that the finite and reducing maintenance resources are prioritised to appropriate buildings, where the money is needed most.

Corporate Property will identify estate-wide property priorities by conducting a rolling programme of condition surveys which aims to understand maintenance requirements over a period of 10 years, with aspirations to complete lifecycle condition surveys on selected assets to cover a period of 25 years. This will enable a better-informed decision-making approach and maximise efficiencies by planning over a longer time horizon, instead of reacting to emergencies as they happen. Furthermore, the use of a planned maintenance approach allows the life of building assets to be enhanced through the incremental repair and replacement of building components rather than building replacement.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

Report of the Interim Director of Finance & ICT

East Midlands Combined County Authority Financial Arrangements
(Corporate Services & Budget)

1. Divisions Affected

1.1 Countywide.

2. Key Decision

This is a Key Decision because it is likely to result in the Council incurring expenditure which is, or savings which are, significant, having regard to the budget for the service or function concerned (this is currently defined as £0.500m).

It is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 To approve the receipt of of capital funding allocated to the Constituent Councils which will form part of the East Midlands Combined County Authority (EMCCA), if approved, for the financial year 2022-23.

3.2 To note the Council as the accountable body for this funding who will be responsible for administrating the grant to projects approved by the Department for Levelling Up, Housing and Communities.

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4. Information and Analysis

- 4.1 As part of the EMCCA Devolution Deal, Central Government has agreed to provide funding of £18.0m to support the delivery of housing priorities and drive Net Zero carbon ambitions in the East Midlands. The funding is to be split equally between the two initiatives.
- 4.2 A programme team has been established from officers based at Nottinghamshire County Council, who have assessed and formed a shortlist of projects which have been reviewed and approved at the Leaders and Chief Executives Devolution meeting on 2 September 2022.
- 4.3 Derbyshire County Council (the Council) has been the accountable body to the D2N2 Local Enterprise Partnership since 2015 and therefore, based on its experience, the Council has been chosen to be the accountable body for the £18.0m of capital funding on behalf of the Constituent Councils, Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council who will form are part of the EMCCA, if approved by all Councils and Government..
- 4.4 Projects from the Local Authorities and Further Education organisations within the EMCCA area were initially assessed by the Nottinghamshire County Council programme team against a criteria provided by the (DLUHC). These criteria are:
- Deliverability: the majority of spend must be within the 2022-23 financial year.
 - Projects need to fall within the policy area for DLUHC.
 - Projects are not to be contentious or based on novel ideas.
 - Projects need to be underway or ready for implementation (for example, planning permission already held or not required)
- DLUHC has indicated a strategic priority for bids that address homelessness.
- 4.5 Alongside the criteria provided by DLUHC, which were used to establish the shortlist of viable projects, it was agreed that internal criteria were necessary to assist the decision on the final list of projects to take forward to the business case stage for capital funding. Three main criteria were agreed at a Chief Executives' meeting on 1 September 2022, to establish a ranking order for the shortlist of projects:
- Deliverability (50% weighting) - are the projects ready to go and not inhibited by permissions such as planning.

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- Impact (30% weighting) - Potential social and economic benefits for the region.
- Geographical spread (20% weighting) (i.e. covering more than just one local authority area).

4.6 Of the above three criteria, deliverability was identified as the most important, followed by impact, and then geographical spread. Each project was given a score out of five on these three indicators. DLUHC has provided templates for the project promoters to complete, which are based on HM Treasury's '*Five Case Model Green Book*' business case. A business case for each project has been completed which has been submitted to DLUHC for their final approval.

4.7 Once approved, DLUHC will then issue the Council, as accountable body, with a grant determination letter per individual project, and release the funds as a Section 31 Grant. The Council will then issue grant offer agreements to the promoters with each project confirming funding profiles, milestones, and output requirements. There are currently six projects, with two having been fully approved by DLUHC at the time of writing.

5. Consultation

5.1 Not directly arising out of this report

6. Alternative Options Considered

6.1 The alternative is that the funding is not spent on these projects. However, as DLUHC will issue specific grant determination letters for each project with a specific amount this would not be possible.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 None identified

9. Appendices

9.1 Appendix 1 – Implications

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10. Recommendations

That Cabinet:

- 10.1 Approves the receipt of this funding on behalf of Constituent Councils, Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council, who form part of the EMCCA, if approved by all 4 Councils and Government.
- 10.2 Notes that the Council, as the accountable body for this funding, will be responsible for administering the grant to projects approved by DLUHC.

11. Reasons for Recommendations

- 11.1 This funding is over £0.500m and therefore requires approval by Cabinet in line with Financial Regulations.
- 11.2 All grants will be above £0.100m and therefore require Cabinet approval as required by Financial Regulations. However, because all the approval process has taken place at DLUHC, the Council will just act as the administering organisation.

12. Is it necessary to waive the call in period?

- 12.1 No

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Appendix 1 Implications

Financial

- 1.1 This additional funding, which is above £0.500m, was not outlined in the Service Plan, as it was only announced by Government following signature of the Devolution Deal in Autumn 2022.
- 1.2 Detailed reporting on the activities delivered by the grant will be required under the terms of the grant acceptance. As the accountable body, the Council will be responsible for collecting and reporting the key Performance Indicators for the delivery activity.
- 1.3 The grant will be issued as a capital grant in the grant determination from DLUHC and therefore will only be spent on capital expenditure to ensure the criteria set by Government are met.

Legal

- 2.1 The Director of Legal and Democratic Services provides advice as necessary in relation to the responsibilities of the County Council as Accountable Body and also in relation to specific projects within the scheme which are supported by grant funding.

Human Resources

- 3.1 None

Information Technology

- 4.1 None

Equalities Impact

- 5.1 None.

Corporate objectives and priorities for change

- 6.1 The Council Plan values commit to spending money wisely, making the best use of the resources that the Council has.

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Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

- 7.1 Part of this funding is towards projects under the Net Zero agenda and will contribute towards the Council's ambition of being a net zero carbon organisation by 2032, or sooner and for the county of Derbyshire to be net zero by 2050.



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

Report of the Interim Director of Finance & ICT

Treasury Management Mid-Year Report 2022-23
(Corporate Services and Budget)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is not a Key Decision.

3. Purpose

3.1 To provide Cabinet with details of Treasury Management activities during the first half of 2022-23 (to 30 September 2022) and to indicate the Council's compliance with the prudential indicators set by Council at its meeting of 2 February 2022, in accordance with the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2021 edition (the CIPFA Code).

