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PUBLIC

To: Members of Cabinet

Wednesday, 11 October 2023

Dear Councillor,

Please attend a meeting of the **Cabinet** to be held at **2.00 pm** on **Thursday, 19 October 2023** in Committee Room 1, 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

A G E N D A

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 21 September 2023 (Pages 1 - 8)
5. Roll out of electronic devices for learning update (Pages 9 - 16)

6. Treasury Management Annual Report 2022-23 (Pages 17 - 40)
7. Annual Review Letter of the Local Government and Social Care Ombudsman (LGSCO) 2022-23 (Pages 41 - 66)
8. East Midlands Freeport, Proposals to Accept Amendments to Articles of Association and Members' Agreement (Pages 67 - 296)
9. Allocation of 2024-25 Local Transport Plan Highways Capital Settlement (Pages 297 - 328)
10. Permission to Procure the 2024-25 Micro Asphaltting Programme (Pages 329 - 334)
11. Use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries (EMMA) Consortium Framework to Cover the Provision of Library Stock to Derbyshire Libraries (Pages 335 - 346)
12. Forward Plan (Pages 347 - 364)
13. 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."

PART II - EXEMPT ITEMS

14. Agreement between Derbyshire County Council and Derby City Council for the administration of English National Concessionary Travel Scheme 2023-24 (Pages 365 - 372)
15. SAP Upgrade Implementation (Pages 373 - 402)

PUBLIC

MINUTES of a meeting of **CABINET** held on Thursday, 21 September 2023 at Committee Room 1, County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

Councillors C Cupit, A Dale, C Hart, N Hoy, T King and C Renwick.

Apologies for absence were submitted for Councillor S Spencer and J Patten.

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

127/23 TO RECEIVE DECLARATIONS OF INTEREST (IF ANY)

None received.

128/23 TO CONSIDER MINORITY GROUP LEADER QUESTIONS (IF ANY)

None received.

129/23 TO APPROVE, AS A CORRECT RECORD, THE NON-EXEMPT MINUTES OF THE MEETING HELD ON 27 JULY 2023

RESOLVED:

That subject to adding Simon Stevens (Executive Director - Adult Social Care and Health) to the list of those present, approve, as a correct record, the minutes of the meeting held on 27 July 2023.

130/23 PERFORMANCE MONITORING AND BUDGET MONITORING/FORECAST OUTTURN 2023-24 AS AT QUARTER 1 (30 JUNE 2023)

Councillor B Lewis introduced a report, which had been circulated in advance of the meeting, that presented an update of Council Plan Performance and the Revenue Budget/forecast outturn for 2023-24, as at 30 June 2023 (Quarter 1).

RESOLVED to:

- 1) Note and agree the update of Council Plan performance and the Revenue Budget position/forecast outturn for 2023-24as at 30 June 2023 (Quarter 1);
- 2) Note the position on General and Earmarked Reserves;
- 3) Approve the contribution to an earmarked reserve of any unspent amount from the one-off service pressure of £0.501m awarded in the 2023-24 Revenue Budget for the decommissioning of buildings that are closing and being disposed; and
- 4) Note significant actions are required and will be undertaken across the Council to reduce the significant revenue overspend detailed in this report, and that Cabinet will be kept informed on the implementation and progress of these actions.

131/23 CAPITAL BUDGET MONITORING AND FORECAST AS AT QUARTER 1 2023-24

Councillor B Lewis introduced a report, which had been circulated in advance of the meeting, that informed Cabinet of the latest Capital budget monitoring position as at 30 June 2023.

RESOLVED:

To note the current position on the monitoring of Capital schemes.

132/23 PREPARATION OF BUDGET 2024-25

Councillor B Lewis introduced a report, which had been circulated in advance of the meeting, that sought approval for the proposed timetable for the Council's 2024-25 budget preparation and procedures and the associated consultation arrangements.

RESOLVED to:

- 1) Approve the timetable for completion of the 2024-25 budget, including arrangements for consultation with stakeholders and the carrying out of an assessment of the need for a full equality impact assessment on budget saving proposals;
- 2) Note the proposals for reviewing and updating the Five-Year Financial Plan; and

- 3) Note the arrangements for reviewing Earmarked Reserves and updating the General Reserve projections.

133/23 MODERN WAYS OF WORKING (MWOW) PHASE 2 - PROGRESS UPDATE

Councillor B Lewis introduced a report, which had been circulated in advance of the meeting, that provided an update on the Modern Ways of Working Phase 2 Programme of work and asked Cabinet to note progress made.

RESOLVED:

To note the progress and key achievements of the Modern Ways of Working Phase 2 Programme.

134/23 DIVERSE COUNCIL DECLARATION

Councillor C Hart introduced a report, which had been circulated in advance of the meeting, that sought approval for the creation of a cross-party working group to consider the wide-ranging matters outlined in the Diverse Council Declaration motion presented to Council on 12 July 2023.

RESOLVED to:

- 1) Note the content of the report and the proposals to respond to the Diverse Council Declaration motion following Full Council on 12 July 2023;
- 2) Agree to establish a cross-party working group to consider the wide-ranging matters contained in the Diverse Council Declaration motion; and
- 3) Receive a further report to outline recommendations from the cross-party working group aligned to the review of the Equality, Diversity and Inclusions Strategy.

135/23 CHANGES TO TRADING STANDARDS COMPLIANCE POLICY IN RELATION TO WEIGHT RESTRICTION ENFORCEMENT

Councillor C Hart introduced a report, which had been circulated in advance of the meeting, that sought approval to change the Council's current Trading Standards Compliance Policy following a decision by the police to no longer provide driver details to the Council in respect of the

prosecution of weight restriction cases.

RESOLVED:

To authorise that the Trading Standards Service Compliance Policy be amended by the deletion of:

- a) The paragraph entitled “Weight Restriction Cases”; and
- b) Appendix 1.

136/23 ASHBOURNE RELIEF ROAD – ROUTE ALIGNMENT AND PUBLIC CONSULTATION

Councillor C Renwick introduced a report which had been circulated in advance of the meeting, that gave a progress report in relation to the Ashbourne Relief Road Route Alignment and Public Consultation.

RESOLVED to:

- 1) Note the implications of flood risk for the process to be followed in submitting a planning application for the Ashbourne Relief Road and in obtaining a successful outcome;
- 2) Approve the approach recommended in this report that two options, coloured blue and pink on Figure 2, be the subject of further assessment ahead of a further report to Cabinet to identify one of these as ‘preferred’; and
- 3) Approve the carrying out of informal targeted engagement with landowners and occupiers over the blue and pink options.

137/23 A TREE AND WOODLAND STRATEGY FOR DERBYSHIRE

Councillor C Renwick introduced a report, which had been circulated in advance of the meeting, that sought approval to a Tree and Woodland Strategy for Derbyshire.

RESOLVED:

To approve the Tree and Woodland Strategy for Derbyshire.

138/23 REGENERATION PIPELINE PROGRAMME - SOUTH DERBYSHIRE GROWTH ZONE – INFINITY PARK SPENCER ACADEMY ACCESS

Councillor C Renwick introduced a report, which had been circulated in advance of the meeting, that gave an update in relation to the

Regeneration Pipeline Programme, South Derbyshire Growth Zone and Infinity Park Spencer Academy Access.

RESOLVED to approve:

- 1) The inclusion of the proposed access to the new Infinity Park Spencer Academy within the scope of the South Derbyshire Growth Zone project;
- 2) The allocation of £892,000 from the balance of the Children's Services 2018-19 Basic Need/School Condition Allocation;
- 3) The preparation and submission of a planning application, including carrying out public consultation; and
- 4) The procurement of project management, property, planning, design and construction resources.

139/23 A6 MATLOCK TO WHATSTANDWELL HIGHWAY RETAINING WALL MAINTENANCE WORKS

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that sought approval to procure suitable contractor(s) to deliver the A6 Matlock to Whatstandwell Highway Retaining Wall Maintenance works and approval for the Executive Director for Place to award contracts.

RESOLVED to:

- 1) Approve, in accordance with Protocol 1 of the Financial Regulations and standing order contracts and the Public Regulations (PCR) 2015, to procure suitable contractor(s) to deliver the A6 Matlock to Whatstandwell Highway Retaining Wall Maintenance Works; and
- 2) Approve for the Executive Director for Place to award contracts, in line with the Council's Financial Regulations and the Scheme of Delegation

140/23 SAFER ROADS FUND PROJECTS - A5012 'VIA GELLIA' CROMFORD TO NEWHAVEN

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that gave an update and outlined plans following the public consultation events in relation to the Safer Roads Fund Projects for the A5012 'Via Gellia' Cromford to Newhaven.

RESOLVED to:

- 1) Accept the responses to the public consultation events held for the A5012 Via Gellia Safer Roads Fund (SRF) project and on-going consultation with statutory consultees;
- 2) Accept the scope of works recommended to be procured which may vary from those consulted upon and agreed with the Department for Transport (DfT) in December 2022;
- 3) Accept the strategy for procuring the works through the County's internal Highway and Construction Services Team;
- 4) Accept the anticipated installation costs for each proposed safety interventions for the A5012 Via Gellia route;
- 5) Give authority for officers to work within the overall budget for the three SRF projects to a confirmed value of £6.798m by not implementing safety interventions that cannot be afforded; and
- 6) Accept the findings of the Equalities Impact Assessment for the Safer Roads Fund projects.

141/23 SAFER ROADS FUND PROJECTS - A5004 'LONG HILL' BUXTON TO WHALEY BRIDGE

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that gave an update and outlined plans following the public consultation events and ongoing consultation with statutory consultees, in relation to the A5004 Long Hill Safer Roads Fund (SRF) project.

RESOLVED to:

- 1) Accept the response to the public consultation events held for the A5004 Long Hill Safer Roads Fund (SRF) project and on-going consultation with statutory consultees;
- 2) Accept the scope of the works recommended to be procured which may vary from those consulted upon and agreed with the Department for Transport in December 2022;
- 3) Accept the strategy for procuring the works through the County's internal Highway and Construction Services team;

- 4) Accept the anticipated installation costs for each proposed safety interventions for the A5004 Long Hill route;
- 5) Give authority for officers to work within the overall budget for the three Safer Roads Fund projects to a confirmed value of £6.798m by not implementing safety interventions that cannot be afforded; and
- 6) Accept the findings of the Equalities Impact Assessment for the Safer Roads Fund projects.

142/23 CHILDREN'S SERVICES CAPITAL PROGRAMME 2023-24 - FURTHER ALLOCATIONS

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, that sought approval for further allocations from the Children's Services Capital Programme 2023-24 to individual projects and note allocations made under delegated powers as detailed in the report.

RESOLVED to:

- 1) Note the allocations made under delegated powers by the Executive Director for Children's Services as detailed in Appendix 2 of the report;
- 2) Note the receipt of the funds received/returned to the Children's Services Capital budget as detailed in Appendix 3 of the report; and
- 3) Approve the allocation of £2,350,932 from 2023-24 Basic Need and £492,350 from 2023-24 School Condition Allocation to the projects as detailed in Appendix 4 of the report.

143/23 FOSTERING ALLOWANCES REVIEW

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, that sought approval for a reviewed financial framework for Derbyshire foster carers.

RESOLVED:

To approve the implementation of the new framework in October 2023.

144/23 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.

145/23 TO APPROVE, AS A CORRECT RECORD, THE EXEMPT MINUTES OF THE MEETING HELD ON 27 JULY 2023

RESOLVED:

That subject to the addition of Simon Stevens (Executive Director - Adult Social Care and Health) to the list of those present, to approve, as a correct record, the exempt minutes of the meeting held on 27 July 2023.

The meeting finished at 2.59 pm



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Executive Director - Children's Services

Roll out of electronic devices for learning update
(Cabinet Member for Education)

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 Provide an update to cabinet members on the roll out of electronic devices for learning in Derbyshire.

4. Information and Analysis

4.1 Between 2020 and 2023 Derbyshire County Council facilitated access, distribution, and utilisation of over 11,000 new digital devices (laptops) to support children and young people in Derbyshire during the pandemic to connect with schools and wider services. It also enabled pupils to communicate with school, engage with remote learning during the lock downs and participate in educational strategies and catch up schemes.

4.2 A number of services within Derbyshire County Council also annually provide over 180 devices to disadvantaged children and young people enabling access for learning and support services.

- 4.3 Identifying potential demand as we emerged out of the pandemic has been particularly challenging due to the range of devices suitable to support learning and the different platforms and techniques used by education providers to deliver and support remote learning. Remote learning has also naturally declined following the reintroduction of full face-to-face learning across our education system.

Potential demand for a device in Derbyshire was estimated from national reports and a survey of Derbyshire Schools (see table 1).

A Derbyshire school survey carried out in October 2021 received responses from 153 schools and academies identifying a potential demand (by scaling up the responses to provide an estimate for the whole county) of 598 digital devices across Derbyshire.

The reduction in demand since the 2020 national reports and Derbyshire’s survey follows a number of laptop schemes from the Department for Education (DfE) in response to the Covid pandemic and provision of devices through targeted Derbyshire services.

Table 1 Potential demand for a device

Report date	Potential Demand ¹
Ofcom March 2020 ² , 9% of children had no access at home to laptop, desktop, or tablet	13,828
Ofcom April 2021 ³ , 2% of children never have access to a computer	3,027
Derbyshire survey September 2021	598

- 4.4 To deliver the pledge Childrens Services has worked in close partnership with the DfE, a dedicated East Midlands Local Authority group, Derbyshire schools, academies and colleges, and other Derbyshire County Council departments. Delivering the pledge, providing support and devices to schools, care leavers, education providers, and social care during and post pandemic.
- 4.5 The DfE in response to the Covid lock downs supported children’s education and access to key services by providing laptops through two main schemes.

¹ Based upon the number of children in Derbyshire in August 2021

² Children and parents: media use and attitudes report 2020/21 (ofcom.org.uk)

³ Children and parents: media use and attitudes report 2022 (ofcom.org.uk)

- 4.5.1 The DfE provided 2760 Laptops to Derbyshire County Council to loan to targeted disadvantaged groups including children with a social worker, care leavers and year 10 pupils. The scheme was announced nationally in April 2020 and devices started to be delivered to Derbyshire in June 2020. Derbyshire took a lead role in a regional working group made up of 8 East Midlands Local Authorities, working in partnership to ensure regional consistency in approach. Derbyshire officers were able to maximise the opportunity by developing working partnerships with the DfE. Developing a new loan scheme required working sensitively and building close partnerships with Derbyshire Schools, academies, and social care. The team had to quickly identify the type of device required, device set up and safeguards, identification of eligible children and young people with a digital need, distribution and loan arrangements. Between 2020 and 2023 the children services team were supported by stakeholders from every department across the council, all of whom were dedicated to ensuring best utilisation of devices and additional devices requested from the DfE, as well as ensuring underutilised devices were re-distributed. Schools, social care and Derbyshire's business services unit were all critical in enabling the cost efficient and effective distribution of devices to the children and young people of Derbyshire. It is felt that this work represents an excellent example of cross-council working and the benefits of a "One Council" approach to addressing a significant challenge and supporting some of our most disadvantaged residents.
- 4.5.2 A second DfE scheme provided an estimated 8347 laptops directly to schools and academies in Derbyshire. The Children's Services working group with their knowledge and experience with DfE procedures, systems and ordering mechanisms were able to support Derbyshire schools and academies. The team supported schools during the challenging times of the pandemic to enable children and young people to gain access to a digital device and the internet. The team were able to support schools to understand the different schemes and opportunities available, identifying their allocation, place orders, request additional devices and set up school loan schemes.
- 4.6 Free internet access during the pandemic was provided to 562 children and young people across Derbyshire. The Childrens Services team supported the promotion, distribution and administration of a number of national schemes including those from the DfE.
- 4.7 During 2021-2023, a number of workshops with Councillors and senior leaders took place. Schools, academies, and other education provides were identified as those best placed to continue identifying and supporting those digitally disadvantaged with their learning. It was felt

that providers knew their pupil cohorts and their individual circumstances better than anyone else and therefore were best placed to be able to identify those who did not have access to a device at home and were not otherwise benefitting from a device from any of the DfE schemes. Ownership of loan devices has since been transferred to Derbyshire Schools where appropriate, ensuring continued maximised utilisation of the laptops provided by the DfE to support learning in Derbyshire schools. This has meant that providers are not only able to identify those pupils who have a need, but then meet that need straightaway.

4.8 Through the use of technology, the working group has also been able to ensure the best possible utilisation of the devices in circulation. The team have been able to establish remotely where devices have not been switched on for several months. Checks have then been undertaken to establish whether the device is still required and if not, these have been recovered, reset and put back into circulation so they are available for education providers to support students who are more in need.

4.9 While the vast majority of devices have now been transferred to schools, a small number have been retained by the team to ensure they are still able to respond to any direct requests for support, for example which may come from a parent or via a Councillor on behalf of a constituent.

5. Consultation

5.1 DfE schemes rolled out during the pandemic were developed and delivered by a team within Derbyshire County Council Children's Services in consultation and collaboration with DfE, regional local authority partners, social care, corporate services, schools, academies, and education providers.

5.2 September 2021 all schools were surveyed regarding their digital response to the pandemic, 153 responses were received.

6. Alternative Options Considered

6.1 Report is for information and update on the roll out of electronic devices for learning.

7. Implications

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

8. Background Papers

8.1 None applicable

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendation(s)

That Cabinet:

- a) Note the progress made to support children and young people to achieve their educational potential, enabling access to electronic devices and the range of schemes still available to support children and young people who are digitally disadvantaged in Derbyshire.
- 562 Children and young people were supported with free internet access during Covid.
 - 11,147 Laptops are now in circulation in schools and with individual children since 2020.
 - On average Derbyshire schemes provide children and young people with 180 devices a year.

11. Reasons for Recommendation(s)

11.1 Information, update and on-going roll out of electronic devices for learning.

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

12.1 No

Report Author: Robert Hayward

Contact details: Robert.Hayward@derbyshire.gov.uk

Implications

Financial

- 1.1 On-going schemes are managed by individual services and are funded via existing budgets, most notably Virtual School, Derbyshire Foster carers scheme and directly by schools.

Legal

- 2.1 Alongside supporting children's learning in school the provision of electronic devices can be used to help facilitate education for those children not able to attend school, for example, due to illness and can assist the Local Authority in fulfilling its statutory duty under section 19 of the Education Act 1996. Section 19 requires the Local Authority to make arrangements for the provision of a suitable education for children of compulsory school age who may not for any period receive suitable education unless arrangements are made for them.'
- 2.2 The Director of Legal Services has provided advice in relation to the contractual arrangements with schools and individuals for the provision and loan of digital devices.

Human Resources

- 3.1 On-going schemes are managed within individual services.

Information Technology

- 4.1 On-going schemes are managed within individual services.

Equalities Impact

- 5.1 A wide range of schemes are available which enable access to devices for all children and young people in Derbyshire.

Corporate objectives and priorities for change

- 6.1 On-going schemes are managed within individual services.

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

7.1 On-going schemes are managed within individual services.

7.2 Devices were provided through a number of different schemes including,

- DfE Remote Education Scheme, 2322 devices, other schemes 438 devices
- DfE Can't Attend School scheme, 4705 devices to mainstream and 3465 devices to academy school, other schemes 177 devices
- Derbyshire Leaving Care service,
- Derbyshire virtual school,
- Derbyshire virtual classroom,
- Derbyshire foster carers scheme,
- Loan schemes managed by individual Schools, further education and education establishments.
- Derbyshire Libraries

The Derbyshire schemes provide on average 180 devices a year to targeted groups.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Director of Finance & ICT

Treasury Management Annual 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 2022-23 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 2021 Edition*" (the CIPFA Code).

4. Information and Analysis

Introduction

4.1 The Council's Treasury Management Strategy for 2022-23 was approved at the Council Meeting of 2 February 2022 as part of the Capital Programme Approvals, Treasury Management and Capital Strategies for 2022-23 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 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 by producing an annual treasury outturn report.

External Context

Economic background

- 4.3 The war in Ukraine continued to keep global inflation above Central Bank targets. The UK economic outlook remained relatively weak, with the chance of a mild recession, during 2022-23. The economic backdrop continued to be characterised by high energy and commodity prices and high inflation, impacting on household budgets and spending.
- 4.4 Central Bank actions remained consistent with combatting inflation. The Bank of England, US Federal Reserve and European Central Bank all increased interest rates over 2022-23, despite potential economic slowdowns in those regions.
- 4.5 The annual UK Consumer Price Index (CPI) measure of UK inflation started the financial year at 5.5% and rose strongly, peaking at 11.1% in October 2022. Inflation remained persistently high in subsequent months and was 10.1% in March 2023.
- 4.6 The energy price cap of £2,500 from October 2022 to June 2023 was implemented to mitigate the effect of high energy bills.
- 4.7 The labour market remained tight, albeit with some ongoing evidence of potential loosening by March 2023. The unemployment rate eased from 3.8% in the quarter to June 2022 to 3.6% in the following quarter. In the second half of 2022-23 the unemployment rate increased, to 3.9% in the final quarter.
- 4.8 Earnings growth was robust throughout 2022-23, however, once adjusted for inflation, it was negative throughout most of the year.