4. Information and Analysis

(i) Introduction

- 4.1 The Council's Treasury Management Strategy for 2022-23 was approved at a Council meeting on 2 February 2022, as part of the Capital Programme Approvals, Treasury Management and Capital Strategy Report. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks, including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's Treasury Management Strategy.
- 4.2 Treasury risk management at the Council is conducted within the framework of the CIPFA Code, which requires the Council to approve a treasury management strategy before the start of each financial year and, as a minimum, a semi-annual and annual treasury outturn report. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
- 4.3 CIPFA published its revised Treasury Management Code of Practice (the TM Code) and Prudential Code for Capital Finance in December 2021. The key changes in the revised codes are around permitted reasons to borrow, knowledge and skills, and the management of non-treasury investments. The principles within the revised codes took immediate effect, although local authorities could defer introducing the revised reporting requirements within the revised codes until the 2023-24 financial year. The Council has elected to take this option.
- 4.4 Treasury risk management at the Council is conducted within the framework of the TM Code. This TM Code now also includes extensive additional requirements for service and commercial investments, far beyond those in the 2017 version.

(ii) External Context

Economic background

- 4.5 The ongoing conflict in Ukraine has continued to put pressure on global inflation and the economic outlook for UK and world growth remains weak. UK political instability towards the end of the period increased uncertainty further.

- 4.6 The economic backdrop during April to September 2022 continued to be characterised by high oil, gas and commodity prices, ongoing high inflation and its impact on consumers' cost of living, no imminent end in sight to the Russia-Ukraine hostilities and its associated impact on the supply chain, and China's zero-Covid policy.
- 4.7 UK inflation remained extremely high during the period. Annual headline CPI reached 10.1% in July 2022, the highest rate for 40 years, fell to 9.9% in August 2022 and increased back to 10.1% in September 2022. After the end of the period, CPI increased further, to 11.1% in October 2022. The UK energy regulator, Ofgem, increased the energy price cap by 54% in April 2022, while a further increase in the cap from October 2022, which would have resulted in households with average energy consumption paying over £3,500 per annum, was dampened following Government intervention, to provide around £150bn of support which will limit bills to an average of £2,500 annually. This limit was initially to be in place until 2024 but was later revised to April 2023. In November 2022, the Autumn Statement announced a limit of £3,000 for one year from April 2023.
- 4.8 The Bank of England (BoE) increased its Bank Rate from 0.75% to 2.25% over the period. The BoE's Monetary Policy Committee (MPC) increased the Bank Rate by 0.25% in May 2022, by 0.25% in June 2022, by 0.50% in August 2022 and by 0.50% in September 2022. After the end of the period, in November 2022, the MPC further increased the Bank Rate, by 0.75%, to 3.00%. The MPC noted that domestic inflationary pressures are expected to remain strong with the implication that further Bank Rate rises should be expected to address high inflation.
- 4.9 US inflation increased to 9.1% in June 2022 and then eased to 8.2% in September 2022, before falling further after the period end, to 7.7% in October 2022. The US Federal Reserve continued its response to high inflation over the period, with a 0.5% increase in May 2022, followed by three increases of 0.75% in each of June 2022, July 2022 and September 2022, taking the Federal Funds Rate to between 3.00% and 3.25% at the period end. There was a further increase of 0.75% in November 2022.

- 4.10 Eurozone CPI inflation reached 9.9% in September 2022, with energy prices the main contributor but also strong upward pressure from food prices. There was a further increase, to 10.6% in October 2022. In July 2022 the European Central Bank increased interest rates for the first time since 2011, changing its deposit rate from -0.5% to 0% and its main refinancing rate from 0.0% to 0.5%. This was followed in September 2022 by further increases of 0.75% to both policy rates, taking the deposit rate to 0.75% and refinancing rate to 1.25%. After the period end, in November 2022, these rates increased by a further 0.75%, to 1.5% and 2.0%, respectively.
- 4.11 Quarterly Gross Domestic Product (GDP) grew by 0.2% in the quarter to June 2022 but fell back by 0.2% in the quarter to September 2022.
- 4.12 The labour market remained tight through the period but there was some evidence of easing demand and falling supply. The unemployment rate fell to 3.6% in September 2022. This is back to pre-pandemic levels. Pay growth in September 2022 was 6.0% for regular pay. Once adjusted for inflation, however, the reduction in regular pay was -2.7%.

Financial markets

- 4.13 Financial market sentiment was affected by uncertainty in the period and bond yields remained volatile, continuing their general upward trend as concern over higher inflation and higher interest rates continued to dominate. Towards the end of September 2022, there was significantly increased volatility in financial markets, following the Government's announcement of its fiscal plans in a 'mini budget' at that time, leading to an acceleration in the rate of the rise in gilt yields and a decline in the value of Sterling. Over the period the 5-year UK benchmark gilt yield rose from 1.41% to 4.40%, the 10-year gilt yield rose from 1.61% to 4.15%, the 20-year yield from 1.82% to 4.13% and the 50-year yield from 1.56% to 3.25%. The important UK interest benchmark, the Sterling Overnight Index Average (SONIA) rate averaged 1.22% over the period.
- 4.14 Due to resulting pressure on pension funds, the BoE announced a direct intervention in the gilt market, to increase liquidity and reduce yields. The majority of the measures in the 'mini budget' have since been reversed. The Autumn Statement, in November 2022, has further reassured the market and gilt yields have returned to pre 'mini budget' levels.

Credit background

4.15 The Council's Treasury Management Advisor monitored credit default swap levels in the period, for signs of credit stress, but made no changes to their counterparty list or recommended durations. Nevertheless, increased market volatility is expected to remain, at least in the near-term, and the institutions and durations on the Council's recommended counterparty list will remain under constant review.

(iii) Local Context

4.16 On 31 March 2022, the Council had a net borrowing requirement of £13.845m, arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31.03.22
	Actual
	£m
General Fund CFR	571.297
Less: Other debt liabilities*	-59.974
Borrowing CFR	511.323
Less: Usable reserves	-412.237
Less: Working capital	-85.241
Net borrowing requirement	13.845
Borrowing CFR is comprised:	
External borrowing	413.399
Internal borrowing	97.924
	511.323

* finance leases, PFI liabilities and transferred debt that form part of the Council's total debt

4.17 The Council's strategy was to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position at 30 September 2022 and the change during the year are shown in Table 2 below.

Table 2: Treasury Management Summary*

	31.03.22	2022-23	30.09.22	30.09.22
	Balance	Movement	Balance	Rate
	£m	£m	£m	%
Long-term borrowing	285.899	-2.745	283.154	4.29
Short-term borrowing	127.500	22.000	149.500	0.48
Total borrowing	413.399	19.255	432.654	2.90
Long-term strategic pooled funds	71.765	-5.012	66.753	3.95
Long-term investments**	15.000	0.000	15.000	0.88
Short-term investments	251.002	-1.500	249.502	0.76
Cash and cash equivalents	42.992	-33.104	9.888	1.93
Total investments	380.759	-39.616	341.143	1.42
Net borrowing	32.640	58.871	91.511	

*Nominal values unless stated

**Excludes Non-Treasury Service Loans

Borrowing Activity

4.18 At 30 September 2022, the Council held £432.654m of loans, an increase of £19.255m from 31 March 2022, as part of its strategy for funding previous and current years' capital programmes. The mid-year borrowing position at 30 September 2022 and the in-year change is summarised in Table 3 below.

Table 3: Borrowing Position

	31.03.22	2022-23	30.09.22	30.09.22	30.09.22
	Balance	Movement	Balance	Interest	WAM*
	£m	£m	£m	Rate	Years
				%	
Public Works Loan Board	257.899	-2.745	255.154	4.47	16
Banks (LOBO)	5.000	0.000	5.000	4.50	17
Banks (Fixed-term)	10.000	0.000	10.000	4.69	22
Local authorities	122.000	16.000	138.000	0.20	1
D2N2 LEP	18.500	6.000	24.500	2.25	0
Total borrowing	413.399	19.255	432.654	3.07	15

*WAM – Weighted Average Maturity

- 4.19 As outlined in the Council's Treasury Management Strategy, the Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans being a secondary objective, should the Council's long-term plans change. The Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.
- 4.20 From April to September 2022, short term PWLB rates increased dramatically, particular in late September 2022 after the 'mini budget' prompted a fall in Sterling and a rise in market interest rate expectations. Interest rates increased by over 2% during the period, in both the long- and short-term. As an indication, the 5-year maturity certainty rate rose from 2.30% on 1 April 2022 to 5.09% on 30 September 2022 and over the same period, the 30-year maturity certainty rate rose from 2.63% to 4.68%. Although interest rates in general have risen, short-term borrowing from other local authorities remains at lower interest rates than long-term borrowing.
- 4.21 Despite the increase in interest rates, during the period to September 2022 the Council considered it to be more cost effective in the near-term to either use internal resources or to borrow rolling temporary/ short-term loans instead. At 30 September 2022, the Council held £432.654m of loans (an increase of £19.255m from 31 March 2022), as part of its strategy for funding previous and current years' capital programmes. Additional short-term borrowing has been used in the six months to 30 September 2022, to finance a lump sum payment to the Derbyshire Pension Fund for the Council's employer contributions, in full, on 29 April 2022, for the period 1 April 2022 to 31 March 2023. A similar prepayment in 2021-22 resulted in the Council making a saving of £0.825m. The Council also holds additional funding received by the D2N2 Local Enterprise Partnership (LEP), for which the Council is the accountable body. Outstanding loans as at 30 September 2022, and the movement in loans over the six month period to that date, are summarised in Table 3 above.
- 4.22 The Council's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short- and long-term borrowing was maintained during the period.

- 4.23 The Council continues to hold a £5.000m LOBO (Lender's Option Borrower's Option) loan, where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. Although no banks exercised their option during the period, the rising interest rates have increased the probability of these options being called.

Borrowing Update

- 4.24 CIPFA's 2021 Prudential Code is clear that local authorities must not borrow to invest primarily for financial return and that it is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement, and so may lead to new borrowing, unless directly and primarily related to the functions of the Council.
- 4.25 PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield; the Council intends to avoid this activity in order to retain its access to PWLB loans.

Other Debt Activity

- 4.26 Private Finance Initiative (PFI) contracts, finance leases and transferred debt liabilities, total debt other than borrowing, stood at £59.974m on 30 September 2022, taking total debt to £492.628m.

Treasury Investment Activity

- 4.27 CIPFA's revised TM Code defines treasury management investments as those which arise from the Council's cash flows, or treasury risk management activity, that ultimately represent balances which need to be invested until the cash is required for use in the course of business.
- 4.28 The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During the first half of 2022-23, the Council's investment balance ranged between £354.707m and £435.570m because of timing differences between income and expenditure. The period end investment position and the in-year change are shown in Table 4 below.

Table 4: Treasury Investment Position

	31.03.22	2022-23	30.09.22	30.09.22	30.09.22
	Balance	Movement	Balance	Income	Weighted
	£m	£m	£m	Return	Average
				%	Maturity
					Days
Banks and building societies (unsecured)	107.994	-58.104	49.890	1.68	113
Government (including local authorities)	186.000	33.500	219.500	0.61	175
Registered Providers	15.000	-10.000	5.000	1.05	508
Pooled Funds – Strategic Bond Funds	4.854	-0.613	4.241	4.02	N/A
Pooled Funds – Equity Income Funds	15.143	-2.129	13.014	5.70	N/A
Pooled Funds – Property Funds	27.129	0.636	27.765	3.40	N/A
Pooled Funds – Multi Asset Income Funds	24.639	-2.906	21.733	3.42	N/A
Total investments	380.759	-39.616	341.143	1.41	170

**Weighted average maturity will apply to the first three categories above.*

Strategic Pooled Funds have no maturity date but are realised when all units are sold.

- 4.29 The Pooled Fund investments are expected to be held over the medium-term (five years) to mitigate any fluctuations in the market, however all funds can be realised within one week, except for the Property Fund (90 days). They have no fixed maturity date.
- 4.30 Both the CIPFA TM Code and Government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

- 4.31 As a result of the increases in BoE Bank Rate over the period under review, and with the prospect of more increases to come, short-dated cash rates, which had ranged from 0.7% to 1.5% at the end of March 2022, rose by around 1.5% for overnight/7-day maturities, and by nearly 3.5% for maturities of 9 to 12 months over the period. By the end of September 2022, the rates on Debt Management Account Deposit Facility (DMADF) deposits ranged between 1.85% and 3.5%.
- 4.32 Given the risk of short-term unsecured bank investments, the Council previously diversified into more secure and/or higher yielding asset classes as shown in Table 4 above. The Council identified £70m (nominal value), as available for longer-term investment and moved this sum into a diversified mix of pooled property/bond/equity/multi-asset funds on an incremental basis.
- 4.33 The progression of credit risk and return metrics for the Council's investments managed in-house are shown in the extracts from the Council's external investment advisor's (Arlingclose) benchmarking in Table 5 below.

Table 5: Investment Benchmarking – Treasury investments managed in-house

	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return %
Derbyshire – 30.09.2022	5.13	A+	16%	170	0.76
Similar Local Authorities	4.00	AA-	30%	2045	1.46
All Local Authorities	4.29	AA-	55%	18	1.47

- 4.34 At 30 September 2022, the Council's portfolio of externally managed pooled strategic bond, equity, property and multi-asset funds amounted to £66.753m (£70m nominal value). The Council holds these funds with the aim of receiving regular revenue income and because over the long-term their prices are relatively stable.