- 4.9 The Bank of England increased the official Bank Rate during 2022-23, from 0.75% in March 2022 to 4.25% in March 2023. The Monetary Policy Committee (MPC) implemented Bank Rate increases at every meeting over the period. The MPC noted in March 2023 that inflationary pressures remained elevated, with growth stronger than was expected.
- 4.10 Annual US inflation slowed for nine consecutive months. After peaking at 9.1% in June 2022 it fell to 5% in March 2023. The US Federal Reserve increased interest rates throughout 2022-23, taking policy rates to a range of 4.75%-5.00% in March 2023.
- 4.11 Eurozone CPI inflation fell steadily from a record high of 10.6% in October 2022 to 6.9% in March 2023. The European Central Bank increased interest rates during 2022-23. At March 2023 its deposit facility rate was 3.0% and its main refinancing rate was 3.5%.

Financial markets

- 4.12 Uncertainty continued to be a key driver of financial market sentiment in 2022-23. Bond yields remained relatively volatile due to concerns over elevated inflation, higher interest rates and how long the Bank of England would continue to tighten monetary policy. Towards the end of 2022-23, fears around the health of the banking system, following the collapse of Silicon Valley Bank in the US and purchase of Credit Suisse by UBS, caused further volatility.
- 4.13 The 5-year UK benchmark gilt yield rose from 1.41% to peak at 4.70% in September 2022, before ending 2022-23 at 3.36%. Over the same timeframe the 10-year gilt yield rose from 1.61% to peak at 4.51%, before falling back to 3.49%, while the 20-year yield rose from 1.82% to 4.96% and then declined to 3.82%. The Sterling Overnight Rate (SONIA) averaged 2.24% over the period.

Credit background

- 4.14 The invasion of Ukraine before the start of 2022-23 resulted in increasing Credit Default Prices and this continued in 2022-23. Credit Default Prices in the UK rose further in September/October 2022, at the time of the Government's mini budget. In March 2023, the collapse of Silicon Valley Bank in the US quickly led to worries of a wider banking crisis when Credit Suisse also encountered further problems and was bought by UBS.

- 4.15 Local authorities remained under financial pressure in 2022-23. The Council's Treasury Management Advisor continued to take a positive view of the sector during 2022-23 and considered its credit strength to be high. Section 114 notices had been issued by only a few authorities with specific issues. Their advice for local authorities on their counterparty list remained unchanged during 2022-23 but they recommended a degree caution for certain authorities.

Local Context

- 4.16 On 31 March 2023, the Council had net borrowing of £111.358m 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

	31.3.23
	Actual
	£m
General Fund CFR	594.275
Less: Other debt liabilities*	-55.178
Borrowing CFR	539.097
Less: Usable reserves	-376.838
Less: Working capital	-50.901
Net borrowing requirement	111.358
Borrowing CFR is comprised:	
External borrowing	490.079
Internal borrowing	49.018
	539.097

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

- 4.17 The Council pursued its strategy of keeping 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 31 March 2023 and the change during the year are shown in Table 2 below.

Table 2: Treasury Management Summary

	31.3.22					31.3.23	31.3.23
	Balance	New	Repaid	Change in Market Value	Movement	Balance	Rate
	£m	£m	£m	£m	£m	£m	%
Long-term borrowing	285.899	0	-20.320	0	-20.320	265.579	4.43
Short-term borrowing	127.500	243.500	-146.500	0	97.000	224.500	2.22
Total borrowing	413.399	243.500	-166.820	0.000	76.680	490.079	3.42
Long-term strategic pooled funds	71.765	0	0	-7.134	-7.134	64.631	5.16
Long-term investments*	15.000	10.000	-15.000	0	-5.000	10.000	0.80
Short-term investments	251.002	163.011	-176.009	0	-12.998	238.004	1.54
Cash and cash equivalents	42.992	98.500	-75.406	0	23.094	66.086	4.28
Total investments	380.759	271.511	-266.415	-7.134	-2.038	378.721	2.62
Net borrowing	32.640	-28.011	99.595	7.134	78.718	111.358	

*Excludes Non-Treasury Loans

Borrowing Activity

- 4.18 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 Authority. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield unless these loans are for refinancing purposes.
- 4.19 The Council held £64.631m in externally managed pooled funds at 31 March 2023, which are now classed as commercial investments. These were purchased prior to the change in the CIPFA Prudential Code when strategic pooled funds were re-categorised as commercial investments. Before undertaking further additional borrowing the Council will review the options for exiting these investments. Further detail on the Council's pooled funds is given at paragraphs 4.35 to 4.42.
- 4.20 At 31 March 2023, the Council held £490.079m of loans, an increase of £76.680m from 31 March 2022, as part of its strategy for funding previous and current years' capital programmes. The year-end external borrowing position and the year-on-year change is shown in Table 3 below.

Table 3: External Borrowing Position

	31.3.22				31.3.23	31.3.23	31.3.23
	Balance	New	Repaid	Movement	Balance	Interest Rate	WAM*
	£m	£m	£m	£m	£m	%	Years
Public Works Loan Board	257.899	0	-7.320	-7.320	250.579	4.42	15
Banks (LOBO)	5.000	0	0	0	5.000	4.50	16
Banks (fixed-term)	10.000	0	0	0	10.000	4.69	21
Local authorities (long-term)	13.000	0	-13.000	-13.000	0	0.30	N/A
Local authorities (short-term)	127.500	243.500	-146.500	97.000	224.500	2.22	1
External Borrowing	413.399	243.500	-166.820	76.680	490.079	3.42	15

*WAM – Weighted*WAM – Weighted Average Maturity

- 4.21 As outlined in the Council's Treasury Management Strategy for 2022-23, the Council's chief objective when borrowing was to strike an appropriately low risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective.
- 4.22 The Council's borrowing strategy continued to address the key issue of affordability without compromising the longer-term stability of the debt portfolio and, where practicable, to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing. The Council continued to use internal resources or borrowed rolling temporary/short-term loans in 2022-23. The net movement in temporary/short-term loans is shown in Table 3 above.
- 4.23 The Council has an increasing CFR because of its capital programme. The estimated borrowing requirement is determined by a Liability Benchmark, which also takes into account usable reserves and working capital.
- 4.24 The cost of both long and short-term borrowing rose dramatically over 2022-23, with rates at the end of March 2023 around 2%-4% higher than those at the start of the year. Rate rises were driven primarily by inflation and the need for Central Banks to control this by raising interest rates. PWLB rates increased to 6% in September 2022. Whilst interest rates fell back from this peak, they remained volatile and well above recent historical norms for the remainder of the year. At 31 March 2023, the PWLB 10 year maturity certainty rate was 4.33%, 20 years was 4.70% and 30 years was 4.66%.
- 4.25 The Council's Treasury Management Advisors expect that interest rates will fall in the medium term, therefore it is the Council's strategy to finance the Council's borrowing on a short-term basis in the near term before 'locking in' to longer-term borrowing once rates are more favourable. This happened during 2022-23.
- 4.26 The Council continued to hold a £5.000m LOBO (Lender's Option Borrower's Option) loan during 2022-23, 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. The lender did not exercise its option during the 2022-23 financial year.

Other Debt Activity

4.27 After £4.807m repayment of prior years' Private Finance Initiative / finance leases / transferred debt liabilities, total debt other than borrowing stood at £55.178m on 31 March 2023, taking total debt to £545.257m.

Treasury Investment Activity

4.28 CIPFA published a revised Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes on 20 December 2021. These define treasury management investments as investments that arise from an organisation's cash flows or treasury risk management activity which ultimately represent balances that need to be invested until the cash is required for use in the course of business.

4.29 The Council holds a significant but reducing level of invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2022-23, the Council's investment balance ranged between £350.303m and £444.695m because of timing differences between income and expenditure. The year-end investment position is shown in Table 4 below.

Table 4: Investment Position (Treasury Investments)

	31.3.22					31.3.23	31.3.23	31.3.23
	Balance	New	Repaid	Change in Market Value	Movement	Balance	Income Return	WAM*
	£m	£m	£m	£m	£m	£m	%	days
Banks and building societies (unsecured)	107.994	73.011	-95.415	0	-22.404	85.590	3.81	25
Government (including local authorities)	186.000	193.500	-161.000	0	32.500	218.500	1.44	142
Registered Social Providers	15.000	5.000	-10.000	0	-5.000	10.000	1.65	338
Pooled Funds –Strategic Bond Funds	4.854	0	0	-0.315	-0.315	4.539	4.16	N/A
Pooled Funds –Equity Income Funds	15.143	0	0	-0.535	-0.535	14.608	7.80	N/A
Pooled Funds –Property Funds	27.129	0	0	-4.116	-4.116	23.013	4.26	N/A
Pooled Funds – Multi Asset Income Funds	24.639	0	0	-2.168	-2.168	22.471	4.55	N/A
Total Investments	380.759	271.511	-266.415	-7.134	-2.038	378.721	2.62	114

*WAM - Weighted average maturity applies to the first three categories above.

- 4.30 Both the CIPFA 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 The Bank of England Bank Rate increased from 0.75% in April 2022 to 4.25% by March 2023. Short-dated cash rates, which had ranged between 0.70% and 1.50% in April 2022 rose to around 4.00% to 5.00% by March 2023.
- 4.32 By the end of March 2023, the rates on Debt Management Account Deposit Facility (DMADF) deposits ranged between 4.05% and 4.15%. The return on the Council’s sterling Low Volatility Net Asset Value (LVNAV) Money Market Funds ranged from around 1.00% in April 2022 to around 3.85% by the end of March 2023.
- 4.33 Given the risk of short-term unsecured bank investments, the Council maintained its diversification into more secure and/or higher yielding asset classes as shown in Table 4 above. The Council previously identified £70.000m of funds available for longer-term investment and invested in pooled property/bond/equity/multi-asset funds. In 2022-23, the Council has maintained this sum invested.
- 4.34 The progression of credit risk and return metrics for the Council’s investments managed in-house are shown in benchmarking extracts from the Council’s external investment advisor (Arlingclose), in Table 5 below.

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

	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Total Return %
Derbyshire - 31.03.2023	5.00	A+	20%	117	0.67
Similar Local Authorities	4.37	AA-	42%	1,894	1.24
All Local Authorities	4.71	A+	59%	44	1.59

Externally Managed Pooled Funds

- 4.35 At 31 March 2023, the value of the Council's investments in externally managed pooled strategic bond, equity, property and multi-asset funds amounted to £64.631m (£70.000m nominal value). The value of these investments at 31 March 2022 was £71.765m. The Council holds these funds with the aim of receiving regular revenue income and because over the long-term their prices are relatively stable, although short-term prices are less stable. Holding these pooled funds allows the Council to diversify into asset classes other than cash without the need to own and manage the underlying investments.
- 4.36 The change in the Council's funds' capital values and % Income Return during 2022-23 is shown in Table 4. The Council had budgeted a £2.800m income return from these investments in 2022-23. During the year, the Council's pooled funds generated a net total loss of £-4.098m, comprising a £3.036m income return (shown as a % Income Return for each pooled fund in Table 4), which was used to support services in 2022-23, and a £-7.134m unrealised capital loss, which is the movement in the market value of these investments from the start to the end of the year. Paragraphs 4.37 to 4.39 consider the market movements which impacted on the value of these externally managed pooled strategic bond, equity, property and multi-asset funds and resulted in an unrealised capital loss for 2022-23. Paragraphs 4.40 to 4.42 consider the Council's holding in these pooled funds and highlights that pooled fund capital losses did not impact on the Council's General Reserve position at 31 March 2023 because of current statutory accounting arrangements which are in place. These arrangements are due to come to an end in 2024-25. Any unrealised capital losses compared to the £70.000m total nominal value of these funds will first impact on the Council's General Reserve position on 31 March 2026. To plan for this, the Council previously transferred revenue savings to an investment losses contingency earmarked reserve. This reserve balance was £2.500m at 31 March 2023. Corresponding total unrealised capital losses at that date were £5.369m.

- 4.37 Bonds had their worst year of performance in several decades. Long-term Government bonds had their worst year ever as Central Banks delivered larger interest rates increases than initially expected and promised more to combat inflation. As policy rates rapidly rose from very low levels, bond investors suffered large crystallised or unrealised losses from rising sovereign and corporate bond yields (i.e. falling prices), as well as from widening credit spreads, as concern grew over the risk of defaults in a recessionary environment. The return on the All-Gilts index was -16.3% over the 12 months to March 2023. Negative yielding bonds all but disappeared globally.
- 4.38 UK and global equities remained volatile against a backdrop of consistently high inflation, rapid policy rates tightening and an increasing risk of recession. There was a large sell-off in global equities in April 2022, and again in June 2022 and September 2022, for both UK and global equities. The total return on the FTSE All Share index for the year ended March 2023 was 2.9% and 5.4% for the FTSE 100.
- 4.39 The negative correlation between bonds and equities, which had featured for some years, turned positive in 2022 as both bonds and equities sold off simultaneously against an outlook of persistently high inflation and high interest rates. Simultaneously, tighter financial conditions, higher bond yields and challenges in some segments of commercial real estate (e.g. offices post-pandemic, high street shops and shopping centres) saw commercial property values fall during 2022, with a large fall in the final calendar quarter of 2022.
- 4.40 Although these funds have no defined maturity date, cash is available for withdrawal after a short notice period (except for the Property Fund which is a minimum of 6 months' notice). The 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 should exceed cash interest rates.

- 4.41 In light of their performance over the medium-term, investment in these funds has been maintained. The Council is using the alternative fair value through profit and loss (FVPL) accounting method to account for them, which means that if there are any long term unrealised losses in the funds' fair values there will not be an immediate impact on the Council's General Reserve balance. The date for this impact was to be 2023-24 at the earliest. The Department for Levelling Up, Housing and Communities (DLUHC) published a consultation on the 'IFRS 9 pooled investment fund statutory override for English authorities for fair value gains and losses on pooled investment funds', which was due to expire with effect from 2023-24. The options under evaluation were to allow the override to lapse, to extend it, or to make it permanent. Following this consultation, DLUHC extended the override for a further two years and the earliest impact of any unrealised losses on the Council's General Reserve balance will now be in 2025-26.
- 4.42 The Council has transferred revenue savings to an investment losses contingency earmarked reserve to manage future volatility. This reserve was £2.500m at 31 March 2023. Corresponding unrealised capital losses at that date were £5.369m (value of £64.631m against a nominal value of £70.000m).

2022-23 Net Investment Income

- 4.43 Overall, during 2022-23, the Council generated £5.288m of net investment income from its investments (£7.410m investment income less £2.122m short-term borrowing costs) against a budget of £4.538m.

Other Non-Treasury Holdings and Activity

- 4.44 The definition of investments in CIPFA's revised 2021 Treasury Management 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), or for commercial purposes (made primarily for financial return). Investment Guidance issued by the Department for Levelling Up Housing and Communities (DLUHC) also broadens the definition of investments to include all such assets held partially or wholly for financial return. At 31 March 2023, the Council held £13.553m of such investments.

- 4.45 Of the total balance of £13.553m of the Council's other non-treasury holdings at 31 March 2023, £13.053m is in respect of a regeneration loan to a local business/landlord, Buxton Crescent Ltd. This has increased £0.506m on the previous year as a result of the capitalisation of interest until loan repayments commence on 1 October 2023.
- 4.46 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. Capital repayments were due to commence with effect from August 2022 but did not take place during 2022-23 whilst a request for an extension to the start of the planned repayment schedule was considered. The requested extension was declined in April 2023 following which repayments have proceeded in 2023-24.

Treasury Performance

- 4.47 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

	Actual £m	Budget (CFR) £m	Over/ (Under) £m	Interest Actual %	Interest Other LA (Counties) Benchmark %	Interest Over/ (Under) %
Interest paid on capital and temporary borrowing	15.428	17.055	-1.627	3.42	No data held	N/A
Interest received on treasury investments	7.410	4.538	+2.872	2.62	3.48	-0.86

Compliance Report

- 4.48 The Director of Finance & ICT reports that all treasury management activities undertaken during 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	31 March 2023 Actual £m	2022-23 Operational Boundary £m	2022-23 Authorised Limit £m	Complied
Total debt	490.079	490.079	734.000	769.000	✓

Table 8: Investment Limits

	2022-23 Maximum *	2022-23 Limit	March 2023 Actual	Complied
	£m	£m	£m	
Any single organisation, except UK Government and Main Bank	30.000	30.000	30.000	✓
Main Bank (Lloyds)	59.291	60.000	31.586	✓
Any group of organisations under the same ownership	30.000	30.000	30.000	✓
Any group of pooled funds under the same management	30.000 nominal	30.000 nominal	30.000 nominal	✓
	10.000 individual	10.000 individual	5.000 individual	
Registered providers and registered social landlords	15.000 total	50.000 total	10.000 total	✓
Negotiable instruments held in a broker's nominee account	65.158	100.000 per broker	23.004	✓
Limit per country (ex UK)	28.006	30.000 each	23.004	✓

*Maximum held at any one time.

Treasury Management Indicators

4.50 The Council measures and manages its exposures 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.

Table 9: Security

	31 March 2023 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.

Table 10: Liquidity

	31 March 2023 Actual £m	2022-23 Target £m	Complied
Total cash available within 1 month OR	157.090	10.000	✓
Total sum borrowed in past 3 months without prior notice	58.500	30.000	✓

4.53 **Interest Rate Exposures:** This indicator is set to control the Council's exposure to interest rate risk.

Table 11: Interest Rate Exposures

	31 March 2023 Actual £m	2022-23 Limit £m	Complied
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates.	0.575	1.477	✓
Upper limit on one-year revenue impact of a 1% fall in interest rates	N/A	-1.508	✓

4.54 The impact of a change in interest rates is calculated on the assumption that maturing investments and short term borrowing will be replaced at current rates.

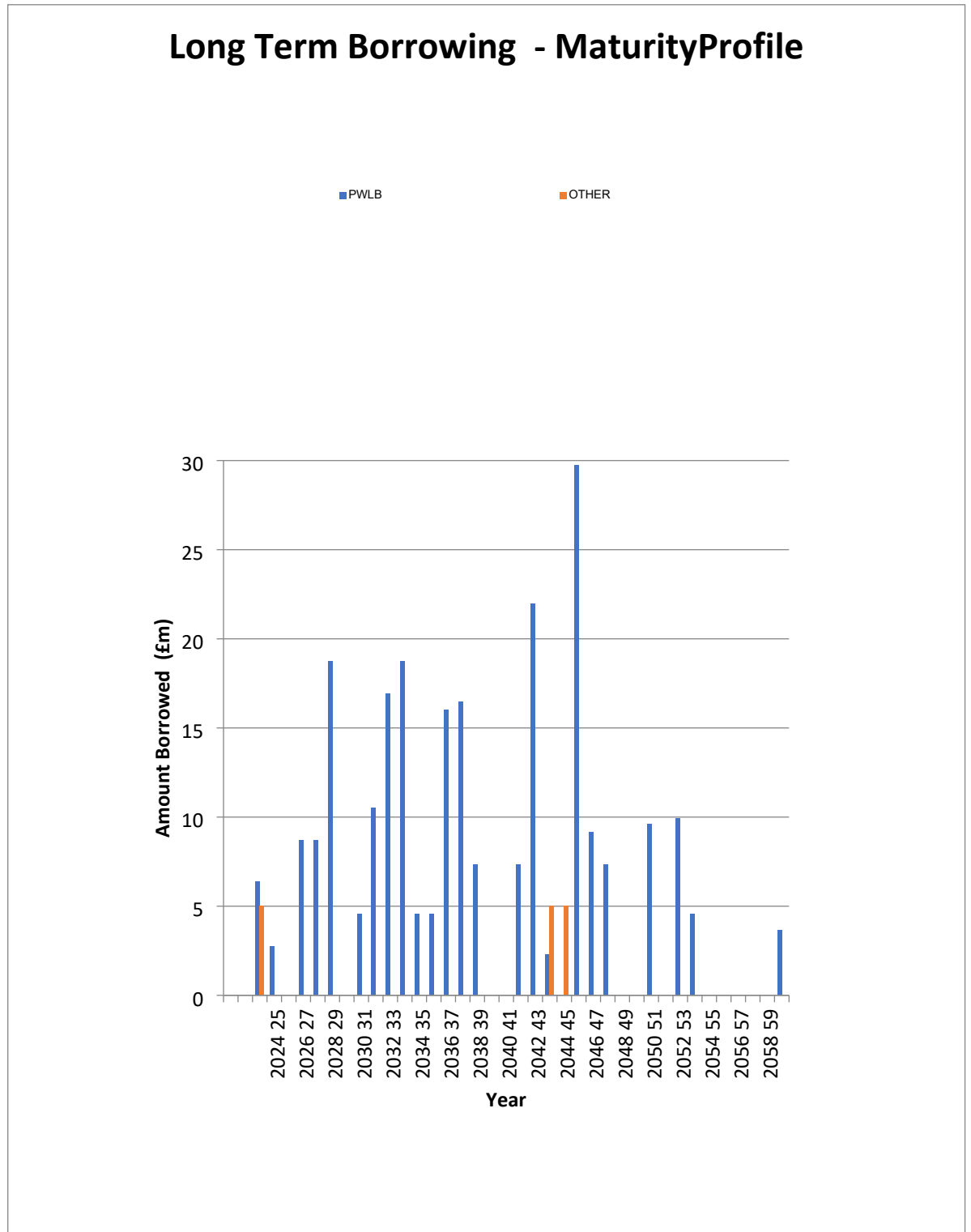
4.55 **Maturity Structure of Borrowing:** This indicator is set to control the Council's exposure to refinancing risk. Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment. The upper and lower limits on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

Table 12: Maturity Structure of Borrowing

	31 March 2023 Actual %	Upper Limit %	Lower Limit %	Complied
Under 12 months	48	60	0	✓
12 - 24 months	1	20	0	✓
24 months - 5 years	4	20	0	✓
5 - 10 years	10	20	0	✓
10 - 20 years	15	40	10	✓
20 - 30 years	20	40	10	✓
Over 30 years	2	40	0	✓
Total	100			

4.56 The Council's long term maturity repayment profile at 31 March 2023 is shown below. A good spread of maturities is desirable. The average long term (loans over 1 year in duration) redemption is £6.772m 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 16 years. Any new borrowing would be targeted for maturity in years with nil/low repayments.