- 4.35 The April to September 2022 period was a very difficult environment for bonds, engendered by global central banks' determination to bring high and persistent inflation under control through increases in policy rates and strong rhetoric. The sell-off in gilts, other sovereign bonds and corporate bonds, with a corresponding rise in gilt/bond yields (i.e. a fall in price), was reflected in lower capital values of the Council's bond and multi-asset income funds at the period end. The increase in policy rates in the UK, US and Eurozone and the prospect of low to no growth, and a recessionary period ahead, was also a challenging period for equities, with the FTSE All Share index falling from 4187 on 31 March 2022 to 3763 on 30 September 2022, whilst the MSCI World Index fell from 3053 to 2378 over the same period. The fall in equity valuations is reflected in lower capital values of the Council's equity and multi-asset income funds at the period end.
- 4.36 Significant financial market volatility and uncertainty remain at the period end, due to stagflation fears (persistent high inflation combined with stagnant demand in the economy), little sight of the war in Ukraine ending soon and ongoing supply chain issues, a lingering problem over the past 30 months, yet to be fully resolved.
- 4.37 The change in capital values and income return earned over the 6-month period, in respect of the Council's pooled funds, is shown in Table 4.
- 4.38 The Council has budgeted £2.800m of income from these pooled funds in 2022-23. Including income declared since the end of the period ended 30 September 2022, pooled fund income of £3.246m is forecast for 2022-23, so is within budget.
- 4.39 It should be noted that the Council has received £15.064m of income from the pooled funds from the point of investment to date. The unrealised capital loss on the pooled funds was £4.639m at November 2022, leading to a forecast combined income and capital loss for 2022-23 of an overall loss of £1.393m at that date. In light of their performance over the medium-term and the Council's latest cash flow forecasts, investment in these funds has been maintained.
- 4.40 These pooled funds have no defined maturity date but are available for withdrawal after a notice period. Their performance and continued suitability in meeting the Council's medium- to long-term investment objectives are regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years; but with the confidence that over a three- to five-year period total returns will exceed cash interest rates.

The Council is using an accounting method to record the fair value movements of these funds in a specific, unusable reserve, rather than in its General Fund. This means that if there are any long-term unrealised losses in the funds' fair values there will not be an impact on the Council's General Reserve balance until 2023-24 at the earliest. However, with the initial permission (known as a statutory override) from the Department of Levelling-Up, Housing and Communities (DLUHC) to allow this method of accounting due to expire in March 2023, after five years, DLUHC has sought feedback as to whether this permission should become permanent, be temporarily extended or end. CIPFA has recommended a two-year extension. The outcome of this DLUHC consultation has yet to be announced.

Other Non-Treasury Holdings and Activity

- 4.41 The definition of investments in CIPFA's revised 2021 Code covers all the financial assets of the Council, as well as other non-financial assets, which the Council holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e. management of surplus cash) are categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).
- 4.42 Investment Guidance issued by DLUHC also includes, within the definition of investments, all such assets held partially or wholly for financial return.
- 4.43 At 30 September 2022, the Council held £13.254m of such investments. £12.754m of the balance is in respect of a regeneration loan to a local business/landlord, Buxton Crescent Ltd. This represents an increase in the period of £0.207m, which is capitalised interest. On 29 July 2021 it was agreed that repayments on the loan were deferred until 1 October 2023.
- 4.44 The other loan of £0.500m is to Chesterfield Football Club Community Trust. The loan was agreed to continue their sports and community programmes with schools and community groups in the greater Chesterfield area. Interest to date was repaid on 5 August 2022.
- 4.45 These investments generated £0.215m of investment income for the Council during the period to 30 September 2022, representing a rate of return of 3.27%.

Treasury Performance

4.46 The Council measures the financial performance of its treasury management activities both in terms of its impact on the revenue budget and its relationship to benchmark interest rates, as shown in Table 6 below.

Table 6: Performance

	30.09.22 Actual £m	30.09.22 (CFR) Budget £m	Over/ (Under) £m	Interest Actual %	Interest Other LA (Counties) Benchmark %
Interest paid on capital and temporary borrowing	7.110	15.990	-8.880	3.07	No data held
Interest received on treasury investments	-1.033	-4.498	-3.465	0.76	1.47

4.47 The interest received on treasury investments is lower than the benchmark as a number of investments were committed prior to the invasion of Ukraine by Russia on 24 February 2022. Prior to this event, BoE Base Rate was only at 0.50% and expected to rise to a peak of 1.00% by June 2022, before remaining at this rate until at least December 2024. The global impact on energy prices, inflation and interest rates could not have been foreseen 12 months ago. Total investment income for 2022-23 is currently forecast to be £5.089m.

Compliance Report

4.48 The Assistant Director of Finance, as Deputy Section 151 Officer, reports that all treasury management activities undertaken during the first half of 2022-23 complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

4.49 Compliance with the authorised limit and operational boundary for external debt is demonstrated in Table 7 below and compliance with specific investment limits is demonstrated in Table 8 below.

Table 7: Debt Limits

	2022-23 Maximum £m	30.09.22 Actual £m	2022-23 Operational Boundary £m	2022-23 Authorised Limit £m	Complied
Total debt	497.636	492.628	734.000	769.000	✓

Table 8: Investment Limits

	Half Year Maximum* £m	2022-23 Limit £m	30.09.22 Actual £m	Complied
Local authorities and other UK Government entities	234.500	Unlimited	219.500	✓
Banks (unsecured)	74.536	30.000 per Bank, Lloyds 60.000	44.888	✓
Negotiable instruments held in a broker's nominee account	5.002	100.000	5.002	✓
Strategic pooled funds	72.472	30.000 per Fund, 100.000 Total	66.753	✓
Registered providers (RP) (unsecured)	10.000	10.000 per RP, 50.000 Total	5.000	✓
Money Market Funds	30.000	30.000 per Fund, Unlimited Total	0.000	✓

**Maximum held at any one time.*

Treasury Management Indicators

4.50 The Council measures and manages its exposure to treasury management risks using the following indicators.

4.51 **Security:** The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. Compliance with this indicator is demonstrated in Table 9 below.

Table 9: Credit Risk Exposure

	30.09.22 Actual	2022-23 Target	Complied
Portfolio average credit rating	A+	A	✓

4.52 **Liquidity:** The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of either cash available to meet unexpected payments within a rolling three-month period, without additional borrowing, or the amount it can borrow each period without giving prior notice. Compliance with this indicator is demonstrated in Table 10 below.

Table 10: Liquidity Risk Exposure

	30.09.22 Actual £m	2022-23 Target £m	Complied
Total cash available within 1 month	10.068	10.000	✓
Total sum borrowed in past 3 months without prior notice	2.000	30.000	✓ (N/A)

4.53 The Council had borrowed sufficient funds in the first quarter, so there was no additional borrowing requirement in the second quarter (£2m additional D2N2 deposit).

4.54 **Interest Rate Exposures:** This indicator is set to control the Council's exposure to interest rate risk (Short-term investments – Short-term borrowing x 1%). Compliance with this indicator is demonstrated in Table 11 below.

Table 11: Interest Rate Exposure

	30.09.22 Actual £m	2021-23 Limit £m	Complied
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates.	1.095	1.435	✓
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	1.095	-1.435	✓

4.55 The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates. The BoE Bank Rate increased by 1.50%, from 0.75% to 2.25%, during the first six months of 2022-23.

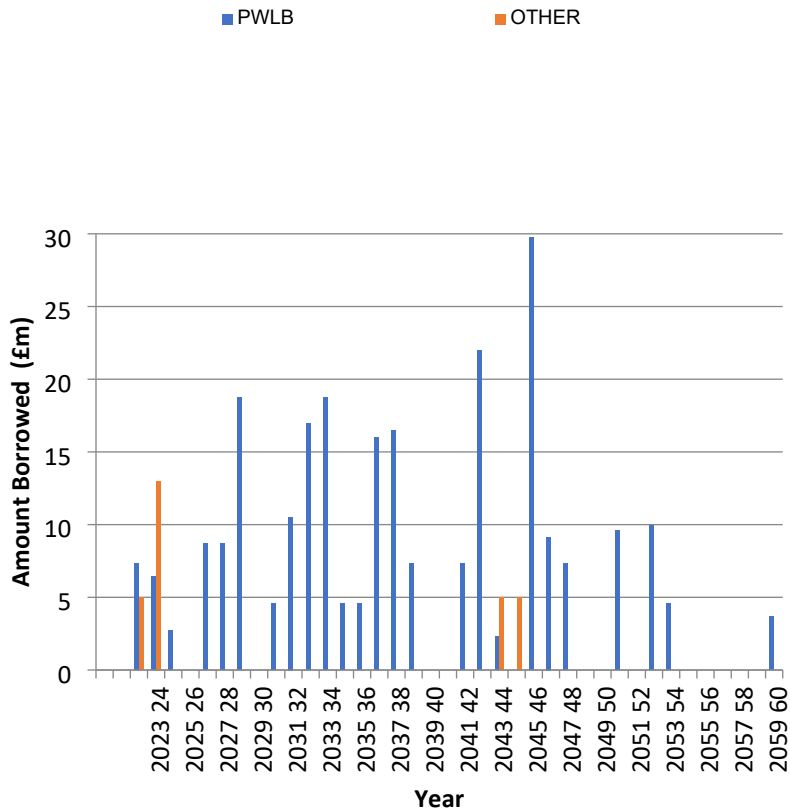
4.56 **Maturity Structure of Borrowing:** This indicator is set to control the Council's exposure to refinancing risk. Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment. Compliance with this indicator is shown in Table 12 below. The upper and lower limits on the maturity structure of all borrowing were:

Table 12: Refinancing Risk Exposure

	30.09.22 Actual %	Upper Limit %	Lower Limit %	Complied
Under 12 months	38	60	0	✓
12 - 24 months	4	20	0	✓
24 months - 5 years	2	20	0	✓
5 - 10 years	10	20	0	✓
10 - 20 years	24	40	10	✓
20 - 30 years	18	40	10	✓
Over 30 years	4	40	0	✓

4.57 The Council's long-term repayment profile at 30 September 2022 is shown below. A good spread of maturities is desirable. The average redemption is £7.652m per year over the next 37 years. The maximum redemption is £29.738m in 2045-46. The average duration of all the Council's loans is approximately 15.01 years. Any new borrowing would be targeted for maturity in years with nil/low repayments.

Long Term Borrowing - MaturityProfile



4.58 Principal Sums Invested for Periods Longer than a year: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

Table 13: Investment Early Repayment Risk Exposure

Loans Maturing =>	Beyond 30.09.23 £m	Beyond 30.09.24 £m	Beyond 30.09.25 £m
Actual principal invested beyond one year (including strategic pooled funds and non - treasury investments)	81.753	66.753	66.753
Limit on principal invested beyond one year	150.000	125.000	100.000
Complied?	✓	✓	✓

Other

4.59 **Economic Outlook for the remainder of 2022-23:** the Council’s external Treasury Management Advisors expect that the BoE Bank Rate will rise further during 2022-23, to reach 5.0% by the end of the year. The BoE’s MPC is particularly concerned about the demand implications of fiscal loosening, the tight labour market, Sterling weakness and the willingness of firms to raise prices and wages. The MPC may therefore raise the Bank Rate more quickly and to a higher level to dampen aggregate demand and reduce the risk of sustained higher inflation.

4.60 The Council’s Treasury Management Advisors now expect the BoE Bank Rate to peak at 5.0%, with 200bps of increases this calendar year. They expect that this action by the MPC will slow the economy, necessitating cuts in Bank Rate later in 2024. It is also expected that Gilt yields will face further upward pressure in the short-term, due to lower confidence in UK fiscal policy, higher inflation expectations and asset sales by the BoE. Given the recent sharp rises in gilt yields, the risks are now broadly balanced to either side. Over the longer-term, gilt yields are forecast to fall slightly over the forecast period.

Economic Outlook for the remainder of 2022/23 (based on 26 September 2022 interest rate forecast)

	Current	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
Official Bank Rate													
Upside risk	0.00	0.50	0.75	0.75	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	2.25	4.25	5.00	5.00	5.00	5.00	5.00	5.00	5.00	4.75	4.25	3.75	3.25
Downside risk	0.00	-1.00	-1.00	-0.75	-0.50	-0.50	-0.50	-0.75	-1.25	-1.50	-1.75	-1.75	-1.75

5. Consultation

5.1 No consultation is required.

6. Alternative Options Considered

6.1 Not Applicable - This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

7. Implications

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8 Background Papers

8.1 The Council's Treasury Management Strategy for 2022-23 was approved at the Council meeting on 2 February 2022 as part of the Capital Programme Approvals, Treasury Management and Capital Strategy Report.

9 Appendices

9.1 Appendix 1- Implications.

10 Recommendation

10.1 That Cabinet notes the Treasury Management Mid-Year Report 2022-23 and notes the Council's compliance with the prudential indicators set by Council at its meeting of 2 February 2022 for 2022-23, in accordance with the Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2021.

11 Reasons for Recommendation

11.1 The report on treasury management activities at mid-year 2022-23 highlights the borrowing strategy and investments position of the Council during the first half of the current financial year.

11.2 The report on treasury management activities mid-year 2022-23 also highlights the Council's performance and compliance with targets agreed as part of the Treasury Management Strategy 2022-23.

12. Is it necessary to waive the call-in period?

12.1 No

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Appendix 1

Implications

Financial

- 1.1 The requirements of the Council's Treasury Management Strategy for 2022-23, the CIPFA Code and the CIPFA Treasury Management Code are set out in paragraphs 4.1 to 4.4.
- 1.2 External context, as it relates to treasury management activities, is set out in paragraphs 4.5 to 4.15, covering economic, financial markets and credit background.
- 1.3 Local context, as it relates the Council's treasury management activities, is covered in the majority of the remainder of the report, from paragraph 4.16 on.
- 1.4 On 31 March 2022, the Council had a net borrowing requirement of £13.845m, arising from its revenue and capital income and expenditure, as set out at paragraph 4.16/Table 1. The Council's strategy was to maintain borrowing and investments below their underlying levels, known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management summary for the period at paragraph 4.17/Table 2 shows that net borrowing has increased from £32.640m to £91.511m in the period, with total borrowing increasing by £19.255m and total investments decreasing by £39.616m.
- 1.5 The Council's Borrowing and Other Debt Activity is set out in paragraphs 4.18 to 4.26 and Table 3. Despite the increase in interest rates during the period, the Council considered it to be more cost effective in the near-term to either use internal resources or to borrow rolling temporary/ short-term loans instead. At 30 September 2022, the Council held £432.654m of loans (an increase of £19.255m from 31 March 2022), as part of its strategy for funding previous and current years' capital programmes. Additional short-term borrowing has been used in the six months to 30 September 2022, to finance a lump sum payment to the Derbyshire Pension Fund for the Council's employer contributions, in full, on 29 April 2022, for the period 1 April 2022 to 31 March 2023.