Chart: Maturity Profile of Long Term Borrowing



- 4.57 **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: Principal Sums Invested for Periods Longer than a Year

Loans Maturing =>	Beyond 31 March 2024 £m	Beyond 31 March 2025 £m	Beyond 31 March 2026 £m
Actual principal invested beyond the year end (including strategic pooled funds and non - treasury investments)	64.631	64.631	64.631
Limit on principal invested beyond the year end	150.000	125.000	100.000
Complied?	✓	✓	✓

Other

- 4.58 **IFRS 16:** The implementation of the new IFRS 16 Leases accounting standard was due to come into force for local authorities from 1 April 2022. Following a consultation, CIPFA/LASAAC announced an optional two-year delay to the implementation of this standard, a decision which was confirmed by the Financial Reporting Advisory Board in early April 2022. The Council will adopt the new standard on 1 April 2024.

5. Consultation

- 5.1 No consultation is required.

6. Alternative Options Considered

- 6.1 N/A - the Council is required to have a Treasury Management Strategy each year, to monitor against it and to produce a Treasury Management Annual Report. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code. If the Council chose not to prepare this Annual Report it would be in contravention of the Council's Financial Regulations and other legislation and statutory guidance.

7. Implications

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

8. Background Papers

- 8.1 Not applicable.

9. Appendices

- 9.1 Appendix 1 - Implications.

10. Recommendation

- 10.1 That Cabinet notes the report on Treasury Management activities during 2022-23 and the Council's compliance with the prudential indicators set by Council at its meeting of 2 February 2022, in accordance with the the CIPFA Code.

11. Reasons for Recommendation

- 11.1 The Council is committed to ensuring good financial management and compliance with applicable laws and regulations.
- 11.2 Treasury Risk Management at the Council is conducted within the framework of CIPFA's "*Treasury Management in the Public Services: Code of Practice 2021 Edition*" (the CIPFA Code) which requires the Council to approve a Treasury Management Strategy before the start of each financial year and 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 by producing an annual treasury outturn report for 2022-23 and also assists with the requirements in the Council's Financial Regulations, which require that the borrowing and investments of the Council should be arranged in such a manner so as to comply with the CIPFA Code of Practice on Treasury Management.
- 11.3 The report on treasury management activities 2022-23 highlights the borrowing strategy and investments position of the Council during the previous financial year. It 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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Implications

Financial

- 1.1 The Treasury Management Annual Report 2022-23 sets out in paragraphs 4.03 to 4.15 external factors impacting on Treasury Management in 2022-23. This covers economic background, financial markets and credit background. The report then details in paragraphs 4.16 to 4.43 the Council's Treasury Management activity and position during 2022-23. This highlights the borrowing and investments positions of the Council during 2022-23. Other non-Treasury holdings and activity are referred to in paragraphs 4.44 to 4.46 and Treasury performance in paragraph 4.47. Finally the report considers in paragraphs 4.48 to 4.57 the Council's compliance with targets agreed as part of the Treasury Management Strategy 2022-23.
- 1.2 On 31 March 2023, the Council had net borrowing of £63.234m arising from its revenue and capital income and expenditure. The Council held a significant but reducing level of invested funds in 2022-23, representing income received in advance of expenditure plus balances and reserves held. In 2022-23, the Council continued to pursue its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The Council has an increasing Capital Financing Requirement because of its capital programme.
- 1.3 Overall, during 2022-23, the Council paid interest on capital and temporary borrowing of £15.428m against a budget of £17.055m and received interest on treasury investments of £7.410m against a budget of £4.538m.
- 1.4 The Compliance Report confirms that the Council complied 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 2021 Edition*" (the CIPFA Code).

Legal

- 2.1 The Treasury Management function for borrowing and investment forms part of the prudential funding structure established by the Local Government Act 2003. Local authorities are required to have regard to a range of guidance when exercising these powers.
- 2.2 Treasury Risk Management at the Council is conducted within the framework of CIPFA's "*Treasury Management in the Public Services: Code of Practice 2021 Edition*" (the CIPFA Code) which requires the Council to approve a Treasury Management Strategy before the start of each financial year and 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, by reporting on annual treasury outturn for 2022-23, and also assists with the requirements in the Council's Financial Regulations, which require that the borrowing and investments of the Council should be arranged in such a manner so as to comply with the CIPFA Code of Practice on Treasury Management.

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



Agenda Item

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Director of Legal & Democratic Services and Monitoring Officer

Annual Review Letter of the Local Government & Social Care Ombudsman (LGSCO) 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 The purpose of this report is to inform Cabinet of the Local Government and Social Care Ombudsman's (LGSCO) Annual Review letter for the year ended 31 March 2023.

4. Information and Analysis

4.1 The LGSCO's Annual Review letter 2022/23, giving details of the total number of complaints for Derbyshire County Council for the year ending 31 March 2023, is attached as Appendix 2 for consideration. All of the Ombudsman's annual review letters are published on their website.

- 4.2 The aim of the Annual Review Letter is to provide councils with information which will help them assess their performance in handling complaints.
- 4.3 For the period ending 31 March 2023, the LGSCO received 97 complaints and enquiries relating to Derbyshire County Council. The 97 complaints compares to 86 complaints for Derbyshire in the period 2021/22 (an increase of 12.7 %).
- 4.4 Looking specifically at the decisions made by the LGSCO for the period ending 31 March 2023, there were 25 detailed investigations carried out, of which 5 were not upheld and 20 were upheld. This gives an upheld rate of 80%. By way of comparison in 2021/22 the LGSCO investigated 30 complaints against the Council; this represents a decrease in complaints investigated in 2022/23 of 33%. The upheld rate in 2021/22 was 80% compared to 80% in 2022/23.
- 4.5 In respect of the 20 complaints upheld by the LGSCO in 2022/23 the LGSCO found fault and suggested a remedy in respect of each case and the remedies were acceptable to the council.
- 4.6 In terms of the 97 complaints made and 20 complaints upheld by the LGSCO these can be identified in relation to the following County Council departments:

Department	Number of complaints and enquiries made to the LGSCO	Number of complaints upheld by the LGSCO
Adult Care	29	5
Children's Services	50	11
Place	12	4
CST	6	0

Details of the upheld complaints and the remedies are set out in Appendix 3.

- 4.8 In respect of compliance with the LGSCO's recommendations of the 18 complaints where compliance with the recommended remedy was recorded during the year, the Council complied with all the recommended remedies giving a compliance rate of 100%.
- 4.9 Of the 20 upheld decisions the Ombudsman found the Council had not provided a satisfactory remedy in any of the cases before the complaint

reached the Ombudsman. This compares to an average of 6% in similar organisations.

- 4.10 The LGSCO has noted that during the year 2022/23 there were several occasions when their investigations were delayed by the Council's failure to respond in a timely manner to the LGSCO's requests for information. The response times to the LGSCO are usually five working days to respond to an initial request for information or supply additional information, twenty working days to respond fully to an investigation and ten days to respond to a draft decision. More than two fifths of the responses to the LGSCO's enquiries were late. The delays were mainly within Children's Services but there was also a proportion of Adult Care cases where there were delays in sending responses. The LGSCO accepted that these delays were partly attributable to staff shortages, which the LGSCO acknowledged could be challenging to manage. In nearly all cases however the Council requested extensions before the due date lapsed. Whilst staff shortages still remain, departments are doing their best to respond to complaints whilst dealing with other competing priorities.
- 4.11 The LGSCO also became aware of a long running Children's Services complaint the Council had been investigating. The complaint began in December 2017, and despite repeated requests and promises from the Council that it would be progressed to the next stage of the local resolution process, a learning review took place instead. This ultimately did not resolve the complaint and the complaint came to the LGSCO's office for consideration. The LGSCO's investigation did not find systemic failings but noted the poor practice. The LGSCO was pleased to see the Council's willingness to accept its actions were wrong and practice had since changed.
- 4.12 The Children's Services department are continuing to review their practices and procedures relating to provision of Education Health and Care Plans (EHCP's) for young people with special educational needs and disabilities. Cabinet will note that the provision of the EHCP plans and educational placements to support the plans is a national problem.

5. Consultation

- 5.1 No consultation is necessary.

6. Alternative Options Considered

- 6.1 Not to inform Cabinet of the LGSCO's Annual Review letter for the period ending 31 March 2023; however, it is considered important that

the Executive are informed of the Annual Review letter to enable proper oversight of complaints.

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
- 9.2 Appendix 2 – Annual Review letter
- 9.3 Appendix 3 – Details of the 20 upheld cases

10. Recommendation

- 10.1 That Cabinet notes the Annual Review letter of the Local Government and Social Care Ombudsman for the year ending 31 March 2023.

11. Reasons for Recommendation

- 11.1 To ensure that the Executive is aware of the contents of the LGSCO Annual Review letter and has oversight of complaints made.

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

- 12.1 No

Report Author: Paul Peat

Contact details: Paul.Peat@derbyshire.gov.uk.

Implications

Financial

- 1.1 Payments have already been made to the complainants in accordance with the recommendations of the LGSCO.

Legal

- 2.1 The Local Government and Social Care Ombudsman's powers are defined by the Local Government Act 1974 as amended by the Local Government and Public Involvement in Health Act 2007.
- 2.2 The LGSCO cannot question whether a Council's decisions are right or wrong simply because the complainant disagrees with them. He must consider whether there was fault in the way the decision was reached. (Local Government Act 1974, section 34(3)).
- 2.3 The LGSCO will generally only investigate a complaint where the complainant has exhausted the council's corporate complaints process. It is therefore important that the council maintains a robust complaints procedure.
- 2.4 The LGSCO has the power to make recommendations to a public authority following a complaint, however the recommendations are not mandatory. Findings and recommendations are however published by the LGSCO.
- 2.5 Section 31 of the Local Government Act 1974 requires a report to be submitted to "the authority" when a report on maladministration is received from the Local Government and Social Care Ombudsman. The specific requirement is that the report to "the authority" is made to the "executive" i.e. Cabinet (s.25(4ZA) Local Government Act 1974) where the matter relates to executive functions and Council or a Committee where the matter relates to non-executive functions. During the period April 2022 – March 2023 no such reports of maladministration have been received from the LGSCO. However, complaint 21/018/475 (referred to in appendix 3) is a matter where the Ombudsman found fault, causing injustice, and determined that two key aspects of the Home to School Transport Policy did not comply with legislation and statutory guidance. Section 5A of the Local Government and Housing Act 1989 imposes a duty on the Monitoring Officer to prepare a report to the

Executive if at any time it appears to her that any proposal, decision or omission would give rise to a contravention of any enactment or rule of law in the exercise of its functions. Therefore, a report was presented to Cabinet on 18 May 2023 and approval was given for amendments to the Council's Home to School Transport Policy for children of compulsory school age to ensure compliance with statutory responsibilities.

- 2.6 The Council's Constitution provides that one of the roles and function of the Governance, Ethics and Standards Committee is '11. *To receive regular reports on the of the Corporate Complaints process, Local Government Ombudsman referrals and to recommend revisions to related policies and procedures as appropriate*'. A report will therefore also be prepared for the Committee.

Human Resources

- 3.1 None directly arising from this report.

Information Technology

- 4.1 None directly arising from this report.

Equalities Impact

- 5.1 As this is a statutory report in response to the findings of the Local Government and Social Care Ombudsman no equality impact assessment has been prepared.

Corporate objectives and priorities for change

- 6.1 None

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

- 7.1 None directly arising from this report.

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Ms Alexander
Executive Director
Derbyshire County Council

Dear Ms Alexander

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with

that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Your organisation's performance

During the year, there were several occasions when our investigations were delayed by your Council's failure to respond in a timely way to our requests for information. More than two fifths of your responses to our enquiries were late. I understand these delays were partly attributable to staff shortages, which can be challenging to manage. I am pleased to see in nearly all cases, extensions were requested before the due date elapsed. I ask that you take action to ensure your Council responds to our enquiries promptly in future.

More specifically, my investigators became aware of a long-running Children's Services complaint your Council had been investigating. The complaint began in December 2017, and despite repeated requests and promises from your Council that it would be progressed to the next stage of the local resolution process, a learning review took place instead. This ultimately did not resolve the complaint and the complaint came to my office for consideration. Our investigation did not find systemic failings, but we noted the poor practice. I am pleased to see the Council's willingness to accept its actions were wrong and practice had since changed.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

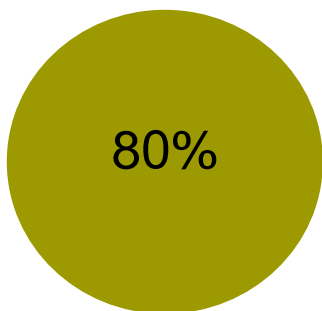
We were pleased to deliver two online complaint handling courses to your staff during the year. I welcome your Council's investment in good complaint handling training and trust the courses were useful to you.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld



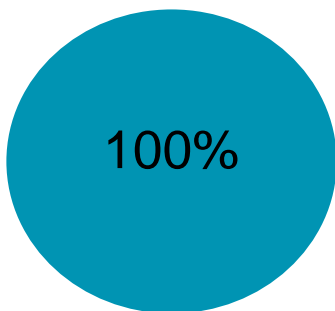
80% of complaints we investigated were upheld.

This compares to an average of **80%** in similar organisations.

20
upheld decisions

Statistics are based on a total of **25** investigations for the period between 1 April 2022 to 31 March 2023

Compliance with Ombudsman recommendations



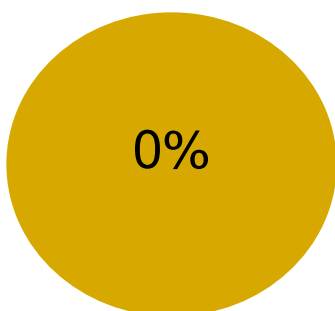
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **18** compliance outcomes for the period between 1 April 2022 to 31 March 2023

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **6%** in similar organisations.

0
satisfactory remedy decisions

Statistics are based on a total of **20** upheld decisions for the period between 1 April 2022 to 31 March 2023

Complaint Reference	Details of complaint	Findings and Remedy
21/003/755 Children's Services	<p>The complainant, Mr X, complained about the actions of the Council's Children's Services Department regarding his son's Education, Health and Care plan. Mr X complained:</p> <ul style="list-style-type: none"> • The Council did not obtain parental consent to carry out an occupational therapist's assessment in October 2020; • An officer who responded to Mr X's complaint was the same officer involved in the actions complained about. As a result, Mr X complained the Council failed to address a conflict of interest; • The Council incurred delays in its complaint handling; • The Council restricted Mr X's contact with it due to what it considered to be excessive demands, and • The Council failed to refund the cost of an Educational Psychologist's report commissioned privately in 2016. <p>Mr X said that the Council's actions had caused financial hardship to him and avoidable distress to himself and his son. Mr X also complained:</p>	<p>The Ombudsman found fault.</p> <p>The Council agreed to carry out the following actions:</p> <ul style="list-style-type: none"> • Provide an apology to Mr X; • Make a payment of £300 for the time and trouble taken to pursue the complaint; • Make a further payment of £200 in recognition of the distress caused by the fault identified; • Reimburse Mr X the cost of the 2016 educational psychologist's assessment, and • Remind its staff to adhere to the Council's complaints policy regarding timescales.

	<ul style="list-style-type: none"> • The Council failed to carry out occupational therapy assessments, speech, language and communication needs assessments and social care assessments; • The Council carried out an assessment which contained misleading information; • The Council included provision for speech and language needs in an incorrect section of the Education, Health and Care plan; • The Council failed to provide a response to a subject access request within the expected timeframe; • The Council’s assessment contained inaccurate diagnostic information and selective diagnoses, and • The Council’s actions did not align with outcome of a decision regarding a previous complaint in 2016. 	
<p>22 /003 /283 Children’s Services</p>	<p>The complainant, Mr X complained that the Council failed to ensure the provision of mental health support that was specified in his son, Y’s, Education Health and Care Plan (EHCP). Mr X said that Y has been disadvantaged as a result.</p>	<p>The Ombudsman upheld the complaint The Council agreed to:</p> <p>a) Award Mr X a symbolic payment of £500. This was in recognition of the missed opportunity and impact that an absence of mental health provision had on Y. This was a figure of £100 per month apportioned to exclude school holidays.</p> <p>b) Award Mr X an additional amount of £150 in recognition of the distress and additional pressures Mr X and his family experienced.</p>

		c) Share the outcome of its review with the Ombudsman that it had undertaken regarding its working protocols between education, health, and social care in order that the Ombudsman could see that the Council had considered how its working processes could be improved to ensure better sharing of information between services.
21/007/902 Children's Services	The complainant, Miss X, complained that the Council failed to secure provision in her son's education, health and care plan during the period March 2020 to March 2021. She said this affected her son's well-being and academic progress. She said he, (Y), was socially isolated and became anxious about school.	The Ombudsman found fault. The Council agreed to: <ul style="list-style-type: none"> • apologise to Miss X and Y for the uncertainty caused by the faults identified. • pay £500 to recognise the impact of this uncertainty on Y. • remind staff to keep written records of telephone calls and discussions about individual cases.
22/002/917 Children's Services	The complainant, Miss B, complained that the Council was at fault in failing to obtain an occupational therapy assessment during the education care and health needs assessment for her son.	The Ombudsman found fault causing injustice. The Council agreed to reimburse Miss B £550 for the cost she incurred in obtaining the occupational therapy assessment.
21/018/475	The complainant, Mrs X complained about the Council's decision to not provide her child, Y, with	The Ombudsman upheld the complaint. He found fault causing injustice.

<p>Children's Services</p>	<p>school transport assistance. Mrs X said Y had a physical disability which meant they needed to use a wheelchair. Mrs X said as a result, the Council expected her to take Y to school by pushing Y in their wheelchair. Mrs X said this had affected Y's mental health as Y could not independently go to school. It had also caused distress to Mrs X and the family. Mrs X wanted the Council to reconsider its decision.</p>	<p>The Council agreed to arrange transport assistance for Y, to and from their school, School B, as an 'eligible child'. The Council has also agreed to:</p> <ul style="list-style-type: none"> a. apologise to Mrs X for the time and trouble she has gone through by unnecessarily appealing and complaining about the Council's decision. b. apologise to Mrs X, Y and their family for the distress and frustration the matter caused them. c. make a symbolic payment to Mrs X for the time and trouble and distress the matter had caused her. This payment was £10 a day for each school day Y attended school but was not given transport assistance from the date Mrs X applied for it in December 2021. <p>The Council agreed to review its 'home to school transport policy' to comply with statutory guidance. The report was submitted to Cabinet on 18 May 2023 approving amendments to the council's home to school transport policy for children of compulsory school age to ensure compliance with statutory responsibilities.</p>
<p>22/004/335 Children's Services</p>	<p>The complainant, Mrs D, complained on behalf of her son (Young Person X). Her complaint concerned an unsuccessful school transport appeal to the Council which would have entitled Young Person X to free home to school transport. Specifically, Mrs D alleged the following:</p> <ul style="list-style-type: none"> a) The Council's appeal panel failed to consider and take proper account of national guidance in relation to home to school transport, particularly with respect to reasonable walking time and safety. 	<p>The Ombudsman found fault and injustice. The Council agreed to provide Mrs D with a written apology acknowledging the delay in hearing her Stage 2 appeal and agreed to pay Mrs D £150 to acknowledge the uncertainty and anxiety she suffered by reason of the delay.</p> <p>The Council also agreed to undertake a formal review of Mrs D's case to identify why the delay occurred and to adopt measures to prevent similar occurrences in the</p>

	<p>b) The Council's appeals panel did not consider any of the points raised during the hearing beyond the 'statutory walking distance'. Mrs D felt this undermined the entire process, particularly with respect to her safety concerns.</p> <p>c) The Council failed to adhere to its own policy timeframes for reaching a decision in this case as it took 28 months to provide a decision.</p> <p>d) The appeal process lacked transparency and integrity as she was not afforded a face-to-face hearing despite requesting one.</p> <p>e) The appeal panel members were not independent as they were employees of the Council's Children's Services team who had prior knowledge of the case.</p> <p>f) The minute taker of the appeal hearing was a Council employed Solicitor. Mrs D felt this was unfair as she was not afforded the same level of representation.</p>	<p>future. The review would also look at whether it was suitable for the Council to be accepting school transport review requests by telephone when its policy outlined this must be by written means. The review outcome would be shared with Council officers involved in school transport decision making to inform any necessary training and guidance.</p>
<p>22 002 559 Children's Services</p>	<p>The complainant, Mrs X complained the Council delayed carrying out an annual review of her son Mr Y's Education, Health and Care Plan (EHC plan) and then delayed issuing a final amended plan. This delayed the opportunity to appeal and caused frustration and uncertainty. Mrs X said the Council had also failed to ensure Mr Y received all the provision in the EHC plan in the meantime which impacted on his education and mental health.</p>	<p>The Ombudsman found fault and injustice. The Council agreed to:</p> <ul style="list-style-type: none"> • Apologise to Mrs X and Mr Y for the faults identified • Pay Mr Y £1800 to acknowledge his loss of education provision between April 2021 and December 2021 (£300 a month for six months excluding school holidays) and a further £700 for the failure to provide all the provision set out in his plan for three and a half months between January 2022 and May 2022 (£200 a month excluding school holidays) when it issued the final amended plan. • Pay Mrs X £200 to acknowledge the frustration caused to her by the Council's delays.

		<ul style="list-style-type: none"> • Provided Mrs X provides evidence, to refund her any expenditure Mrs X had made for SALT, OT or tuition provision since August 2021 up until when it agreed a personal budget. • Carry out the annual review of Mr Y’s EHC Plan if it had not done so already. <p>The review should address the personal budget for SALT and OT going forward and how company A intended to meet the provision set out in Mr Y’s EHC Plan going forward.</p>
22/009/330 Children’s Services	The complainant, Mrs X, said the Council did not follow the relevant time limits in finalising her son’s (Y) Education, Health and Care plan (EHCP) after it carried out an annual review in 2021 which caused her avoidable distress because she was unsure about the provision that her son would get in the following academic year. The delays also prevented Mrs X in getting her appeal prepared in good time.	The Ombudsman found fault due to delay. The Council agreed to make a payment of £100 to Mrs X to recognise the avoidable distress she experienced in the delays to Y’s EHCP.
22/000/077	The complainants, Mr and Mrs B complained the Council failed to ensure an adequate investigation into a complaint made in December 2017 which concerned events before and after their adopted son entered foster care.	The Ombudsman found fault causing injustice. The Council agreed to: a) provide Mr and Mrs B with an apology accepting the findings of the Ombudsman’s investigation; b) pay Mr and Mrs B £500 in recognition of their time and trouble and £250 in recognition of their distress;

<p>Children's Services</p>	<p>Mr and Mrs B said as a result both they, and their son, had unanswered questions arising from the events complained about. Those events caused distress for them all. They considered that events may have turned out differently had their complaint been handled better.</p>	<p>c) appoint, an Investigating Officer and Independent Person to investigate Mr and Mrs B's complaint at stage two of the statutory complaint procedure.</p> <p>The Council also agreed that it would review existing liaison arrangements between its complaint service and legal services where it sought legal advice on whether to investigate a complaint (something which was appropriate in some cases) and would ensure it had procedures in place that meant it did not lose track of the complaint and ensured that it kept in touch and replied to the complainant accordingly.</p>
<p>22/012/869 Children's Services</p>	<p>The complainant, Mr X, complained firstly that the Council's social workers involvement with his family led to a reduction in his contact with his daughter. He said social workers advised the mother to stop his contact. Mr X said social workers failed to understand his mental health and misled a judge about his situation in 2020 and 2022. Mr X said the Council made things worse, prevented him getting help, and harmed his physical and mental health. Mr X said the Council should help with contact handovers between him and daughter's mother. Mr X wanted his daughter to stay overnight with him again. Mr X said he needed help at home and a carer to bring this about.</p> <p>Mr X also complained that the Council had failed to handle his complaint properly. He said the stage 2 investigation report contained contradictory information. He said the Council had not fully acknowledged or understood what went wrong. He</p>	<p>The Ombudsman upheld the complaint in respect of the handling of Mr X's complaint. The Council agreed to remedy Mr X's injustice by paying him £600 for the complaint handling.</p> <p>The Ombudsman could not lawfully investigate the contact complaint because it was a matter which is had been dealt with by the court.</p>

	said the offered remedy of £300 compensation was not enough for the delay and damage caused.	
22 006 951 Children's Services	The complainant, Mrs X, complained that the Council did not provide the speech and language therapy (SALT) support and physiotherapy support as set out in her daughter, Y's Education, Health and Care Plan since it was issued in December 2021. Mrs X said this was detrimental to Y's ability to maintain the skills needed to function independently.	<p>The Ombudsman upheld the complaint, finding fault and injustice. The Council agreed to write to Mrs X and apologise for the uncertainty caused to her and the injustice caused to Y by the delay in securing the specified SALT and physiotherapy provision; and agreed to:</p> <ul style="list-style-type: none"> • pay Mrs X a symbolic £450 to recognise the injustice caused to Y to be used for Y's educational benefit as Mrs X saw fit; and • pay Mrs X £200 to recognise the uncertainty caused to her and the time and trouble she had been put to in pursuing the correct provision for Y. <p>The Council also agreed to:</p> <ul style="list-style-type: none"> • ensure it had a robust system in place to ensure provision specified in EHC plans was in place where a new or substantially different EHC plan is issued; and • review how it commissions private SALT services and implement any changes it identified as necessary to ensure SALT can be commissioned without significant delay.
21/012/109 Adult Care	The complainant, Mrs B, complained about the care and support provided to her late mother, Mrs C, when she was a resident in a Derbyshire County Council care home. The complainant said the Council and Derbyshire Community Health Services NHS Foundation Trust failed to ensure her mother was provided with adequate social and clinical	<p>The Ombudsman found fault by both the Council and the Trust and recommended the following actions which the Council /Trust respectively agreed:</p> <ul style="list-style-type: none"> • the Council agreed to apologise in writing to Mrs B and her siblings for the worry and avoidable distress caused by its failure to review her mother's care needs when she

	<p>care during the final months of her life. She said the care home failed to acknowledge her mother’s clinical diagnosis and prevented Mrs C’s family from visiting her as agreed. Mrs B also complained about errors with medication, poor advice about gifting from Mrs C’s funds, insufficient staffing in the home and a failure to manage her mother’s risk of falls.</p> <p>Mrs B also said the alleged faults caused her avoidable stress, anxiety and increased frustration due to a lack of transparency by the Council and the Trust.</p>	<p>was at the end of her life. It would also apologise for the poor care it acknowledged she received at times.</p> <ul style="list-style-type: none"> • the Council agreed to reimburse £2,350 to Mrs C’s estate which she paid for care fees in recognition of the fact that the care she paid for fell below expected standards at times. The Council agreed to make the payment to Mrs B who would deal with it accordingly. • the Trust agreed to apologise in writing to Mrs B and her siblings for the uncertainty and worry they experienced caused by its failure to properly consider Mrs C’s condition and prognosis when it considered her presentation and decided she did not meet the criteria for fast-track healthcare funding. It also agreed to apologise for the uncertainty they experienced because of its failure to communicate with their mother’s GP practice after it acted on the referral made. • the Council and the Trust agreed to pay Mrs B £500 to acknowledge the impact the faults had on her and her siblings at a time when their mother was at the end of her life. • the Trust agreed to liaise with Mrs B and the relevant ICB (formerly CCG) and arrange for the ICB to consider a retrospective assessment of Mrs C’s entitlement to continuing healthcare funding from the date in November 2020 when it received the urgent referral from her medical practice. • the Trust agreed to remind its officers of the importance of fully considering information in referrals for healthcare
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		<p>funding assessments and importance of communicating with other clinicians or professionals who had made the referral. The Trust also agreed to consider whether any training was necessary for its staff particularly around consideration of healthcare funding in end of life cases.</p> <ul style="list-style-type: none"> • the Council and the Trust agreed to remind their officers of the importance of care plan reviews and working together to coordinate end of life care plans in an individual personalised way.
21 001 885 Adult Care	<p>The complainant, Mrs C, complained on behalf of her daughter, Ms D that there had been an unreasonable delay by the Council in finding her daughter suitable accommodation since she moved into care accommodation. The Council recognised her placement was unsuitable and it was only ever intended as temporary. This resulted in distress to her and her daughter. While at this placement, the Council failed to ensure that her daughter followed a healthy diet. As a result, she increased from a size 12 to a size 24.</p>	<p>The Ombudsman found fault.</p> <p>The Council agreed to apologise to Mrs C and her daughter and to pay Mrs C £600 for the distress she experienced and pay £1,800 to her daughter.</p> <p>The Council also agreed to:</p> <ul style="list-style-type: none"> • Arrange for a dietician who could work with Ms D. • Carry out the required mental capacity assessment. • Discuss with Ms D if she would like to have Slimming World Meals again from the supermarket, and cook slimming world recipes, and facilitate this. • Review Ms D’s activity planner, including considering the possibility of different short walk routes that did not go past any shops where she could buy snacks, and a structured weekly exercise routine.
21/011/359	<p>The complainant, Mr X, complained on behalf of his late father, Mr Y. He complained that the Council:</p>	<p>The Ombudsman found fault with the service of the care provider, and noted that when a council commissions</p>

<p>Adult Care</p>	<ul style="list-style-type: none"> • Did not properly assess Mr Y’s needs and placed him in an unsuitable care home which could not meet his needs. • Did not respond adequately to the concerns he raised until the rapid response team became involved. <p>Mr X says Mr Y was found by the dementia rapid response team in a distressed and neglected state. He also said Vitalbalance Limited (the Care Provider), who ran the care home, could not cope with Mr Y’s behaviour and had not met his needs for some time. Mr X said Mr Y’s care was “shambolic” and he did not accept that COVID-19 was an excuse for neglecting those safeguarding issues.</p> <p>He said the Council should not have placed someone in a care home which was rated ‘inadequate’. He would like to make sure this did not happen to anyone else and would like the Council to refund Mr Y’s care fees to his estate.</p>	<p>another organisation to provide services on its behalf it remains responsible for those services and for the actions of the organisation providing them. The Council agreed to:</p> <ul style="list-style-type: none"> • Apologise to Mr X, setting out the faults and injustice identified above and the actions the Council had taken, or will take, to avoid similar problems in future. • Waive 50% of Mr Y’s care fees from the date concerns were raised in early November 2020. • Review the safeguarding activity and ensure relevant staff are clear about the Council’s responsibility where other organisations complete the s42 enquiry. • Review the commissioning of care home placements for people with complex needs such as Mr Y and ensure the Council has a robust plan to avoid such long delays in future.
<p>22/007/187</p>	<p>Miss X complained on behalf of Mr Y that the Council completed an assessment without Mr Y being involved in the process. Mr Y also complained that the Council cancelled his support without discussing it with him. Mr Y said he was not supported by the service, and this had affected his mental health.</p>	<p>The Ombudsman found fault. The Council agreed to:</p> <ul style="list-style-type: none"> • Remind staff of the importance of keeping accurate and complete records.

<p>Adult Care</p>		
<p>22/007/057</p> <p>Adult Care</p>	<p>The complainant, Mrs X complained about the Council's handling of her concerns about the quality of care her late mother (Mrs C) received in a care home. Mrs X said she had no confidence in the Council's safeguarding enquiries into the care home's actions or that it had implemented any meaningful improvements to the care home's practices. Mrs X was also very unhappy with how long the Council took to respond to her complaints and the quality of its responses.</p> <p>Mrs X says the Council actions had caused her and her family additional distress at an already difficult time of bereavement.</p>	<p>The Ombudsman upheld the complaint. The Council agreed to:</p> <ul style="list-style-type: none"> • apologise to Mrs X and to pay £500 for her time and trouble in making her complaint and the uncertainty and distress caused by the faults; • provide evidence that the provider had reviewed its policies for housekeeping and inventories for when people move into the care home; • provide evidence that staff at the care home have been reminded of its privacy and dignity policy; • provide evidence the provider has discussed with nurses and nursing assistants the falls protocol; • provide evidence that nurses are aware of the residents that are prescribed blood thinners and the appropriate actions to take in the event of injury; and • provide evidence that relevant staff at the care home have been reminded of the importance of obtaining statements from all witnesses in a timely manner. <p>The Council also agreed to ensure that the care home reviewed it falls policy and accident reporting procedure and consider whether it should include specific guidance about what action to take if a resident who is taking blood thinning medication falls.</p> <p>Further that the Council would, through contract Monitoring, ensure that the care home was:</p>

		<ul style="list-style-type: none"> • correctly applying its fall prevention policy and procedure; • accurately completing incident reports and body maps; • maintaining robust records that clearly document decisions about seeking medical attention following a fall; • communicating with family members where there are significant changes in a residents needs or circumstances; and • adhering to its privacy and dignity policy and ensuring residents are dressed in their own clothes and that personalisation and dignity are upheld.
<p>21/012/109</p> <p>Place</p>	<p>The complainant, Mr X, complained as part of his role in an association which represented the interests of the local community. Mr X said the Council carried out a flawed consultation about a proposed scheme to extend a cycling and walking route. He said the Council failed to consult with a number of residents, many of whom are opposed to the scheme.</p> <p>Mr X further complained that he did not believe the funding for the scheme was enough and therefore it would fall on taxpayers to make up the cost. Mr X believed the Council's failure to properly estimate the cost is an example of maladministration.</p> <p>Mr X also said that the Council approved the scheme based on flawed statistics and it had failed to consider the views of the residents most affected by the scheme.</p>	<p>The Ombudsman found fault in the way the Council dealt with Mr X's complaint.</p> <p>The Council agreed to write to Mr X and apologise for the poor handling of his complaint and make a payment of £100 to Mr X's association to acknowledge the frustration this caused.</p>

21/011/406 Place	<p>The complainant, Mr X, complained that the Council failed to adequately consult him about a proposed scheme to extend a cycling and walking route near his home. Mr X said he only found out about the scheme the day before the committee were due to consider the proposal which meant he lost the opportunity to put forward his views and concerns.</p> <p>Mr X said the Council approved the scheme based on flawed statistics and had failed to consider the views of the residents most affected by the scheme.</p>	The Ombudsman found fault, but found that fault did not cause Mr X a significant injustice.
21/014/987 Place	<p>The complainant, Mr X, complained that the Council failed to properly consult with residents about a proposed scheme to extend a walking and cycling route in his area. Mr X said the flawed consultation meant residents including himself who will be most affected by the scheme, were unfairly disadvantaged and therefore the decision to approve the scheme was based on inaccurate consultation results.</p>	The Ombudsman found fault, but found that fault did not cause Mr X a significant injustice.
21/016/469 Place	<p>The complainant, Mr X, complained about the Council's decision to approve a proposed scheme to extend a walking and cycling route in his area. Mr X said the Council failed to adequately consult with him. Mr X was also unhappy about a proposed road closure as part of the scheme which he said will cause him inconvenience.</p>	The Ombudsman found fault, but found that fault did not cause Mr X a significant injustice.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Executive Place

East Midlands Freeport, Proposals to Accept Amendments to Articles of Association and Members' Agreement and nominate alternative Company Director

(Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change)

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 The purpose of this report is to seek approval for the amended Articles of Association and Members' Agreement of the East Midlands Freeport (EMF) Company and to change the nominated Director to the Company and representative of the Council to act in the role as a member of the Company.

4. Information and Analysis

Background and Summary of Activity

- 4.1 Members will recall that Leicestershire County Council has undertaken the role of accountable body during the development period of the Freeport, supported initially by Ernst & Young. For the last six months or so, the activity of the Freeport Board has been supported by a small core team of executive officers who are now charged with ensuring delivery of the approved business case over the coming years.
- 4.2 Cabinet and Cabinet Members have received a number of reports over the past three years which chronicle the development of proposals to create the East Midlands Freeport (EMF). These reports have sought approval to: submit an expression of interest to Government on 4 February 2021 (Minute No. 09/21 refers); submit an outline business case (3 September 2021, Minute No.13/21 refers); submit the Full Business Case (FBC) to Government (Cabinet report 15 February 2022, Minute No 49/22 refers and subsequent delegated officer approval on 13 April 2022); and more latterly, approve the Articles of Association and Members Agreement (Cabinet report 7 July 2022 – Minute No. 128/22 refers).
- 4.3 Over the course of these reports, members have duly considered the range of benefits, opportunities and risks associated with the East Midlands Freeport proposals. In approving submission of the FBC in February 2022, Cabinet was sighted on:
- *Confirmation of the Freeport geography and outer boundary.*
 - *The overall GVA uplift anticipated from the Freeport designation.*
 - *The ability to retain business rates uplift from the three named Tax sites (East Midlands Airport (EMAGIC), Ratcliffe on Soar and East Midlands Inter-modal Park (EMIP))*
 - *Details around custom and tax sites operation and management.*
 - *Travel to work areas within which development projects would be eligible for funding.*
 - *Governance risks and the need to ensure the necessary safeguards were in place to protect the Council's interest e.g. voting, quoracy, roles and responsibilities allocated to sub committees such as the Sites and Infrastructure Group and the S151 Group.*
 - *Level of financial risk exposure - including potential shared liabilities, setting the amount of any contribution to a contingency reserve for the Freeport or its general funding, confirmation of the 'no detriment clause' on retained business rates and assessing whether any retained risks could be mitigated by appropriate controls.*

- *Need for clarity on the EMF's relationship with the East Midlands Development Corporation.*
- *Process for seed funding allocations.*
- *Risks for billing authorities on subsidy control*

4.4 In the intervening period between February 2022 and July 2022, Council officers worked hard to address the risks and issues summarised above, providing robust input into the finalisation of the Articles of Association and Members' Agreement through the working group arrangements. All members of the Freeport Board were required to formally sign off the documents prior to the end of July 2022.

4.5 As a result, Derbyshire County Council Cabinet considered a report on 7 July 2022 which advised that the Articles of Association was the legal constitutional document of the Company that sets out the basic rules around how the EMF Company will operate and that the Members' Agreement is a "private" contract between the Limited Company and its Members, of which the Council will be one. The report sought approval to sign off the documents (which were attached as exempt appendices) and in so doing, duly considered the following:

- **An outline of the Articles of Association** document which advised:
 - *The Company will be established as a company limited by guarantee, - meaning the Council will only be liable for the amount of the guarantee (£1) should the Company be wound up. It also explained that should the Council decide to guarantee any obligations of the Company directly or loan it money, it would be at risk under any such agreement. Members were advised that at the time of the report in July 2022, the Council had not been asked to provide this.*
 - *The Board of 13 Directors would be made up of six public sector directors (one from each member council), six private sector directors (one from each private sector member) and an independent Chair. Each founding member has the right to appoint and remove a director. The independent Chair would not have a casting vote.*
 - *The quorum for Board meetings requires the Lead Authority's (Leicestershire County Council) director to be present, along with two other public sector directors and three private sector directors.*
 - *The Board would endeavour to make decisions on a unanimous basis and where this is not achieved, it will be decided on a 'Public/Private Sector Majority' which requires a majority of the public sector directors agreeing and a majority of the private sector directors agreeing.*

- *Member decisions would be made at Company general meetings or potentially in writing. The quorum for those general meetings mirrors the Board meeting requirements and requires the Lead Authority to be present, along with two other public sector members and three private sector members.*
- *That the situation for Billing Authorities and Principal Ports (East Midlands Airport) is different but for the Council, it may exit the Company by giving not less than six months' notice. Although it may have made commitments for specific projects etc. which may have a practical effect on the ability to utilise this right.*
- **An outline of the Members' Agreement** document which advised that:
 - *The Agreement confirmed how the Company's day to day working capital and expenditure was to be funded by: capacity funding provided by DHLUC; a member Loan from Leicestershire County Council (LCC) as Lead Authority; and retained business rates.*
 - *There was no requirement for other members to contribute to the day to day working capital and/or expenditure of the Company.*
 - *Capital projects and infrastructure projects may be funded by the Company.*
 - *The Agreement was clear the entity or public sector body that will ultimately own or have responsibility for the capital asset or infrastructure will be primarily responsible for procuring, commissioning and funding that project.*
 - *The Company's Board will set the strategy for retained business rates – supported by a 'Public Sector Directors Group' that will be responsible for making decisions on the use and allocation of retained business rates.*
 - *Certain decisions were reserved to Members (rather than the Board of Directors) and those are contained in the Reserved Matters Schedule. Some of those decisions require all of the Members to agree and some decisions require only a Public Private Majority.*
 - *The Reserved Matters Schedule contained some decisions that are reserved to the Board of Directors and some decisions that require the consent of the Lead Authority.*
- **The role of directors and the Council as a member of the Freeport Company.** Cabinet was advised that:
 - *Subject to agreeing the Council became a member of the Company, the Council would be entitled to appoint one director to the Board. At the time, it was proposed the Leader of the Council be appointed as the Director and noted that as such, the Leader would represent the Council at the Board and at the public sector*

sub-group/ sub-committee which would have responsibility for the allocation of Retained Business Rates.