- 1.6 The Council's Treasury Investment Activity is set out in paragraphs 4.27 to 4.40 and Tables 4-5. The Council's total investments decreased by £39.616m over the period, to £341.143m, with a total income return of 1.41%. The Council holds significant invested funds, representing income received in advance of expenditure, plus balances and reserves held. During the first half of 2022-23, the Council's investment balance ranged between £354.707m and £435.570m because of timing differences between income and expenditure. The period end investment position and the in-year change are shown in Table 4.
- 1.7 Given the risk of short-term unsecured bank investments, the Council previously diversified into more secure and/or higher yielding asset classes shown in Table 4, with the aim of receiving regular revenue income and because over the long-term their prices are relatively stable. Pooled fund considerations are set out in paragraphs 4.32 to 4.40. At 30 September 2022, the Council's portfolio of externally managed pooled strategic bond, equity, property and multi-asset funds amounted to £66.753m (£70m nominal value). The Council holds these funds with the aim of receiving regular revenue income and because over the long-term their prices are relatively stable.
- 1.8 The Council's non-treasury holdings of £13.254m at 30 September 2022 and associated activity are set out in paragraphs 4.41 to 4.45, with the majority relating to a regeneration loan to a local business/landlord, Buxton Crescent Limited.
- 1.9 Financial performance of the Council's treasury management activities is set out at paragraphs 4.46 and 4.47 and Table 6. The Council has paid £8.880m less interest on its capital and temporary borrowing in the period than was budgeted in the Council's Capital Financing Requirement, at a rate of 3.07%, but has also received £3.645m less interest than budgeted on its investments over the same period, at a rate of 0.76% compared to the other counties local authority benchmark return of 1.47%. The reason for this is explained at 4.47.
- 1.10 The Council's treasury management activities during the first half of 2022-23 have fully complied with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy, as set out in 4.48 to 4.58 and Tables 6 to 13, covering debts limits, investment limits and exposure to credit risk, liquidity risk, interest rates risk, refinancing risk and investments early repayment risk.
- 1.11 The Council's External Treasury Management Advisers expect that the Bank of England's Base Rate will peak at 5.0% by 31 March 2023, as set out in paragraphs 4.59 to 4.60.

Legal

2.1 None

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 None

Corporate objectives and priorities for change

6.1 The Council is committed to ensuring good financial management and compliance with applicable laws and regulations. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's Treasury Management Strategy.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

23 February 2023

Forward Plan

Report of the Managing Director

(Corporate Services and Budget)

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 To present the Executive's Forward Plan for the period 1 March – 31 June 2023 and provide an opportunity for Cabinet to comment on future decisions for inclusion in the forthcoming Forward Plan.

4. Information and Analysis

4.1 In the interests of effective coordination and public transparency, the Forward Plan includes any item that is likely to require an Executive decision of Cabinet or a Cabinet Member whether a key decision or not. The Forward Plan covers the forthcoming 4 months and will be updated on a rolling monthly basis. All items have been discussed and approved by the Corporate Management Team.

4.2 The Forward Plan is ultimately the responsibility of the Leader and Cabinet as it contains executive business due for decision. A copy of the Forward Plan covering the period 1 February – 31 May 2023 is attached at Appendix 2.

5. Consultation

- 5.1 There is no requirement to consult in relation to the preparation of the Forward Plan.

6. Alternative Options Considered

- 6.1 Cabinet could decide not to agree with any of the items that are suggested for inclusion in the Plan. This would then be referred to the Corporate Management Team.
- 6.2 Cabinet could decide to move the date for consideration of any item provided the requirement to give at least 28 days' notice of a key decision is met.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

7.2 Background Papers

None identified

8. Appendices

- 8.1 Appendix 1 - Implications
- 8.2 Appendix 2 - Forward Plan for the period 1 March – 31 June 2023

9. Recommendation

- 9.1 That Cabinet notes the contents of the Forward Plan attached at Appendix 2 and comments on future decisions for inclusion in the Forward Plan, where appropriate.

10. Reasons for Recommendation

- 10.1 To promote the items that are due for decision by Derbyshire County Council's Executive during the forthcoming four-month period.
- 10.2 Whilst the Forward Plan cannot be an exhaustive list of all future decisions, to ensure as far as possible that the Forward Plan gives an indication of those decisions which it is known the executive will need to consider in the coming period and can therefore be used as a planning tool for managing the work programme of the executive and Improvement and Scrutiny Committees.

11. Is it necessary to waive the call-in period?

11.1 No

Report Author: Alec Dubberley

Contact details: alec.dubberley@derbyshire.gov.uk

Implications

Financial

1.1 None directly arising from this report.

Legal

2.1 The Council is required by law to give to give 28 days' notice of key decisions that are scheduled to be taken by the Executive. A key decision is one which is financially significant, in terms of spending or savings, for the service or function concerned (more than £500,000), or which will have a significant impact on communities, in two or more divisions in the County. This legal obligation is discharged by including the necessary information in the 'Forward Plan'.

2.2 There is no legal requirement to have a four-month rolling Forward Plan, however it is good practice to do so to support effective work programmes for the executive and scrutiny functions.

Human Resources

3.1 None directly arising from this report.

Information Technology

4.1 None directly arising from this report.

Equalities Impact

5.1 None directly arising from this report.

Corporate objectives and priorities for change

6.1 The Forward Plan will include future decisions which support the Council's corporate objectives and delivery of the Council Plan priorities and deliverables.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising from this report.

FORWARD PLAN FOR THE FOUR MONTH PERIOD 1 MARCH 2023 TO 30 JUNE 2023

This Forward Plan sets out the details of the executive decisions (key and non-key) which the Cabinet, individual Cabinet Members or Officers expect to take during the next four-month period.

Please note that a key decision is a decision to be taken by the Executive which:

- (1) is likely to result in the local authority incurring expenditure or making savings of above £500,000 and/or
- (2) is significant in terms of its effects on communities living or working in an area comprising two or more divisions/ county electoral areas.

The current members of the Cabinet are:

Councillor Barry Lewis	Leader of the Council and Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change
Councillor Simon Spencer	Deputy Leader and Cabinet Member for Corporate Services and Budget
Councillor Kewal S Athwal	Cabinet Member for Highways Assets and Transport
Councillor Alex Dale	Cabinet Member for Education
Councillor Carol Hart	Cabinet Member for Health and Communities
Councillor Natalie Hoy	Cabinet Member for Adult Care
Councillor Tony King	Cabinet Member for Clean Growth and Regeneration
Councillor Julie Patten	Cabinet Member for Children's Services and Safeguarding
Councillor Carolyn Renwick	Cabinet Member for Infrastructure and Environment

The information provided for each key decision includes a list of the documents which will be submitted to the decision maker. Further documents relevant to the matter may also be submitted to the decision maker.

Subject to any restriction on their disclosure, copies of, or extracts from, any document listed will be available on the County Council's website or for inspection at County Hall, Matlock, Derbyshire DE4 3AG at least five clear days before the meeting.

If you wish to request details of documents listed or further documents as they become available please email Democratic Services on democratic.services@derbyshire.gov.uk

March

Subject: Investment in Physical Activity Interventions

To seek approval to extend the current grant agreements with district and borough councils and Jog Derbyshire for 6 months whilst the Partnership agreement is formally signed by all partners

Is this a key decision?	No
Date decision to be made	6 March 2023
Decision to be taken by	Cabinet Member for Health and Communities
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Director - Public Health
Lead Officer	Angela Kirkham (Health Improvement Practitioner), Rachel Green angela.kirkham2@derbyshire.gov.uk, Rachel.Green@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Contain Outbreak Management Fund Finance Plan

To confirm how COMF allocations will be spent inline with grant conditions

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Director - Public Health
Lead Officer	Iain Little, Abid Mumtaz iain.little@derbyshire.gov.uk, abid.mumtaz@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Performance Monitoring and Budget Monitoring/Forecast Outturn 2022-23 as at Quarter 3 (31 December 2022)

To provide Cabinet with an update of Council Plan performance and the Revenue Budget/forecast outturn for 2022-23, as at Quarter 3 (31 December 2022)

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change, Cabinet Member for Corporate Services & Budget
Document to be submitted to the decision maker	Report of the Managing Director, Director - Finance and ICT
Lead Officer	Esther Croll, Eleanor Scriven Esther.Croll@derbyshire.gov.uk, Eleanor.Scriven@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

Subject: Capital Budget Monitoring and Forecast as at Quarter3 2022 -23

To inform Cabinet of the latest Capital Budget Monitoring position at December 2022.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services & Budget
Document to be submitted to the decision maker	Report of the Executive Director - Corporate Services and Transformation
Lead Officer	Wendy Round Wendy.Round@derbyshire.gov.uk
Improvement and Scrutiny Committee	All Improvement and Scrutiny Committees

Subject: Council Plan and Service Plan Refresh 2023-24

To seek agreement of the authority's 2023-24 refresh of the Council Plan and individual departmental Service Plans (including the commercial pipeline of procurement projects) for approval by Full Council

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

Document to be submitted to the decision maker	Report of the Managing Director
Lead Officer	Laura Howe Laura.Howe@derbyshire.gov.uk
Improvement and Scrutiny Committee	All Improvement and Scrutiny Committees

Subject: Market Sustainability Plan

Is this a key decision?	No
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Adult Care
Document to be submitted to the decision maker	Report of the Executive Director - Adult Social Care and Health
Lead Officer	Colin Selbie Colin.Selbie@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Care Home Fee Proposals 2023 -24

Paper detailing fee proposals for Care Home placements in 2023-24

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Adult Care
Document to be submitted to the decision maker	Report of the Executive Director - Adult Social Care and Health
Lead Officer	Colin Selbie Colin.Selbie@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Home Care and Day Care Fee Proposals for 2023-24

Detailed proposals for fee uplifts for Home Care and Day Care commissioned services for 2023-24

Is this a key decision?	Yes
Date decision to be made	16 March 2023

Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Adult Care
Document to be submitted to the decision maker	Report of the Executive Director - Adult Social Care and Health
Lead Officer	Colin Selbie Colin.Selbie@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Central School Services Block and Pupil Growth Fund allocations 2023-24

Cabinet is asked to note the decisions of the Schools Forum regarding the allocation of Central School Services Block (CSSB) and Pupil Growth Funds (PGF) for 2023-24.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Education
Document to be submitted to the decision maker	Report of the Director - Finance and ICT, Executive Director - Children's Services
Lead Officer	Shelley Kerlake shelley.kerlake@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Early Years Block Funding Settlement 2023-24

To inform Cabinet of the Early Years settlement of the Dedicated Schools Grant (DSG) and the related decisions of the Schools Forum, and to seek approval to the Early Years funding formula for 2023-24.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Education
Document to be submitted to the decision maker	Report of the Executive Director - Children's Services, Director - Finance and ICT
Lead Officer	Shelley Kerlake shelley.kerlake@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: High Needs Block Funding Settlement 2023-24

To inform Cabinet of the High Needs Block settlement of the Dedicated Schools Grant (DSG) and to seek approval to its allocation for 2023-24.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Education
Document to be submitted to the decision maker	Report of the Director - Finance and ICT, Executive Director - Children's Services
Lead Officer	Shelley Kerlake shelley.kerlake@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Home to School Transport Policy

To seek approval for amendments to the home to school transport policy.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Education
Document to be submitted to the decision maker	Report of the Director - Legal and Democratic Services, Executive Director - Children's Services
Lead Officer	Dan Careless, Dawn Grindrod dan.careless@derbyshire.gov.uk, Dawn.Grindrod@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Bikeability Grant Fund

To seek Cabinet approval to accept grant funding from Active Travel England for delivery of the Bikeability Cyclist Training Programme.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport

Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Vanessa Ball, Joanna Jackson Vanessa.Ball@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Sustainable Travel Programme Update

To consider and approve the forward programme for delivering the Sustainable Travel programme.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Infrastructure and Environment
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Mathew Bonomi Joanna.Jackson@derbyshire.gov.uk, Mathew.Bonomi@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Reserve Account for Highway Drainage

To seek approval to set up a reserve account, to transfer unspent revenue funding from PR-E-22-0001-02-13-01 (Drainage Recovery) and PR-E-22-0001-02-12-01 (Routine Enhanced Drainage).

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Richard Ward Joanna.Jackson@derbyshire.gov.uk, Richard.Ward@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Low Emissions Vehicles Infrastructure Programme Update

To consider and approve the forward programme for delivering of the Low Emissions Vehicles Infrastructure Strategy.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Infrastructure and Environment
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Mathew Bonomi Joanna.Jackson@derbyshire.gov.uk, Mathew.Bonomi@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Implementation of Budget Saving to Restrict Access to Cross Border and Commercial Waste at Household Waste Recycling Centres

The purpose of this report is to set out the plan of actions to deliver an existing budget saving agreed as part of the 2021-22 Medium Term Financial Plan (“MTFP”), and to seek the necessary approvals to commence implementation in advance of the financial year 2023-24.