- *An officer would be permitted to attend the Board as an observer in support of the Leader and that other Council officers would attend relevant sub committees and subgroups.*
 - *The Council would have a role in decisions reserved to Members of the Company. Such decisions may be taken at a Members' meeting or by written resolution. At the time, it was proposed the Managing Director be appointed to represent the Council in its role as a Member of the Company.*
- **An overview of the funding arrangements.** Cabinet was advised that:
 - *The Freeport was expected to generate retained business rates income of approximately £0.9bn over the 25-year life of the Freeport.*
 - *The establishment of the Freeport had incurred significant expenditure and that those costs were being cash flowed by the Accountable Body (Leicestershire County Council) – likely to be in the region of £2m by the time the EMF was operational; this would be recognised as a loan to the EMF. A term loan facility had been arranged with a principal amount of £2.5m comprising £2m 'pre-designation loan' and a working capital loan of £0.5m to support the set-up costs and expenses*
 - *The costs would be funded in the form of a commercial loan which would be paid back to Leicestershire County Council from the retained business rates.*
 - *The Council's S151 Officer was a member of the Section 151 Sub-Group which has responsibility for advising on a range of financial matters, including retained business rates policy and reviewing business cases for investment.*

4.6 A summary of legal, financial, delivery and reputational risks was included in the report presented to Cabinet. Noted risks were as follows:

- *That all parties do not formally commit to joining the incorporated EMF Company or the Government refuses to grant Freeport status;*
- *That the level of retained business rates has been over-stated and/or isn't fully realised;*
- *That sufficient retained business rates are not received in time to fund infrastructure or other mitigation works and that there is an expectation or obligation for DCC to cashflow, loan or take responsibility for such funding;*
- *That majority voting at EMF Board results in a decision that is contrary to that of DCC;*

- *That given the untested nature of the Freeport, there is insufficient capacity in the Executive Delivery Team and wider governance arrangements to mobilise and deliver for the business plan at pace or on time;*
- *That there is insufficient capacity within Derbyshire County Council to actively support the operational delivery of the Freeport, to the detriment of the Council and its residents; and*
- *That the cap on liability for breaches of the Members Agreement by other members is exceeded and the Council is unable to recover losses.*

4.7 Having considered the issues outlined above – and balanced the relative risks and merits of the proposals - Cabinet approved the Articles of Association and Members’ Agreement for the East Midlands Freeport Company; agreed to become a member of the Company; agreed to nominate the Leader of the Council as the Company Director and noted the Leader will have the power to nominate an alternative member to attend Board meetings in their absence; and authorised the Managing Director (or authorised representative) to cast a vote as a Member of the Company, in relation to decisions reserved to members of the Company. Delegated authority was also given to the Director of Legal and Democratic Services in consultation with the Leader to agree minor amendments to the governance documents prior to submission to Government (Minute No.128/22 refers).

Changes to East Midlands Freeport Governance Documents Since July 2022

- 4.8 Although all EMF member organisations were requested to approve the Articles of Association and Members’ Agreement by the end of July 2022, only Derbyshire County Council did so. There are various reasons for other EMF members not signing off the documents at the time, including concerns over subsidy control for the billing authorities. The result is that over the last year, a number of amendments have been made to the two documents previously approved by Cabinet which, in the opinion of the Director of Legal and Democratic Services, are substantial enough to warrant a new Cabinet decision.
- 4.9 The Council has sought external legal advice in considering the revised documents and an executive summary and detailed comparison/ assessment of the changes that have been made to the July 2022 version of the Articles of Association and Members’ Agreement is set out in exempt Appendices 2 and 3 respectively. However, the remainder of this report summarises the main changes and their implications for Derbyshire County Council.

4.10 A number of drafting amendments have been made and the main changes across the two documents are summarised below:

- **Definition of various key terms**
- **Intra-group and permitted transfers** – the originally approved documents would only permit transfer of private sector interests in the EMF without Board consent. The revised documents provide for two intra-group transfer mechanisms by which a private sector member may transfer its membership without Board consent, with certain conditions included that must be met before a permitted transfer can occur. This is an important addition from the Council’s perspective as, along with a number of other amendments, it provides the relevant safeguards to ensure the transferee is an entity incorporated within the UK and is not an ‘unsuitable person’ (**term is defined*). The provisions will ensure a reasonable level of control over the private sector member who is transferring their membership.
- **Withdrawal of tax site operator and principal port operator** from the Freeport – the initial delivery period of the Freeport is defined as expiring on 30 Sept 2026 – however, it is possible this may be extended by the Government. If this turns out to be the case, it would provide the Freeport with more time to develop out the tax sites and ensure benefits are secured. A number of amendments have been made to ensure any withdrawal by a TSO from the Freeport before the end of the delivery period is appropriate, timely and consented – either by the founding members and/ or DLUHC. A number of other conditions are also set out in the documents which help protect the Council’s position and these are summarised in exempt Appendix 3.
- Development of a **Code of Conduct** for Tax Site Operators.
- **Member liability** if required to provide a financial contribution to the Company and/ or sponsoring a capital project. Amendments are considered to be non-material over and above those previously reported in July 2022.
- Responsibilities of **billing authorities** in relation to business rates.
- **Role of s151 officer group** – which will be to assess whether to impose consequences under the Tax Site Operator Code of Conduct, Tax Site Occupier Code of Conduct and make recommendations to the Board on such matters. The Council is represented on the s151 group.
- The **use of ‘reasonable endeavours’** by Members to facilitate a change in the TSO or owner of the principal port on the occasion that land or ownership is being transferred. However the terms are drafted in such a way so as not to fetter discretion.
- Working **capital and expenditure of the Freeport** is funded by the Loan (from LCC) and retained business rates funds (RBR) –

- amendments clarify that LCC, as accountable body, has primary call on the RBR to repay the Loan and other costs incurred.
- Clarifying that whilst the **Freeport Board will set the RBR Strategy, it is not involved in decision making** regarding the use or allocation of such funds; this responsibility is a public sector reserved matter to be taken by the Public Sector Directors' Group, based on the recommendations of the s151 Sub-group (working with the Billing Authorities).
 - **Review periods**, processes and approvals for the Freeport governance structures, liability caps – a sub-committee is to be established to undertake the work at least six months from the end of the initial delivery period (Sept 2026).
 - **The cap on Member liabilities** has been reduced from £1m (as of July 2022) to £750,000 in the revised documents – this reduces the potential liability of the Council within each liability cap period, but at the same time increases the risk that the Council is unable to recover all losses arising from breach of the Members Agreement by another Member.

Other Changes and Updates Since July 2022

- 4.11 It is worth members noting that in the period since July 2022, a number of other changes have taken place either directly relating to the Freeport or within the context of the wider operating environment.
- 4.12 It is important to make clear that although the Full Business Case was signed off by Government in March 2023, the Freeport is still in the 'set up phase' of the Company and has not yet been incorporated; incorporation will only take place once the Articles and Agreements outlined above have been signed off by individual Members and by the Board itself. This is currently planned for December 2023, following a review by the Legal and Governance Group in October on which Derbyshire County Council is represented. NB it is possible that an 'agreement in principle' to sign off the documents will be sought at the November Board meeting. Noting that further changes may be required following these meetings, it is proposed that Cabinet delegates authority to the Director of Legal and Democratic Services in consultation with the Leader to agree any amendments to the Members' Agreement and Articles of the Association.
- 4.13 The Memorandum of Understanding that is to be signed by the Freeport, the billing authorities and the Government is being finalised and it is likely that reference will be included to keep governance arrangements under review. This will help ensure the changing nature of relationships with the emerging East Midlands County Combined

Authority (EMCCA), the East Midlands Development Corporation (DevCo) and the East Midlands Investment Zone (EMIZ) can be reflected – see below. Reference to the relationship between the Freeport and the EMCCA is also included in the Members' Agreement.

- 4.14 To help maintain progress through the set up phase, the Freeport has now appointed a number of officers to the Executive Delivery Team; these include a chief executive, a senior programme manager and posts supporting finance, engagement and human resource functions. Budget for these posts is being taken from the Loan funding (from LCC) in the first instance, with the retained business rates being used to fund the team in the long term.
- 4.15 The three Billing Authorities (Rushcliffe, North West Leicestershire and South Derbyshire district councils) have continued to work through issues regarding the application of subsidy control; these matters, although well progressed, are not yet fully reconciled and it is likely this work will be concluded after the date of the Council's Cabinet meeting. Any updates on the progress or conclusion of the subsidy control work which become available prior to the time of the meeting will be reported verbally by officers.
- 4.16 At the moment, the completion of work on subsidy control is likely to take place at the end of October and into November – with a report being considered at the December Board, alongside the final version of the Articles of Association and Members' Agreement. Given that Cabinet will have already considered the revised documents by this date, it is proposed that a delegation be given to the Director of Legal and Democratic Services in consultation with the Leader to agree any final amendments to the Articles of Association and Members' Agreement should they be impacted by the report on subsidy control. Any such amendments are not expected to be material.
- 4.17 Progress on the development of the EMIP site in South Derbyshire (adjacent Toyota) has slowed. Whilst disappointing, Goodman's (the developer) and Etwall Land Limited (the site owner) continue to engage with existing and potential customers to promote the site and have indicated they still aim to bring forward development within the tax window of the initial delivery period (ie before 30 September 2026). This would mean tax benefits would still be attributable to the site. Obviously, the County Council's interest in the Freeport arrangements is predicated on Goodmans and Etwall Land Limited being a Member of the EMF company and the inclusion of a site within the County's boundary; therefore, it is proposed that the decision of Cabinet is subject to

necessary approvals by Goodmans and Etwall Land Limited to be a Member of the company. To ensure there is clear understanding of progress and commitment to the development of the EMIP site, the Council is working with the Freeport executive to understand the delivery and key milestones for site development. If the Council is minded to sign off the revised Articles of Association and Members' Agreement, provision will need to be made to review the situation should there be no development site within Derbyshire. In the event the Council determined it wished to withdraw from membership of EMF, at least six months' written notice would need to be given to the Board.

- 4.18 Over the last 12 months, the Freeport Board has reviewed the list of proposed sites suitable for 'seed capital funding'; this is an incentive pot to pump prime early development across the three Freeport sites and facilitate interest in the development market. Members will recall that a scheme to create a 1km cycle path in South Derbyshire adjacent the EMIP site was included on the initial list and a business case approved for £1m funding. However, given the above issues regarding progress of EMIP, the Freeport Board re-evaluated the seed funding criteria and considered a revised list of projects at its meeting on 20 July 2023 – this resulted in the withdrawal of the cycle way project and grant allocation for the time-being. Whilst disappointing, this is understandable given the need to facilitate early development at active sites elsewhere in the Freeport
- 4.19 Earlier in 2023, Government launched its Investment Zone (IZ) initiative and confirmed that existing combined authorities, plus those in an advanced stage of development, would be given the chance to create a zone within their geography; the EMCCA was included in the list of combined authority areas. Over the past three months or so, work has been undertaken to develop an IZ proposition which includes identifying a number of sites for retained business rates and tax incentives. Although the geography of the East Midlands IZ does not overlap with the geography of the Freeport, Government has requested that work is undertaken to align governance arrangements – primarily due to the similarity of work that will be undertaken on inward investment and business rates investment strategies. This work is at an early stage of development but will need to meet IZ delivery timescales and be completed by early November 2023.
- 4.20 Cabinet previously agreed to nominate the Leader of the Council as a Director of the Company and noted that as such, the Leader would represent the Council at the Board and at the public sector sub-group/ sub-committee which would have responsibility for the allocation of Retained Business Rates. Since this time, it has been determined that

as the work of the Freeport has a strategic focus on supporting economic growth and the levers of regeneration, (most notably inward investment, business support and skills capital) it is considered the Council would be more appropriately represented by the Cabinet Member for Clean Growth and Regeneration. As a Director, the Cabinet Member for Clean Growth and Regeneration, will have the power under the Articles of Association to appoint an 'alternate' to attend a Board meeting in their absence.

- 4.21 On 7 July 2022, Cabinet also agreed that the Managing Director is appointed to represent the Council in its role as a Member of the Company, in relation to decisions reserved to Members of the Company whether at a Member meeting or by written resolution, when necessary. Any decisions should be taken after taking legal, technical and financial advice as appropriate. It is proposed that this decision be reaffirmed.

Additional Information and Advice

- 4.22 By virtue of Paragraph 3 of the Schedule 12A of the Local Government Act 1972, Appendices 2 and 3 are considered exempt as they contain information relating to the financial and business affairs of partners collaborating with Derbyshire County Council to develop the East Midlands Freeport Company.
- 4.23 Having regard to all the circumstances, on balance, the public interest in disclosing the information does not outweigh the reason for exemption because the information would add a limited amount to the public understanding of the issues but would significantly damage the Council's and partners' commercial position. Specifically, the information contained in Appendices 2 and 3 contains legal advice which is subject to professional legal privilege. The version of the Members' Agreement and Articles of Association contained in the Exempt Appendices are subject to approval and final sign off at the East Midlands Freeport Board in December 2023, ahead of the company being formally incorporated.

Conclusion

- 4.24 A summary of the key risks which have been taken into account is set out below. These reflect the risks considered by Cabinet in making its previous decision in July 2022 (see paragraph 4.6 of this report) but also reflect the updates and change in circumstances over the past 12 months:

- That all parties do not formally commit to joining the incorporated EMF Company or the Government refuses to grant Freeport status;
- That subsidy control issues are un-resolved and the relevant billing authorities are not able to sign up to the Freeport;
- That the level of retained business rates has been over-stated and/or isn't fully realised;
- That sufficient retained business rates are not received in time to fund infrastructure or other mitigation works and that there is an expectation or obligation for DCC to cashflow, loan or take responsibility for such funding;
- That majority voting at EMF Board results in a decision that is contrary to that of DCC;
- That given the untested nature of the Freeport, there is insufficient capacity in the Executive Delivery Team and wider governance arrangements to mobilise and deliver for the business plan at pace or on time;
- That reasonable alignment between the governance arrangements of the Freeport, IZ and EMCCA cannot be reached, leading to duplication of activity or confusion in the developer market;
- That development sites within Derbyshire do not come forward either in time or at all with resulting implications for the Council's role on the Freeport Board;
- That there is insufficient capacity within Derbyshire County Council to actively support the operational delivery of the Freeport, to the detriment of the Council and its residents; and
- That the cap on liability for breaches of the Members Agreement by other members is exceeded and the Council is unable to recover losses.

4.25 Members should note that Council officers have contributed to the drafting of the amended governance documents through the Governance Group, supported by external legal advice. On balance, it is concluded the proposed changes are either non-material or are acceptable, given that appropriate checks and balances are in place to mitigate the risks that have been summarised above. These checks and balances are confirmed in Appendices 1, 2 and 3 of this report.

4.26 Cabinet is therefore asked to approve the revised Members' Agreement and Articles of Association attached at exempt Appendices 4 and 5 of this report.

5. Consultation

- 5.1 Not applicable. Public consultation on the documents and proposals subject of this report is not required.

6. Alternative Options Considered

- 6.1 Do nothing – doing nothing is not considered an option. The Council has previously agreed to join the EMF Company (Minute No. 128/22 refers). Although the Council signed off the Articles of Association and the Members' Agreement in July 2022, this version has now been superseded so consideration needs to be given to the acceptability of the revised documents which is the purpose of this report.
- 6.2 Nominate an alternative Company director. The Council previously agreed to nominate the Leader as a company director and Board representative. However, for the reasons set out in paragraph 4.21, this nomination is no longer considered appropriate. The proposal is to nominate the Cabinet Member for Clean Growth and Regeneration instead. Other portfolio holders have been considered but given the scope of work involved in the Freeport, the roles and responsibilities most closely align to those of Clean Growth and Regeneration.

7. Implications

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

8. Background Papers

- 8.1 Proposals to Submit Outline Business Case to Create a Freeport: Cabinet member meeting 3 September 2021.
- 8.2 Proposals to Submit Full Business Case to Create a Freeport: Cabinet report 15 February 2022.
- 8.3 Proposal to Submit Final Full Business Case to Government to Create an East Midlands Freeport: delegated officer decision, 13 April 2022.
- 8.4 Proposals to Become a Member of the Freeport Company and Nominate a Director: Cabinet report 7 July 2022

9. Appendices

- 9.1 Appendix 1 – Implications.
- 9.2 Exempt Appendix 2 – External legal advice on revised proposals – including summary of risks.
- 9.3 Exempt Appendix 3 – Comparison and Assessment of July 2022 and September 2023 Articles of Association and Members’ Agreement.
- 9.4 Exempt Appendix 4 Final East Midlands Freeport, Members’ Agreement.
- 9.5 Exempt Appendix 5 – Final East Midlands Freeport, Articles of Association.

10. Recommendations

That Cabinet, subject to:

- I. Resolution of outstanding subsidy control issues through Government guidance or by way of acceptable legal advice; and
- II South Derbyshire District Council, Goodman EMIP (UK) Limited and Etwall Land Limited also confirming its approval to become a member of the Freeport and agreeing the revised Articles of Association and Members’ Agreement:
 - a) Approves the Council becoming a member of the East Midlands Freeport Company.
 - b) Agrees the revised Articles of Association and Members’ Agreement for the East Midlands Freeport Company as set out in exempt Appendices 4 and 5.
 - c) Authorises the Director of Legal and Democratic Services, in consultation with the Leader, to agree amendments to the Articles of Association and Members’ Agreement.
 - d) Authorises the Director of Legal and Democratic Services, in consultation with the Executive Director – Place, to complete any documentation necessary to facilitate incorporation of the Company, following confirmation of c) above.
 - e) Agrees to amend the previous approval to nominate the Council Leader as Company Director and instead nominate the Cabinet Member for Clean Growth and Regeneration as the East Midlands Freeport Company Director on behalf of Derbyshire County Council.
 - f) Notes that the Council’s Cabinet Member for Clean Growth and Regeneration, as a Director, will have the power under the Articles of

Association to appoint an Alternate to attend a Board meeting in their absence.

- g) Reaffirms the decision to authorise the Managing Director (or authorised representative) to cast a vote as a Member of the Company, in relation to decisions reserved to members of the Company whether at a member meeting or by written resolution, when necessary, having taken legal, technical and financial advice as appropriate.
- h) Agrees that periodic progress reports are brought to Cabinet or another appropriate forum by way of updates for members.

11. Reasons for Recommendations

- 11.1 All partners are required to affirm support for joining the Freeport Board and incorporated Company to meet a key Government criterium for the Freeport to be designated. Whilst there are known and accepted costs to the development of the East Midlands Freeport, in the case of the County Council, there are also clear synergies between the benefits offered and the stated priorities of Derbyshire County Council in the Council Plan to drive economic prosperity across the county in support of the levelling up agenda and commitments expressed in the COVID-19 Economic Development Recovery Strategy and subsequent growth strategies that are now emerging.
- 11.2 To enable the Council to formally commit to joining the incorporated EMF Company at the EMF Board meeting due to take place in December 2023. The decision is subject to approvals from key partners in order to protect the Council's position and ensure its continued involvement in the Freeport is necessary and appropriate.
- 11.3 To ensure the Council has appropriate representation on the Board of Directors and as a Member of the Company.
- 11.4 To ensure that members are kept up to date with emerging issues and progress of the Freeport development.

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

- 12.1 No.