The report also seeks approvals to commence consultation in relation to the implementation of the above budget saving. The proposed consultation will also seek resident input on additional savings proposals that have not been formally adopted at this time.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Infrastructure and Environment
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Daniel Ayrton, Orianna Kenny Daniel.Ayrton@derbyshire.gov.uk, Orianna.Kenny@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Network Review and Public Consultation on Local Bus Services

To update Cabinet on a network review carried out on local bus services with particular focus on uneconomic and under-used Council funded supported services. To request authorisation from Cabinet to carry out a public consultation exercise in relation to options and proposed changes identified from the review. To note that a subsequent report will be brought to Cabinet with the results of the consultation with recommendations for consideration.

Is this a key decision?	Yes
Date decision to be made	16 March 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Deborah Oddy, Jamie Cheatle, Joanna Jackson Deborah.Oddy@derbyshire.gov.uk, jamie.cheatle@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Recovery from alcohol and drug dependence grant

To seek cabinet member approval for awards to organisations from the Recovery from Alcohol and Drug Dependence Grant.

Is this a key decision?	No
Date decision to be made	20 March 2023
Decision to be taken by	Cabinet Member for Health and Communities
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Director - Public Health
Lead Officer	Martyn Shore, Jon Townshend Martyn.Shore@derbyshire.gov.uk, Jon.Townshend@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Approval to Implement all Corporate Property Strategies and Append

to the Corporate Property Asset Management Strategy

To approve the implementation of the Disposal and Acquisition Protocol and Estate Management, Facilities Management and Property Maintenance Strategies to further align Corporate Property to deliver Council, Departmental and Asset Management Strategy objectives.

Is this a key decision?	Yes
Date decision to be made	23 March 2023
Decision to be taken by	Cabinet Member for Corporate Services & Budget
Relevant Cabinet portfolio	Cabinet Member for Corporate Services & Budget
Document to be submitted to the decision maker	Report of the Executive Director - Corporate Services and Transformation
Lead Officer	Helen Forster Helen.Forster@derbyshire.gov.uk
Improvement and Scrutiny Committee	

April

Subject: Civil Parking Enforcement Penalty Charge Notice Write Off Policy

To seek Cabinet approval the Civil Parking Enforcement Penalty Charge Notice Write Off Policy, to allow permission to write off unpaid parking charges.

Is this a key decision?	No
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Suzanne Cross, Joanna Jackson Suzanne.Cross@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Rate of increase in charges relating to provision of transport for students not eligible for assistance from the local authority

Provides recommendations for the increase to be applied to charges relating to home to school transport provision for those students not eligible for free transport.

Is this a key decision?	Yes
Date decision to be made	Before 5 April 2023
Decision to be taken by	Cabinet Member for Education
Relevant Cabinet portfolio	Cabinet Member for Education
Document to be submitted to the decision maker	Report of the Executive Director - Children's Services
Lead Officer	Gail Piper Gail.Piper@derbyshire.gov.uk
Improvement and Scrutiny Committee	

Subject: South Derby Growth Zone Regeneration Pipeline Programme

To consider and approve the making of Compulsory Purchase and Side Road Orders for the South Derby Growth Zone within the Regeneration Pipeline Programme.

Is this a key decision?	Yes
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Infrastructure and Environment
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Jim Seymour Joanna.Jackson@derbyshire.gov.uk, Jim.Seymour@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Childrens Services Capital Allocations - S106

To inform Cabinet of the receipt of recent Section 106 developer contributions and to seek approval for the allocation of those contributions to projects in line with the individual Section 106 agreements.

Is this a key decision?	Yes
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Children's Services and Safeguarding
Document to be submitted to the decision maker	Report of the Executive Director - Children's Services

Lead Officer	Jenny Webster Jenny.Webster@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Rationalisation of Property Assets in the Chesterfield Locality
To seek approval for the rationalisation of the Council's Property assets in Chesterfield into one newly refurbished asset on Boythorpe Road, Chesterfield.

Is this a key decision?	Yes
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services & Budget
Document to be submitted to the decision maker	Report of the Executive Director - Corporate Services and Transformation
Lead Officer	Shauni Edkins Shauni.Edkins@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Investment in Active Partners Trust
To seek approval to extend the current grant agreement in place with Active Partners Trust for 12 months whilst the Physical Activity Partnership Agreement is being set up and formally signed off by all partners

Is this a key decision?	No
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Executive Director - Adult Social Care and Health
Lead Officer	Rachel Green, Angela Kirkham (Health Improvement Practitioner) Rachel.Green@derbyshire.gov.uk, angela.kirkham2@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Supplemental Substance Misuse Treatment and Recovery Grant
Seeking approval to accept and allocate funding from the additional government

funding in relation to substance misuse treatment and recovery

Is this a key decision?	Yes
Date decision to be made	6 April 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Director - Public Health
Lead Officer	Jon Townshend, Victoria Clarke, Ellen Langton, Rosalie Weetman Jon.Townshend@derbyshire.gov.uk, Victoria.Clarke@derbyshire.gov.uk, Ellen.Langton@derbyshire.gov.uk, Rosalie.Weetman@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Covid-19 Community Fund Annual update

To provide an annual update on the funding allocation through Covid-19 Community Fund for 2022-23

Is this a key decision?	No
Date decision to be made	17 April 2023
Decision to be taken by	Cabinet Member for Health and Communities
Relevant Cabinet portfolio	Cabinet Member for Health and Communities
Document to be submitted to the decision maker	Report of the Director - Public Health
Lead Officer	Claire Jones claire.jones@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

May

Subject: Flood Risk Management Strategy Review

To update Cabinet

Is this a key decision?	Yes
Date decision to be made	4 May 2023

Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Chris Rogers Joanna.Jackson@derbyshire.gov.uk, Chris.Rogers@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

June

Subject: Consultation and Estimated Cost of Construction of the A5004 Long Hill and A5012 Via Gellia Safer Roads Fund Works

To report on the Consultation findings and Construction costs for the A5004 Long Hill and A5012 Via Gellia Safer Roads Fund Works.

Is this a key decision?	Yes
Date decision to be made	15 June 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Highways, Assets and Transport
Document to be submitted to the decision maker	Report of the Executive Director - Place
Lead Officer	Joanna Jackson, Gary Thompson Joanna.Jackson@derbyshire.gov.uk, Gary.Thompson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Co-Funding Policy

Report concerning Adult Social Care's Co-Funding Policy

Is this a key decision?	Yes
Date decision to be made	15 June 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Adult Care
Document to be submitted to the decision maker	Report of the Executive Director - Adult Social Care and Health
Lead Officer	Graham Spencer, Linda Elba-Porter, James Winson

Improvement and Scrutiny Committee

Graham.Spencer@derbyshire.gov.uk,
Linda.Elba-Porter@derbyshire.gov.uk,
James.Winson@derbyshire.gov.uk

People

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of the Local Government Act 1972.

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