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Implications

Financial

- 1.1 The costs of the set-up phase and the first year of operation will incur operating costs estimated to be approximately £2.5m. These costs will be funded in the form of a commercial loan to the EMF from Leicestershire County Council as Lead Authority/Accountable Body. The value of the loan was originally £2m but earlier this year LCC agreed to increase the upper limit on the loan facility to £4m with conditions for draw down of any amount over £3m to be agreed between LCC's Director of Corporate Resources and the EMF's Chair.
- 1.2 The loan facility is being coordinated by Leicestershire County Council and will be subject to its Treasury and Investment Strategy and considerations of the Chartered Institute of Public Finance and Accountancy's Prudential Code.
- 1.3 The Loan will be paid back to Leicestershire County Council from the retained business rates and, as set out in the Articles of Association and Members' Agreement, the primary call on business rates will be repayment of the Loan. The Freeport is expected to generate retained business rates income of approximately £0.9bn over the 25-year life of the Freeport.
- 1.4 Although there are no immediate, direct financial implications arising from this report, membership of the Freeport Company will bring with it financial obligations and budgetary decisions. As noted in the report and Appendix 3, the Council's liability will be subject to a nominal contractual limit of the amount of the guarantee in the event of winding up. The Council will also be liable for breaches of the Members' Agreement, subject to a cap of £750,000. Following repayment of the Loan, the retained business rates for the Freeport area will fund both the operation of the Company and the delivery of a range of projects in accordance with an agreed business case.
- 1.5 The governance arrangements in place ensure the financial risks to the Council are being managed effectively. This includes both the S151 Group and Public Sector Directors Group which will play a key role in reviewing and approving business cases for funding approval.

Legal

- 2.1 The EMF is currently in set up phase and the County Council is proposed to be represented by the Cabinet Member for Clean Growth and Regeneration on the EMF Board. As Cabinet has previously been advised, the Board has agreed to move to an incorporated governance structure and establish a Freeport Company limited by guarantee, subject to approval of the appropriate governance documents and confirmation of subsidy control measures. A company limited by guarantee is a company that does not have shareholders. Instead, it is owned by a group of members known as 'guarantors' who all agree to pay a certain amount of money should the company be wound up. Such guarantee has been agreed at a nominal amount and because of this, and the concept of limited liability, this in the ordinary course would be the full exposure of the Council. Inter-Member liabilities are also limited. Therefore, the County Council's exposure to debts and liabilities associated with its membership of the EMF will be limited; however, there is a small risk that the cap on liability for breaches of the Members' Agreement by other members is exceeded and the Council is unable to recover losses.
- 2.2 As with any company, the proposed Freeport Company has a board of directors and these individuals are responsible for the day to day decisions and owe their duty to the Company and not the Council. Company Directors have various duties to the Company, including those codified in the Companies Act 2006. They include ensuring the Company follows its constitution, acting in good faith and in the interests of the Company, exercising independent judgement and avoiding any conflicts of interest, promoting the success of the Company, exercising skill and care, ensuring company compliance and having oversight of the work of the Executive Team. The Council, as a founding Member, has the right to appoint a director to the Board with voting rights. Certain important decisions are reserved to Members (e.g. the Council in its corporate capacity) and some require unanimous consent. These are set out in the Members Agreement. The Council is also represented on the S151 Group and Public Sector Directors Group that will play a key role in reviewing and approving business cases for funding approval.
- 2.3 The EMF will need to be approved and designated by Government and in order to mitigate and manage the risk to the Council, the Freeport Company should be incorporated prior to the Government granting the Freeport status. On incorporation, the Freeport governing body will be accountable to Government for delivery of the proposals as set out in the final Full Business Case.

- 2.4 The Council has the power to join a company limited by guarantee under the General Power of Competence in Section 1 of the Localism Act 2011 (“the 2011 Act”). This gives the Council the power to do anything that an individual might do. The Power is restricted by Section 4 of the 2011 Act which requires that: a thing done for a commercial purpose must be something that the Council may also do for a non-commercial purpose; it must not be something that the Council is required to do by statute; and if done for a commercial purpose, then it must be done through a company.
- 2.5 The aim of the Freeport is to attract investment and spur local and regional economic growth as well as enhancing international trade, by simplifying the customs procedures for firms within the Freeport zone and reducing administrative costs of trading goods with the rest of the world thereby increasing competitiveness. These are not activities that the Council is required to do by statute and are activities that can be done for a non-commercial purpose, therefore, the General Power of Competence is engaged and can be relied upon to join the Freeport Company.
- 2.6 It is not intended that Derbyshire County Council cedes any power or responsibility to the Freeport Board as currently proposed, and will retain decision making responsibility over relevant statutory powers, including that of Highway Authority.
- 2.7 A number of amendments have been made to the Articles of Association and the Members’ Agreement since they were previously approved by Cabinet which are not minor. As a result, the Director of Legal and Democratic Services is unable to exercise her delegation and approval for the revised version needs to be given by Cabinet. Cabinet should consider the external legal advice on the revised proposals, including the summary of risks at exempt Appendix 2, when making its decision.

Human Resources

- 3.1 There are no direct human resource implications associated with this report. DCC officer input into the EMF working groups has been provided through the Economy and Regeneration Service, Legal and Finance Services on a project basis. The Freeport Executive Delivery Team has now been established and appointments almost complete. Additional Council officer input is likely to be required, primarily from the Place Directorate and corporate services such as Finance and Legal to support the final stages of EMF set up and the subsequent implementation of the programme.

- 3.2 There is potential, in due course, for the Council to assume the role of project sponsor for infrastructure associated with the Freeport, which would require officers to be identified as Senior Responsible Owner and supporting roles. This has the potential to require additional posts to be added to the establishment on a temporary basis, depending upon the scale and complexity of the projects.

Information Technology

- 4.1 None directly associated with this report.

Equalities Impact

- 5.1 None directly as a result of this report but the EMF proposal seeks to positively impact on levelling up and opportunities for skills development and employment for all local residents.

Corporate objectives and priorities for change

- 6.1 The Freeport proposal is fully in line with the Council's priority to secure a green and prosperous economy as confirmed in the Council Plan.

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

Summary of Risks

- 7.1 External legal advice has provided a summary of risks and potential mitigations. These are covered in exempt Appendices 2 and 3.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Executive Director - Place

Allocation of 2024-25 Local Transport Plan Highways Capital Settlement
(Cabinet Member for Highways, Assets and Transport)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 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 £500,000) and 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 seek Cabinet approval for the acceptance of the 2024-25 Local Transport Plan grant from the Department for Transport (DfT) to the Highways Capital Programme providing forward visibility to members and communities and enabling early delivery of the programme.

3.2 That Cabinet authorises delegation to the Director for Highways, to approve any changes to the programme, (within the tolerance of the overall budget).

3.3 That Cabinet gives permission to officers to procure all necessary goods/services required to deliver projects in the programme, in accordance with the Council's procurement protocols.

4. Information and Analysis

4.1 The Council receives an annual funding grant from the Department for Transport (DfT), which is allocated for expenditure on highways and transport projects. The amount that the Council receives is based on the application of various criteria relating to its highway assets, such as total length of road (by road type), the number of maintainable bridge structures, and the number of lamp columns that need to be maintained. The award generally consists of two main funding blocks:

- Highway maintenance block – repair of roads, structures and infrastructure.
- Integrated transport block – transport capital improvement schemes.

4.2 Historically, the Council has experienced fluctuations in Government funding which has created challenges in terms of delivering the Highways Capital Programme. However, the Council's annual highway maintenance and integrated transport block grants from the DfT have been fixed at £27.3m per annum for the years 2022-23, 2023-24 and 2024-25.

4.3 It is stipulated by the DfT that Derbyshire's annual grant of £27.3m must be allocated as follows:

- £23,699,000 to Highway maintenance projects; and
- £3,672,000 to Integrated Transport projects.

4.4 At the Cabinet Meeting on 11 March 2021, the Council set itself a target of £120m during the next three financial years to bring the Programme up to date including a backlog of approved schemes that had not been previously delivered (Minute No. 47/21 refers).

4.5 Utilising a mixed-economy model of in-house resources supported by external suppliers, the Highways Service is on target to deliver the £120m commitment by the end of the 2023-24 financial year.

4.6 Whilst the size of the Government funding has been fixed for the last three years, plant, labour and material costs have increased considerably over that period by approximately 26%. Whilst this was initially caused by a boom in construction activity post-Covid, the war in Ukraine has significantly contributed to materials cost inflation. This has

impacted on the costs of delivering schemes, both in-house and through the Council's wider supply chain resulting in increased scheme costs and reduced programmes.

4.7 Significant progress has been made in clearing the backlog of schemes in the past three years and the Council is confident that the 2024-25 Programme will deliver the new projects identified for approval.

4.8 New projects in the 2024-25 Programme have been selected and prioritised using the Council's prioritisation matrix.

4.9 Maintenance schemes are scored against:

- Strategic Case - Meeting the Council's asset management needs and Council priorities for 2024-25
- Delivery Case - Practical deliverability in year, scheme already in development, evidence of member requests and stakeholder support.
- Financial and Commercial Case - Affordable within the budget available, low-cost risk, reduces future costs and able to be packaged to deliver greater value for money.
- Block Priority - Priority of scheme within block.

4.10 Integrated transport schemes are scored against:

- Strategic Case - Meeting the Council's Local Transport Plan, Investment Protocol and Council priorities.
- Delivery Case - Practical deliverability in year, scheme already in development, evidence of Member and stakeholder support.
- Economic Case - Delivery of economic, environmental and social benefits, and casualty reductions/road safety benefits.
- Financial and Commercial Case - Affordable within the budget available, low-cost risk, reduces future costs and able to be packaged to deliver greater value for money.
- Block Priority - Priority of scheme within block.

4.11 More frequent severe weather events are severely impacting the network. Prolonged periods of very hot or cold weather with low rainfall, followed by much wetter conditions, are destabilising a number of roads across the County and landslips have taken place at locations which have previously been stable for many years, requiring urgent attention. Whilst it is recognised that these events are likely to become even more frequent, they are not able to be planned for. Each event is required to be fully investigated and appropriate remedial actions determined before they can be implemented within existing funding constraints.

- 4.12 The impacts of severe/extreme weather are not just isolated to carriageways, they can affect all aspects of the Highways Service, from highways drainage through to cycle network maintenance. Given the inherent unpredictability of weather-related damage, and particularly the observed increase in landslip activity, funding has been allocated for teams across the Highways Service to undertake unplanned high priority works and investigations in response to these unexpected events.
- 4.13 The 2024-25 Highway Capital Programme is composed of highway maintenance and integrated transport schemes with the highest total prioritisation scores. The list of 2024-25 projects is given in Appendix 3. In accordance with the Council's Asset Management Strategy, the proposed programme for delivery in 2024-25 includes a further enhanced number of carriageway maintenance schemes. These are proposed in response to the impacts upon the network of the recent severe weather, feedback from residents and members, and help mitigate future severe weather impacts upon the network.
- 4.14 The major programme of drainage and flood management will continue, in response to the repetitive and serious flood challenges the Council has faced over the past few years and the likelihood of reoccurrence. The significant investment in local road safety schemes will be continued, reinforcing the Council's commitment to enhancing road safety and aiming to reduce the numbers of people killed or seriously injured on Derbyshire's roads. A large programme of further improvements to the County's cycle network, rights of way and sustainable transport infrastructure is also proposed, together with advanced design on schemes for construction in future years.
- 4.15 Given uncertainties around project inflation costs and unplanned severe weather events, a proportion of the annual grant award has been allocated as a contingency sum. Use of the contingency will be governed by the Highways Capital Programme Board, chaired by the Director for Highways.
- 4.16 The proposed allocation of 2024-25 LTP funding is in Table 1 below.

Block		2024-25 Value
Highway Maintenance Programme	% of Block	m
Carriageways	53.8%	£12.736
Footways	11.9%	£2.822
Drainage and flood management	3.5%	£0.840

Bridges, structures, retaining walls and highway boundary structures	7.6%	£1.806
Landslip investigation and remediation	2.8%	£0.665
Signs, lines, and signals	3.3%	£0.780
Street lighting	1.7%	£0.400
Rights of way	2.8%	£0.660
Cycle routes	0.1%	£0.300
Greenways	1.1%	£0.260
Contingency	11.3%	£2.683
Total Highway Maintenance Programme		£23.682
Integrated Transport Programme		
Traffic Management	29.2%	£1.070
Key Cycle Network investment	14.2%	£0.520
Local cycling and walking investment	0.8%	£0.300
Sustainable transport	34.4%	£1.270
Road safety	8.0%	£0.300
Air Quality	1.7%	£0.060
Contingency	11.8%	£0.430
Total Integrated Transport Programme		£3.670
Total 2024-25 Programme		£27.345

Table 1: 2024-2025 LTP Funding Allocations

- 4.17 The Council will continue to deliver the schemes through the mixed economy model of in-house resources, delivering schemes to a similar value as in previous years, with support from external design and construction providers and suppliers. These will be commissioned through the Council's new professional services partner contract and previously approved local and national frameworks in order to deliver best value to the Council and to its residents.
- 4.18 Schemes identified to be managed by the in-house teams include footway resurfacing, structures, reactive capital improvements, drainage investigations, highway improvements, road safety, rights of way, cycle routes and greenways. Schemes identified for delivery from external provider support have been packaged up in order to deliver greater value for money for the Council. In order to minimise any possible disruption to Derbyshire residents and users, network availability will need to be secured for each individual scheme, to ensure coordination between the works by the Council and others. Where clashes are

identified, schemes may have to be reallocated to a different delivery time.

- 4.19 The estimated proportion of each programme block that will be delivered through each delivery/procurement route is shown in Table 2. In-house service refers to projects that are entirely delivered in-house; In-house plus external supplier refers to projects which are managed in-house but with specialist services provided by external supply chain partners or suppliers; External Provider are those that are largely delivered by external supply chain partners. The approximate split of works is given in Table 2 below:

Block	% of Block Total	In-house service	In house plus external supplier	External provider
Highway Maintenance Programme				
Carriageways	53.8%	30%	30%	40%
Footways	11.9%	30%	70%	0%
Drainage and flood management	3.5%	20%	80%	0%
Bridges, structures, retaining walls and highway boundary structures	7.6%	20%	60%	20%
Landslip investigations and remediation	2.8%	20%	0%	80%
Signs, lines and signals	3.3%	30%	0%	70%
Street lighting	1.7%	30%	0%	70%
Rights of way	2.8%	30%	70%	0%
Cycle routes	0.1%	100%	0%	0%
Greenways	1.1%	100%	0%	0%
Total Highway Maintenance Programme (excl. contingency)	100%	30%	37%	33%
Integrated Transport Programme				
Traffic Management	29.2%	100%	0%	0%

Key Cycle Network investment	14.2%	60%	40%	0%
Local cycling and walking investment	0.8%	60%	40%	0%
Sustainable transport	34.4%	60%	40%	0%
Road safety	8.0%	50%	0%	50%
Air Quality	1.7%	100%	0%	0%
Total Integrated Transport Programme (excl. contingency)	100%	68%	24%	8%

Table 2: In-house service, mixed economy and external provider programme allocations

4.20 The value of the 2024-25 LTP funding allocations is shown in Table 3:

Block	Total 2024-25 Funding	In-house service	In house plus external supplier	External provider
	m	m	m	m
Highway Maintenance Programme				
Carriageways	£12.736	£3.821	£3.821	£5.094
Footways	£2.822	£0.846	£1.975	£0
Drainage and flood management	£0.840	£0.168	£0.672	£0
Bridges, structures, retaining walls and highway boundary structures	£1.806	£0.361	£1.084	£0.361
Landslip investigations and remediation	£0.665	£0.133	£0	£0.532
Signs, lines and signals	£0.780	£0.233	£0	£0.545

Street lighting	£0.400	£0.120	£0	£0.280
Rights of way	£0.660	£0.198	£0.462	£0
Cycle routes	£0.300	£0.300	£0	£0
Greenways	£0.260	£0.262	£0	£0
Total Highway Maintenance Programme (excl. contingency)	£20.993	£6.173	£8.014	£6.813
Integrated Transport Programme				
Traffic Management	£1.070	£1.071	£0	£0
Key Cycle Network investment	£0.520	£0.312	£208,000	£0
Local cycling and walking investment	£0.300	£0.018	£0.012	£0
Sustainable transport	£1.270	£0.757	£0.505	£0
Road safety	£0.300	£0.148	£0	£0.148
Air Quality	£0.060	£0.061	£0	£0
Total Integrated Transport Programme (excl. contingency)	£3.240	£2.367	£0.725	£0.148
Total 2024-2025 Programme (excl. contingency)	£24.240			

Table 3: 2024-2025 Delivery Phasing

- 4.21 In order to maximise the potential to deliver the projects at pace in 2024-25, the design of projects will commence immediately following approval of the programme. This will facilitate an early start to project construction in the 2024-25 financial year. The funding to undertake this early design was specifically designated within the 2023-24 programme. Future design of 2025-26 projects has been identified within this programme.

4.22 Where it is clear that a change is needed to be made to the 2024-25 Programme, it is recommended that Cabinet delegates this decision to the Director of Highways.

5. Consultation

5.1 Members were consulted in January 2023 for schemes to be considered in the allocation for 2024-25 projects. A total of 224 requests were received from 27 members. New projects included in the 2024-25 Programme were prioritised in accordance with the evaluation criteria prioritisation matrix and scoring definitions. Feedback on requests will be provided to Members upon approval of this programme.

6. Alternative Options Considered

6.1 Delaying the 2024-25 allocation of projects until the 2023-24 Programme has been delivered and final costs have been determined. This is not recommended as it would delay the delivery of schemes that are essential for the safe operation of our highway network.

7. Implications

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

8. Background Papers

8.1 Report to Cabinet, Future Highways Model and Highways Programme 2021-22, dated 11 March 2021 (Minute No.47/21 refers).

8.2 DfT Confirmation of Funding Award
<https://www.gov.uk/government/publications/highways-maintenance-funding-allocations>

9. Appendices

9.1 Appendix 1 – Implications.

9.2 Appendix 2 - Scheme Assessment Scoring Definitions.

9.3 Appendix 3 – 2024-25 Highways Capital Delivery Programme.

10. Recommendations

That Cabinet:

- a) Approves the acceptance of the 2024-25 Local Transport Plan grant from the Department for Transport (DfT) to the Highways Capital Programme providing forward visibility to members and communities and enabling early delivery of the programme.
- b) Authorises delegation to the Director for Highways, to approve any changes to the programme, (within the tolerance of the overall budget).

11. Reason for Recommendations

- 11.1 To deliver Highways and Transport maintenance and improvement schemes in accordance with the Council's Financial Regulations.

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

- 12.1 No.

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Implications

Financial

- 1.1 The highways maintenance and integrated transport block allocations are received annually in the form of direct grants from central Government. The 2024-25 funding allocation from the Department for Transport (DfT) is £27.3m. In 2023-24, additional Pothole funding of £4.2m has been allocated from Government. Any further allocations of additional Pothole or other highways grant funding in 2024-25 will be subject to separate approvals.
- 1.2 Project and programme management resources are utilised by Highways to plan and deliver the capital programme, and these staffing costs are funded from revenue resources. Delivery of the 2024-25 capital programme will require staffing costs to be funded from the 2024-25 revenue budget, which will be formally approved by Full Council in February 2024.
- 1.3 The Highways revenue budget in 2023-24 is currently forecast to overspend in part, due to additional staffing resources that have been brought in to deliver the accelerated capital programme. Continuation of these additional staffing resources in 2024-25 will present ongoing pressures on the revenue budget and action needs to be taken to reduce costs and/or resource levels, or to identify alternative funding sources, to enable spend to be contained within the available revenue budget envelope. It is also important that highways programmes are delivered within capital budgets as set out in the approved capital programme.

Legal

- 2.1 The Traffic Management Act 2004 requires the Council to publish advance notice of highway schemes or apply for permits to work. The Local Transport Act 2008 requires the Council to prepare a Local Transport Plan containing its highways and transport policies and its proposals for the implementation of those policies, with the Service Plan forming a part of this implementation plan.

Human Resources

- 3.1 Services will continue to be delivered using a mixed economy model of in-house services with support from external providers.

Information Technology

- 4.1 Where appropriate, the Data Privacy Impact Assessment (DPIA) and Supplier Information Security Policy (SISP) process will be followed.

Equalities Impact

- 5.1 Not applicable.

Corporate objectives and priorities for change

- 6.1 The delivery of the Highways Capital Programme is a specific Council Headline Initiative within the Council Plan 2021-2025.

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

- 7.1 External construction materials supply and pricing implications due to the local and global issues and energy price rises are closely monitored and mitigated through the programme risk register and issues log.
- 7.2 The Programme level risks will be managed through the programme risk register and issues log. These include the on-going external impacts of professional staff shortages, material shortages and energy price rises upon existing Council staff, providers and suppliers. There remains a possibility of another Covid-19 resurgence, which would impact upon our own internal resource, and that of our delivery partners. Risks may be ongoing or arise at very short notice and can cause delays or the need for changes to the programme. Red level risks and their mitigations will be presented to and monitored by the Highways Capital Programme Board.

Highway Maintenance Programme Scheme Evaluation Scoring Definitions

Strategic Case

- meets the Council's asset management needs.
- meets the Council's priorities.

Scoring

- to what extent does the scheme meet the strategic needs?

Assessment		Description
1	Poor	Significant non-alignment with asset management needs and/or Council priorities.
2	Low	There is some non-alignment with asset management needs and/or Council priorities.
3	Reasonable	Overall, the scheme fits well with asset management needs and/or Council priorities.
4	Good	The scheme fits very well with asset management needs and/or Council priorities.
5	Excellent	Scheme complements other schemes or works delivering asset management needs and/or Council priorities, has no negative impacts on other schemes or outcomes and demonstrates 'doing more with less'.

Delivery Case

- scheme is deliverable within the financial year
- scheme is already in development
- scheme is not dependent upon third party issues or challenges
- there is clear evidence of member requests and stakeholder support

Scoring

- to what extent does the scheme meet the delivery needs?

Assessment		Description
1	Poor	Significant risks in deliverability of scheme in the financial year and/or against member requests and stakeholder support.
2	Low	There are some risks in deliverability of scheme in the financial year and/or limited member requests and stakeholder support.
3	Reasonable	Overall, the scheme is deliverable in the financial year with evidence of member requests and stakeholder support.
4	Good	The scheme is deliverable in the financial year with extensive evidence of member requests and stakeholder support.
5	Excellent	Scheme complements other schemes or works with widespread support, delivers positive outcomes and has no negative impacts on other schemes or outcomes.

Financial & Commercial Case

- Scheme is affordable within the budget available.
- Scheme reduces future costs and does not place a cost burden upon future budgets.
- Scheme is able to be packaged with other schemes to deliver greater value for money.

Scoring

- to what extent does the scheme meet the financial and commercial requirements?

Assessment		Description
1	Poor	Scheme costs significantly exceed budget, fails to reduce costs and/or creates significant future additional cost pressures.
2	Low	Scheme is not affordable within budget, does not reduce costs and/or creates future additional cost pressures.
3	Reasonable	Overall, the scheme is affordable within the budget available, and does not place a cost burden on future budgets.
4	Good	The scheme is affordable within the budget available and reduces future costs.
5	Excellent	The scheme is affordable within the budget available, reduces future costs and is able to be packaged with other schemes to deliver greater value for money.

Block Priority

- Scheme is a priority within the block taking into account schemes which haven't been delivered in previous years programmes.

Scoring

- to what extent is the scheme a priority?

Assessment		Description
1	Poor	Scheme is a very low priority when compared to other schemes within the block.
2	Low	Scheme is a low priority when compared to other schemes within the block.
3	Reasonable	Scheme is of equal priority to other schemes within the block.
4	Good	Scheme is a high priority when compared to other schemes within the block.
5	Excellent	Scheme is a high priority, complements other schemes or works, delivers positive outcomes and has no negative impacts on other schemes or outcomes.

Integrated Transport Scheme Evaluation Scoring Definitions

Strategic Case

- meets the Council's Local Transport Plan and Investment Protocol.
- meets the Council's priorities.

Scoring

- to what extent does the scheme meet the strategic needs?

Assessment		Description
1	Poor	Significant non-alignment with the Council's Local Transport Plan, Investment Protocol and Council priorities.
2	Low	There is some non-alignment with the Council's Local Transport Plan, Investment Protocol.
3	Reasonable	Overall, the scheme fits well with the Council's Local Transport Plan, Investment Protocol.
4	Good	The scheme fits very well with the Council's Local Transport Plan, Investment Protocol.
5	Excellent	Scheme delivers the Council's Local Transport Plan, Investment Protocol and Council priorities, complements other schemes or works, has no negative impacts on other schemes or outcomes and fits with wider transport and government objectives.

Delivery Case

- scheme is deliverable within the financial year
- scheme is already in development
- scheme is not dependent upon third party issues or challenges
- there is clear evidence of member requests and stakeholder support

Scoring

- to what extent does the scheme meet the delivery needs?

Assessment		Description
1	Poor	Significant risks in deliverability of scheme in the financial year and/or against member requests and stakeholder support.
2	Low	There are some risks in deliverability of scheme in the financial year and/or limited member requests and stakeholder support.
3	Reasonable	Overall, the scheme is deliverable in the financial year with evidence of member requests and stakeholder support.
4	Good	The scheme is deliverable in the financial year with extensive evidence of member requests and stakeholder support.
5	Excellent	Scheme complements other schemes or works with widespread support, delivers positive outcomes and has no negative impacts on other schemes or outcomes.

Economic Case

- Scheme delivers quantifiable economic benefits.
- Scheme delivers quantifiable environmental benefits.
- Scheme delivers quantifiable social benefits.
- Scheme enables casualty reductions/road safety benefits.

Scoring

- to what extent does the scheme meet the economic requirements?

Assessment		Description
1	Poor	Scheme does not deliver any economic, environmental or social benefits or enable any casualty reductions/road safety benefits.
2	Low	Scheme delivers minimal economic, environmental or social benefits or enables some casualty reductions/road safety benefits.
3	Reasonable	Scheme delivers some economic, environmental or social benefits and enables some casualty reductions/road safety benefits.
4	Good	Scheme delivers good economic, environmental and social benefits and enables good casualty reductions/road safety benefits.
5	Excellent	Scheme delivers excellent economic, environmental and social benefits and enables good casualty reductions/road safety benefits.

Financial & Commercial Case

- Scheme is affordable within the budget available.
- Scheme reduces future costs and does not place a cost burden upon future budgets.
- Scheme is able to be packaged with other schemes to deliver greater value for money.

Scoring

- to what extent does the scheme meet the financial and commercial requirements?

Assessment		Description
1	Poor	Scheme costs significantly exceed budget, fails to reduce costs and/or creates significant future additional cost pressures.
2	Low	Scheme is not affordable within budget, does not reduce costs and/or creates future additional cost pressures.
3	Reasonable	Overall, the scheme is affordable within the budget available, and does not place a cost burden on future budgets.
4	Good	The scheme is affordable within the budget available and reduces future costs.
5	Excellent	The scheme is affordable within the budget available, reduces future costs and is able to be packaged with other schemes to deliver greater value for money.

Block Priority

- Scheme is a priority within the block taking into account schemes which haven't been delivered in previous years programmes.

Scoring

- to what extent is the scheme a priority?

Assessment		Description
1	Poor	Scheme is a very low priority when compared to other schemes within the block.
2	Low	Scheme is a low priority when compared to other schemes within the block.
3	Reasonable	Scheme is of equal priority to other schemes within the block.
4	Good	Scheme is a high priority when compared to other schemes within the block.
5	Excellent	Scheme is a high priority, complements other schemes or works, delivers positive outcomes and has no negative impacts on other schemes or outcomes.

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01 Highway Maintenance Programme

Various	Carriageways Various Budgets
PC-E-24-0001	Carriageways Resurfacing
PC-E-24-0002	Carriageways Surface Dressing
PC-E-24-0003 & 0004	Carriageways Micro-asphalt
PC-E-24-0005	Footways
PC-E-24-0006	Drainage and flood management
PC-E-24-0007	Bridges, structures, retaining walls and highway boundary structures
PC-E-24-0008	Landslip Investigations & Remedials, 2023/24
PC-E-24-0009	Signs, Lines and Signals
PC-E-24-0010	Street Lighting
PC-E-24-0011	Rights of way
PC-E-24-0012	Cycle routes
PC-E-24-0013	Greenways
Total	

Highway Maintenance Programme Total

Highways Maintenance Block Funding, 2024/25

Highways Maintenance Programme		
Total New Projects	Contingency	Total
£4,500,000	£0	£4,500,000
£3,752,062	£750,412	£4,502,474
£3,552,637	£710,527	£4,263,164
£930,919	£186,184	£1,117,103
£2,822,042	£414,408	£3,236,450
£840,000	£168,000	£1,008,000
£1,806,000	£181,200	£1,987,200
£665,000	£33,000	£698,000
£779,000	£96,000	£875,000
£400,000	£0	£400,000
£660,000	£85,000	£745,000
£30,000	£6,000	£36,000
£262,100	£52,420	£314,520
£20,999,759	£2,683,152	£23,682,911
£23,682,911		
£23,699,000		

02 Integrated Transport Programme

PC-E-24-0014	Traffic Management
PC-E-24-0015	Key Cycle Network investment
PC-E-24-0016	Local cycling and walking investment
PC-E-24-0017	Sustainable transport
PX-E-24-0001	Sustainable transport (non-DCC assets)
PC-E-24-0018	Road Safety
	Major Projects
PC-E-24-0019	Air Quality
Total	

Integrated Transport Programme Total

Integrated Transport Block Funding, 2024/25

Integrated Transport Programme		
Total New Projects	Contingency	Total
£1,071,000	£113,400	£1,184,400
£520,000	£79,000	£599,000
£30,000	£6,000	£36,000
£1,262,890	£174,578	£1,437,468
£0	£0	£0
£295,000	£59,000	£354,000
£0	£0	£0
£61,000	£0	£61,000
£3,239,890	£431,978	£3,671,868
£3,671,868		
£3,672,000		

01-01 Carriageways

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Various	Surface Dressing Site Preparation	Various pre-patching	PPSD works to support 2024/25 surface dressing programme	Various	£1,500,000	
	Various	Carriageway Patching NW	Various - Carriageway Patching	Carriageway Patching	Various	£200,000	
	Various	Carriageway Patching NE	Various - Carriageway Patching	Carriageway Patching	Various	£200,000	
	Various	Carriageway Patching SE	Various - Carriageway Patching	Carriageway Patching	Various	£200,000	
	Various	Carriageway Patching HQ	Various - Carriageway Patching	Carriageway Patching	Various	£200,000	
	Various	Severe Weather Resilience	Various - Severe weather resilience	Carriageway resurfacing and patching	Various	£2,000,000	
	Various	Future Programme Design	Advanced Design of 2025/26 Programme	Design only	Various	£200,000	
Carriageway Various Budgets Total						£4,500,000	

Carriageway Resurfacing

PC-E-23-0001-01-28	Alfreton	Abbott Road	Nottingham Rd to National Speed Limit sign	CW - Resurface & Binder	Alfreton & Somercotes	£74,253	
PC-E-23-0001-01-30	Chesterfield	B6543 Malkin Street/Corporation Street	Bend outside former Chesterfield Hotel	CW - Resurface	Spire	£34,337	
PC-E-23-0001-01-37	Hasland	A617 Hasland By-pass	Westbnd three lane HFST approach to Horns Bridge rbt	CW - High Friction Surfacing	Spire	£73,613	
PC-E-23-0001-01-38	Stretton	A61 Main Road	No.12/14 to joint at Greyhound PH car park	CW - Resurface	Wingerworth & Shirland	£185,508	
PC-E-23-0001-01-41	Barlborough	A616 Oxcroft Way	A619 rbt to to end of HFST	CW - High Friction Surfacing	Barlborough & Clowne	£60,273	
PC-E-23-0001-01-42	Duffield	A6 Derby Road	B5023 Broadway junction SD joint to SD joint	CW - Resurface & Binder	Duffield & Belper South	£80,175	
PC-E-23-0001-01-45	Killamarsh	B6058 Sheffield Road	Walford Rd rbt to Quarry Rd	CW - Resurface & Binder	Eckington & Killamarsh	£53,402	
PC-E-23-0001-01-47	Duffield	A6 Milford Road	Avenue Rd HRA joint to Rail bridge	CW - Reconstruction	Duffield & Belper South	£53,451	
PC-E-23-0001-01-48	Clay Cross	A6175 Market Street	Joint south of rail bridge to SD joint north of rail bridge	CW - Resurface & Binder	Clay Cross North/ Clay Cross South	£50,011	
PC-E-23-0001-01-51	Somercotes	New Street	B600 to end	CW - Resurface	Alfreton & Somercotes	£22,758	
PC-E-23-0001-01-52	Shirebrook	Park Road	Laburnum Avenue to Garden Avenue	CW - Resurface & Binder	Shirebrook & Pleasley	£253,062	

PC-E-23-0001-01-53	Buxton	B5059 Dale Road	1) Grange Avenue to Peveril Rd (include HFST at Heath Park Rd signals) 2) Peveril Road to A6 3) Approach to A515	1) CW - High Friction Surfacing/Resurface & Binder 2) Machine Patching 3) Machine Patching	Buxton West	£195,542	
PC-E-23-0001-01-54	Pinxton	Woodfield Road	Brookhill Lane to end of cul-de-sac	CW - Resurface & Binder / Footway Works	South Normanton & Pinxton	£217,542	
PC-E-23-0001-01-55	Eckington	A6135 Littlemoor	B6053 slip to Littlemoor House	CW - Resurface & Binder	Eckington & Killamarsh	£114,662	
PC-E-23-0001-01-56	Arkwright Town	A632 Sutton Lane rbt	Roundabout circulatory	CW - Resurface	Sutton	£90,542	
PC-E-23-0001-01-57	Ripley	Moss Lane	Bridle Ln to C74 Lowes Hill	CW - Reconstruction	Ripley East & Codnor	£91,537	
PC-E-23-0001-01-58	New Mills	Laneside Road	Brownhill Farm to Over Hill Rd	CW - Machine Patching	New Mills	£109,602	
1	Ilkeston	Hallam Fields Road	Two sections: 1) Kingston Ave to no.71 2) No.42 to joint o/s rugby club	CW - Reconstruction	Ilkeston South	£120,542	
2	Buckland Hollow	A610 Ripley Road	The Old Forge to B6013 Chesterfield Road	CW - Reconstruction		£115,542	
3	Ambergate	A6 Derby Road	Holly Lane to 2022 surfacing joint south of railway bridge.	CW - Reconstruction		£331,000	
4	Swanwick	B6179 Derby Road	Old Colliery Lane Roundabout including northbnd entry travelling from Swanwick	CW - Resurface & Binder		£115,542	
5	Belper	A6 Chapel Street	A609 New Road rbt to King Street	CW - Reconstruction		£205,542	
6	Buxton	A6 Fairfield aka Unnamed Road Section Of A6 From Buxton Road Dove Holes To Fairfield Road	2023 SD joint southwards to vicinity of 'Top Lodge'	CW - Resurface & Binder		£330,542	
7	Alfreton	B600 High Street	B600/B6019 mini roundabout	CW - Resurface		£48,500	
8	Duckmanton	A6192 Markham Lane roundabout	Roundabout circulatory outside Environment Centre	CW - Resurface & Binder		£71,500	
9	Sawmills	A610 Ripley Road/ Ladygrove	No.94 Ripley Road eastwards to HRA joint o/s no.10 Ladygrove	CW - Reconstruction		£241,542	
10	Wessington	Brackenfield Lane	A615 Matlock Rd to no.3	CW - Reconstruction		£95,500	
11	Bolsover	Hill Top/A632 Market Place junction	Junction bellmouth - A632 to outside Assembly Hall	CW - Reconstruction		£45,500	
12	Clay Cross	C226 Holmgate Road	A61 High Street to No.14	CW - Resurface & Binder		£270,542	
Carriageway Resurfacing Total						£3,752,062	£750,412

Surface Dressing

1	Newton Grange/ Tissington	A515 Buxton Road	Gag Lane to Rakes Lane	Carriageway Surface Dressing	Dovedale	£117,083	
2	Whatstandwell	A6 Matlock Road	HRA Joint South of Whatstandwell Bridge to SMA joint north of A610 Junction (Near end of Speed Camera markings)	Carriageway Surface Dressing	Alport & Derwent	£186,986	
3	New Houghton	B6417 Rotherham Road	50mph New Houghton to SMA joint at A632 Four Lane Ends	Carriageway Surface Dressing	Bolsover South / Shirebrook & Pleasley	£171,646	
4	Ladybower	A57 Unnamed Road Section Of A57 From Ashopton Viaduct to County Boundary	Joint above Ladybower Inn (from HFST) to County Boundary. Omit section of HFST in middle of bed	Carriageway Surface Dressing	Chapel & Hope Valley	£146,484	
5	Doe Lea	A617 Chesterfield Road	Both Carriageways (M1 Jn 29 to 40mph limit)	Carriageway Surface Dressing	Sutton / Tibshelf	£55,549	
6	Codnor	A610 Glasshouse Hill	HFST vic. Stirland Street to Hillcrest Drive	Carriageway Surface Dressing	Ripley East and Codnor	£20,514	
7	Repton	C29 High Street	Pinfold Lane to Post Office at Repton Cross	Carriageway Surface Dressing	Etwall & Repton	£27,235	
8	Repton	C29 Main Street	Bank House Farm access road to Pinfold Ln	Carriageway Surface Dressing	Etwall & Repton	£47,983	
9	Repton	C29 Hartshorne Road	Knights Ln to Bank House Farm access road	Carriageway Surface Dressing	Etwall & Repton	£17,180	
10	Hartshorne	C29 Repton Road	Netherhall Road to Knights Lane	Carriageway Surface Dressing	Etwall & Repton/ Melbourne	£137,222	
11	Hartshorne	C84 Repton Road	Netherhall Road to A514 Ticknall Rd	Carriageway Surface Dressing	Melbourne	£67,477	
12	Hartshorne	C29 Netherhall Road	Dunnsmoor Ln to Repton Rd	Carriageway Surface Dressing	Melbourne	£24,700	
13	Unstone	U14963 Whittington Lane	Old Whittington Lane to Hundall Lane	Carriageway Surface Dressing	Dronfield East / Staveley North & Whittington	£35,087	
14	Matlock	A632 Chesterfield Road	Lumsdale to Brickyard Farm	Carriageway Surface Dressing	Matlock	£23,069	
15	Bamford	A6187 Hope Road	B6049 Stretfield Rd to Thornhill Ln	Carriageway Surface Dressing	Chapel & Hope Valley	£88,205	
16	Bamford	A6187 Hope Road	Thornhill Ln to Mytham Bridge	Carriageway Surface Dressing	Chapel & Hope Valley	£46,696	
17	Bamford	A6187 Hathersage Road	Mytham Bridge to A6013	Carriageway Surface Dressing	Chapel & Hope Valley	£20,326	
18	Long Eaton	B6002 Wilsthorpe Road	A6005 Roundbout to Dovedale Avenue	Carriageway Surface Dressing	Sawley	£42,783	
19	Calow	C12 Blacksmith Lane	A632 Calow to surfacing joint at Eastmoor Rd	Carriageway Surface Dressing	Sutton	£31,980	
21	Chinley	A624 Buxton Road	New Smyth to junct Road to Malcoff	Carriageway Surface Dressing	Whaley Bridge	£22,796	
22	Chapel-En-Le-Frith	A624 Hayfield Road	Rd to Malcoff to Ferodo Rbt	Carriageway Surface Dressing	Whaley Bridge/ Chapel & Hope Valley	£46,313	
23	Chapel-En-Le-Frith	A624 Hayfield Road	Ferodo Rbt to The Grapes Cottage	Carriageway Surface Dressing	Chapel & Hope Valley	£10,582	
24	Danesmoor	U14406 Springvale Road	Cemetery Rd to Flaxmead Rd	Carriageway Surface Dressing	Clay Cross South	£53,905	
26	Matlock	C290 Smedley Street	Junction with Far Green to joint with new SMA bed o/s Farmers	Carriageway Surface Dressing	Matlock	£5,941	
27	Mickleover	A516 Etwall Road	SMA joint north east of Dee Ln to Duals	Carriageway Surface Dressing	Etwall & Repton	£60,398	

28	Hilton	U4957 Uttoxeter Road	Willowbrook Close to C366 The Mease	Carriageway Surface Dressing	Hilton	£23,680
29	Leabrooks	U8569 Charles Street	B6016 Greenhill Ln to Brenden Ave	Carriageway Surface Dressing	Alfreton and Somercotes	£10,400
31	Ambergate	A610 Ripley Road	HRA joint East of second bridge from A6 to surfacing joint near New Road	Carriageway Surface Dressing	Ripley West & Heage	£24,902
32	Draycott	U6111 Wilne Road	Field gate/PRoW to Works Entrance	Carriageway Surface Dressing	Breaston	£33,878
33	Brockwell	U2989 Brockwell Lane	Beechdale Close to end	Carriageway Surface Dressing	Loundsley Green and Newbold	£37,050
34	Radbourne	B5020 Unnamed Section Of B5020 Radbourne Common	Radbourne Ln to Corner House	Carriageway Surface Dressing	Etwall & Repton	£66,898
35	Ridgeway	U9162 New Road	A610 to Crich Ln	Carriageway Surface Dressing	Ripley West & Heage	£9,672
36	Ticknall / Smisby	B5006 Derby Road	County bndry to 300m north of Mere oak Ln	Carriageway Surface Dressing	Melbourne	£117,286
37	Idridgehay	B5023 Wirksworth Road	Hillcliff Ln to Johnson Ln 50mph	Carriageway Surface Dressing	Alport & Derwent	£78,390
38	Ashover	B6036 Hockley Lane	Fallgate Mill to Ashover Rd (aka Stubben Edge Ln)	Carriageway Surface Dressing	Wingerworth & Shirland	£25,097
39	Wirksworth	B5035 Coldwell Street/Wash Green	Station Rd to St Helens Ln	Carriageway Surface Dressing	Wirksworth	£24,928
40	Stanley	C16 Derby Road	Lime Ln to Hill Farm	Carriageway Surface Dressing	Breadsall & West Hallam	£63,791
41	Woolley Moor	B6014 Unnamed Section Of B6014 From Junction W	Crow Ln to B6036 Ashover New Rd (omit jtn with B6036)	Carriageway Surface Dressing	Clay Cross South	£3,965
43	Dronfield	U14680 Salisbury Road	90 Highfield Rd to limit of adoption at 26 Salisbury Rd	Carriageway Surface Dressing	Dronfield East	£2,048
44	Drakelow	C47 Walton Road	Junction to Caldwell north eastwards to watercourse	Carriageway Surface Dressing	Linton	£8,775
45	Two Dales	B5057 Synhope Hill	Surfacing joint above Homecroft to Jaggers Ln junct	Carriageway Surface Dressing	Derwent Valley	£88,693
46	Little Eaton	B6179 Derby Road	HRA joint Little Eaton to A38 Northbound off slip LP 49503	Carriageway Surface Dressing	Breadsall & West Hallam	£160,765
49	Hadfield	U11032 Green Lane	Newshaw Ln to Hadfield Rd	Carriageway Surface Dressing	Etherow	£26,124
50	Ripley	B6441 Hartshay Hill	A38 Roundabout to 30mph limit (Exclude HFST)	Carriageway Surface Dressing	Ripley East & Codnor	£21,034
51	Netherseal	C248 Main Street	Church St to 35m north of 30mph/national speed limit	Carriageway Surface Dressing	Linton	£26,377
52	Dronfield	U14668 Longacre Road	Hilltop Rd to limit of adoption	Carriageway Surface Dressing	Dronfield East	£8,931
53	Stonebroom	C58 High Street	West St to Love Ln	Carriageway Surface Dressing	Wingerworth and Shirland/ Tibshelf	£54,945
54	Dronfield	U14750 Crofton Rise	Garth Way to end	Carriageway Surface Dressing	Dronfield East	£7,807
55	Dronfield	U14874 Derwent Road	Green Ln to end	Carriageway Surface Dressing	Dronfield East	£13,624
56	Milltown	U14555 Stonerows Lane	B6014 Dark Ln to Hay Ln (narrow)	Carriageway Surface Dressing	Wingerworth & Shirland	£11,577
57	Ripley	C74 Asher Lane	30mph Butterley Lane to Main Rd, Pentrich	Carriageway Surface Dressing	Ripley West & Heage	£53,203
58	Pentrich	C74 Back Lane	Asher Lane to B6016	Carriageway Surface Dressing	Ripley West & Heage	£15,880
60	Ilkeston	U7139 Queen Street	Albert St to South St	Carriageway Surface Dressing	Ilkeston West	£2,607
61	New Whittington	U2089 South Street North	High St to Staveley Rd	Carriageway Surface Dressing	Staveley North & Whittington	£29,673
62	Dronfield	U14893 Egerton Road	All	Carriageway Surface Dressing	Dronfield East	£4,030
63	Glossop	U10965 Arundel Street	A57 to Howard St	Carriageway Surface Dressing	Glossop & Charlesworth	£10,972
64	Ridgeway	U14993 Sloade Lane	Ridgeway Moor to Sloade Ln adoption limit	Carriageway Surface Dressing	Eckington and Killamarsh	£9,432
65	Buxton	U10179 Park Road	Park Road circle	Carriageway Surface Dressing	Buxton West	£53,437
66	Shirland	B6013 Unnamed Road From AVBC District Boundary	Amber Green to Halffield Gate Ln	Carriageway Surface Dressing	Wingerworth and Shirland / Tibshelf	£61,932
67	Killamarsh	U15184 Beech Crescent	All	Carriageway Surface Dressing	Eckington and Killamarsh	£11,310
68	Sturston	A517 Belper Road	30/50mph limit eastwards to "Bracken Hill"	Carriageway Surface Dressing	Ashbourne	£38,025
69	Smalley	A608 Main Road	A609 Dobholes Ln to SD joint near no. 207 Heanor Rd	Carriageway Surface Dressing	Horsley	£138,743
70	Duffield	B5023 Wirksworth Road	HRA joint near Cumberhills Road to Nether Ln	Carriageway Surface Dressing	Duffield & Belper South	£151,379
71	Ridgeway	U14990 Geer Lane	Ford Ln to Geer Ln Farm	Carriageway Surface Dressing	Eckington and Killamarsh	£26,488
72	Unstone	B6057 Chesterfield Road	Cemetery Rd to 30mph at Unstone	Carriageway Surface Dressing	Dronfield East	£32,555
73	Cutthorpe	B6050 School Hill	PRoW adj 'The Cottages' to Elec Sub-Station	Carriageway Surface Dressing	Dronfield West and Walton	£10,972
96	Cutthorpe	B6050 South Terrace	HFST to PRoW adj 'The Cottages'	Carriageway Surface Dressing	Dronfield West and Walton	£2,860
74	Wirksworth	B5035 Porter Lane	Joint west of access road to Birchover Reclamations to B5036 Cromford Hill (not junction)	Carriageway Surface Dressing	Wirksworth	£33,725
75	Ashover	U14570 Narrowleys Lane	B6036 to Moor Rd	Carriageway Surface Dressing	Wingerworth & Shirland	£11,596
76	Ridgeway	C26 Main Road	B6054 High Lane to HFST at Swallow Cottage	Carriageway Surface Dressing	Eckington and Killamarsh	£78,572
77	Glossop	U10975 Bernard Street	Arundel St to Edward St (leave jtn with Edward St)	Carriageway Surface Dressing	Glossop & Charlesworth	£7,716
78	Barrow-On-Trent	C86 Deep Dale Lane	Ashlea Farm to Moor Ln	Carriageway Surface Dressing	Aston	£52,462
79	Eckington	B6056 Dronfield Road	PRoW adj Eckington School to B6052	Carriageway Surface Dressing	Eckington and Killamarsh	£21,125
80	Quarndon	C159 Burley Lane	A6 to The Common	Carriageway Surface Dressing	Duffield & Belper South	£58,708
81	Stretton	B6014 Unnamed Section Of B6014 From A61 At Stretton to Ashover New Road	Ashover New Rd to A61 (omit junctions)	Carriageway Surface Dressing	Clay Cross South	£52,767

82	Willington	B5008 Repton Road	River Trent 40mph to A5132	Carriageway Surface Dressing	Etwall & Repton	£30,784	
83	Oxcroft	B6417 Mansfield Road	Oxcroft Ln to Damsbrook Ln	Carriageway Surface Dressing	Barlborough & Clowne	£43,706	
85	New Mills	U10617 Longlands Road	B6101 Hague Bar Rd to Hall St	Carriageway Surface Dressing	New Mills	£12,402	
87	Ridgeway	U14998 Phoenix Road	All	Carriageway Surface Dressing	Eckington & Killamarsh	£5,558	
88	Shirland	U14532 Greaves Street	A61 Main Rd to Park Ln	Carriageway Surface Dressing	Wingerworth & Shirland	£3,055	
89	Ashover	U14579 Gin Lane	Oakstedge Ln to Bridleway entrance (OS ref 435210.361788)	Carriageway Surface Dressing	Wingerworth & Shirland	£13,553	
90	Newbold	B6051 Newbold Road	B6150 Littlemoor to B6150 Loundsley Green Rd	Carriageway Surface Dressing	St Mary's	£14,651	
Carriageway Surface Dressing Total						£3,552,637	£710,527

Micro-Asphalt

1	New Mills	Church Lane	A6015 to Hydebank Road	CW - Micro-Asphalt with >10% Patch	New Mills	£33,697	
2	Upper Newbold	Water Meadow Lane	B6051 Newbold Rd to RBout	CW - Micro-Asphalt	St. Mary's	£12,819	
3	Hayfield	Swallow House Lane	Swallow House Cres to Market St	CW - Micro-Asphalt with >10% Patch	New Mills	£26,592	
4	Newbold	Nesfield Close	All	CW - Micro-Asphalt with >10% Patch	St. Mary's	£5,886	
5	Cotmanhay	Rose Avenue	Peveril Drive to end of adopted road	CW - Micro-Asphalt with >10% Patch	Ilkeston West	£6,778	
6	Newbold	Kingswood Close	Cobnar Drive to end	CW - Micro-Asphalt with >10% Patch	St. Mary's	£6,625	
7	Newbold	Hastings Close	B6051 Newbold Rd into cul-de-sac	CW - Micro-Asphalt	Loundsley Green and Newbold	£3,518	
8	Doveridge	High Street	Cook Ln / Hall Ln to Sand Ln / Pump Ln	CW - Micro-Asphalt with >10% Patch	Ashbourne	£17,142	
9	Newbold	Rhodes Avenue cul-de-sac	Rhodes Ave into Rhodes Ave cul-de-sac (no's 61 - 79)	CW - Micro-Asphalt	Spire	£1,866	
10	Langley Mill	Elnor Street	Milnhay Rd to A608 Station Rd	CW - Micro-Asphalt with >10% Patch	Greater Heanor	£21,478	
11	Newbold	Tapton View Road	B6051 Newbold Rd to B6057 Sheffield Road include cul-de-sac off between no's 164 and 192	CW - Micro-Asphalt with >10% Patch	Loundsley Green and Newbold/ Spire	£78,747	
12	Staveley	Church Street	A619 Duke St to High St (include Parking bays)	CW - Micro-Asphalt	Staveley/ Staveley North and Whittington	£12,324	
13	Darley Dale	Hawksley Drive	All	CW - Micro-Asphalt with >10% Patch	Derwent Valley	£6,350	
14	Upper Newbold	Barholme Close	B6051 Newbold Rd to end	CW - Micro-Asphalt with >10% Patch	St. Mary's	£13,361	
15	Newbold	Kirkstone Road	Access road to no's 14 - 58 and cul-de-sac serving no's 136 - 162	CW - Micro-Asphalt	St. Mary's	£9,425	
16	Newbold	Hollin Close	Cordwell Ave into cul-de-sac	CW - Micro-Asphalt	St. Mary's	£4,872	
17	Newbold	Rose Wood Close	All	CW - Micro-Asphalt	St. Mary's	£10,024	
18	Newbold	Chaucer Road	All	CW - Micro-Asphalt	St. Mary's	£4,014	
19	Buxton	Unnamed Road From Macclesfield Road To St Johns Road	Slip (B5059 Macclesfield Rd to A53 St John's Rd)	CW - Micro-Asphalt	Buxton West	£1,769	
20	Swadlincote	Midland Road cul-de-sac	A514 to start of block paving	CW - Micro-Asphalt	Swadlincote Central	£3,452	
21	Riddings	George Street	B6016 to West St	CW - Micro-Asphalt with >10% Patch	Alfreton and Somercotes	£21,900	
22	Newbold	Littlemoor Crescent	B6150 Littlemoor to B6150 Littlemoor	CW - Micro-Asphalt	St. Mary's	£10,783	
23	Holmgate	West Street	North St to Brook St	CW - Micro-Asphalt	Clay Cross North	£9,785	
24	Newbold	Chantrey Avenue	Highfield Ln to Malson Way (incl cul-de-sac no's 32 - 54)	CW - Micro-Asphalt	Loundsley Green and Newbold/ St. Mary's	£37,256	
25	Newbold	Kipling Road	All	CW - Micro-Asphalt	St. Mary's	£4,226	
26	North Wingfield	Wensley Road	Church Ln to Tansley Rd	CW - Micro-Asphalt	Clay Cross South	£5,113	
27	Newbold	Blandford Drive (two culs-de-sac off)	Blandford Drive culs-de-sac serving No's 21 - 49 and no's 6 to 34	CW - Micro-Asphalt	St. Mary's	£4,301	
28	Newbold	Newbold Road (service road)	Access to no's 553 - 593 (off B6051)	CW - Micro-Asphalt	St. Mary's	£10,671	
29	Buxton	Lightwood Road	Lansdowne Rd to end of housing at track	CW - Micro-Asphalt with >10% Patch	Buxton West	£26,580	
30	Newbold	Highfield Lane (cul-de-sac)	Highfield Ln cul-de-sac (nos 73 - 119)	CW - Micro-Asphalt	Loundsley Green and Newbold	£4,774	
31	Newbold	Edinburgh Road	road between Edinburgh Rd to Rhodes Ave	CW - Micro-Asphalt	Spire	£2,484	
32	Marehay	Warmwells Lane	Upper Marehay Rd to Brook	CW - Micro-Asphalt with >10% Patch	Ripley West and Heage	£61,919	
33	Newbold	Racecourse Road	B6050 Dunston Rd to to scrap yard (incl cul-de-sac no's 131 to 139)	CW - Micro-Asphalt	St. Mary's	£11,362	

34	Newbold	Outram Road	Access rd to nos 16 - 34	CW - Micro-Asphalt	Loundsley Green and Newbold	£2,756	
35	Buxton	Hardwick Street	A515 to Lower Hardwick Street	CW - Micro-Asphalt with >10% Patch	Buxton West	£6,809	
36	Newbold	Willow Garth Road	Cordwell Ave to Loundes Wood Ave incl access rd off to nos 29 - 59	CW - Micro-Asphalt with >10% Patch	St. Mary's	£19,842	
37	Hearon	Ray Street	Thorpe's Rd to Mundy St	CW - Micro-Asphalt with >10% Patch	Hearon Central	£35,448	
38	Newbold	Sanforth Street	B6057 Sheffield Rd to Peveril Rd	CW - Micro-Asphalt	St. Mary's	£18,442	
39	Dronfield	Hanbury Close	All	CW - Micro-Asphalt with >10% Patch	Dronfield East	£6,397	
40	North Wingfield	Edensor Close	Elvaston Rd into cul-de-sac	CW - Micro-Asphalt	Clay Cross South	£2,228	
41	Newbold	Leeswood Close	Monkwood Rd to turning head	CW - Micro-Asphalt	St. Mary's	£4,073	
42	Bradwell	Hungry Lane	Jeffrey Ln to Hollow Gate / Town Gate	CW - Micro-Asphalt with >10% Patch	Bakewell	£26,942	
43	Riddings	Church Street	Bradshaw Ave to George St	CW - Micro-Asphalt with >10% Patch	Alfreton and Somercotes	£21,749	
44	Bakewell	Bath Street	A6 to A619 Anchor Square	CW - Micro-Asphalt	Bakewell	£4,528	
45	Stonebroom	Birkinstyle Avenue	Brierley Rd into cul-de-sac	CW - Micro-Asphalt	Wingerworth & Shirland	£2,214	
46	Buxton	North Road	A6 Fairfield Rd to end of road (by no.12)	CW - Micro-Asphalt with >10% Patch	Buxton North & East	£6,187	
47	Holmewood	U14066 Hunloke Road	A6175 to end	CW - Micro-Asphalt with >10% Patch	Sutton	£22,323	
48	Buxton	Park Road (four sites)	1) A5004 (Carlisle Rd end) to Park Rd circle; 2) A5004 (A53 end) to Park Rd Circle (include resurfacing of both A5004 junct bellmouths; 3) Heathfield Gardens; 4) Cul-de-sac between no's 31 & 34)	CW - Micro-Asphalt	Buxton West	£80,622	
49	Buxton	The Glade	off Park Road circle	CW - Micro-Asphalt	Buxton West	£5,900	
50	Buxton	The Paddock	Carlisle Rd to end	CW - Micro-Asphalt	Buxton West	£4,423	
51	New Mills	U10603 Woodside Street	A6015 Albion Road to no.2	CW - Micro-Asphalt	New Mills	£6,100	
52	Glossop	U10952 Wellgate	Wesley St/Hope St to Church St/Church St Sth	CW - Micro-Asphalt	Glossop & Charlesworth	£6,187	
53	Tideswell	U1000 Pursglove Drive	all	CW - Micro-Asphalt	Dovedale	£9,929	
54	Repton	U4791 Well Lane	High St to limit of adoption	CW - Micro-Asphalt	Etwall & Repton	£7,521	
55	Woodville	U4241 Blacksmiths Lane	A511 to end	CW - Micro-Asphalt	Swadlincote Central	£3,666	
56	Church Gresley	U4185 School Street	Church St to York Rd	CW - Micro-Asphalt	Swadlincote South	£13,624	
57	Newhall	U4399 Crich Way	Fairfield Cres to end incl. cul-de-sac off	CW - Micro-Asphalt	Swadlincote North	£3,998	
58	Swadlincote	U4330 Belfield Road (incl Gregson Road & Foreman Close)	Davis Road to end	CW - Micro-Asphalt	Swadlincote Central	£13,345	
59	Newbold	Monkwood Road	Cobnar Drive to Cordwell Ave	CW - Micro-Asphalt	St. Mary's	£10,059	
60	Newbold	Nelson Street	Peveril Rd to B6057 Sheffield Rd	CW - Micro-Asphalt	St. Mary's	£15,669	
61	Stonebroom	Keats Road	Cleveland Rd to Bunyan Crescent	CW - Micro-Asphalt	Wingerworth and Shirland	£4,326	
62	Ashbourne	Town Hall Yard	Hall Ln into cul-de-sac	CW - Micro-Asphalt with >10% Patch	Dovedale	£5,410	
63	Chesterfield	Church Street West	Heaton Street to end	CW - Micro-Asphalt with >10% Patch	Walton & West/ Boythorpe & Brampton South	£15,178	
64	Hathersage	Station Approach	B6001 Hathersage to end of rd (by no 3)	CW - Micro-Asphalt with >10% Patch	Bakewell	£6,530	
65	Newbold	Sudhall Close	Cordwell Ave into cul-de-sac	CW - Micro-Asphalt	St. Mary's	£5,352	
66	Newbold	Enfield Road	All	CW - Micro-Asphalt	Loundsley Green and Newbold	£12,090	
67	Fritchley	Fritchley Lane	Hilltop to The Common	CW - Micro-Asphalt with >10% Patch	Ripley West & Heage	£10,884	
68	Bradwell	Unnamed Road From Cresswell Part Lane To Michlow Lane	Link (Little Ln (leading to 'East View') to unnamed rd Smalldale)	CW - Micro-Asphalt	Bakewell	£1,997	
69	Bradwell	Unnamed Road From Cresswell Part Lane To Michlow Lane	Unnamed rd (opp 'Fair View') to road end	CW - Micro-Asphalt	Bakewell	£526	
70	Bradwell	Michlow Drive	Gore Ln to Michlow Close	CW - Micro-Asphalt	Bakewell	£4,416	
71	Bradwell	Michlow Close	Michlow Drive to road end by no22	CW - Micro-Asphalt	Bakewell	£4,256	
72	Bradwell	Little Lane	All	CW - Micro-Asphalt	Bakewell	£3,819	
73	Ashbourne	Peak View Drive	Access rd to nos 3 - 13	CW - Micro-Asphalt with >10% Patch	Ashbourne	£3,261	
Carriageway Micro-Asphalt Total						£930,919	£186,184

01-02 Footways							
Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Various	Footway Slurry Seal Programme	Various Locations Countywide	Footway Slurry Sealing	Various	£450,000	
	Various	Footway Patching - NW	Various Locations Countywide	Footway Patching	Various	£75,000	
	Various	Footway Patching - NE	Various Locations Countywide	Footway Patching	Various	£75,000	
	Various	Footway Patching - SE	Various Locations Countywide	Footway Patching	Various	£75,000	
	Various	Footway Patching - HQ	Various Locations Countywide	Footway Patching	Various	£75,000	
	Bakewell	Bakewell Town Centre Paving (phase 5)	A619 Rutland Square	Footway Re-slabbing	Bakewell	£87,500	
	Buxton	Buxton Tree Pits (phase 2)	various locations	Tree Pits in Footways	Various	£42,542	
	Long Eaton	Parkside Avenue (phase 2)	Various - Hillside Drive to A6005, Brookside Close, Parkside Crescent	Footway Resurfacing (Slabs)	Petersham	£148,500	
	Buxton	Temple Road (phase 2)		Footway Resurfacing	Buxton West	£33,500	
	Nether Padley	Main Road (phase 2)		Footway Resurfacing	Bakewell	£38,500	
	Cotmanhay	Dovedale Circle (phase 2)	Castleton Avenue to Lathkill Avenue	Footway Resurfacing	Ilkeston East	£133,500	
	Matlock	New Street	Steep Turnpike to Henry Street (Eastern side)	Footway Resurfacing	Matlock	£48,500	
	Tupton	Green Lane	Queen Victoria Road to Ward Street (Eastern side)	Footway Resurfacing	Clay Cross North	£38,500	
	Ilkeston	Gladstone Street West	South Street to Market Street (north side)	Footway Resurfacing	Ilkeston East	£23,500	
	Cotmanhay	Cotmanhay Road	Church Street rbt to Bennerley Avenue	Footway Resurfacing	Ilkeston East	£88,500	
	Riddings	Hill Top Road	Charity Road to Synergy Car Centre entrance (Southern side)	Footway Resurfacing	Alfreton & Somercotes	£68,500	
	Alfreton	Bentley Close	Small area of footway adj. no. 1	Footway Resurfacing & Kerbing	Alfreton & Somercotes	£23,500	
	Tupton	Nethermoor Road	No 128 to Davenport Road (both sides)	Footway Resurfacing	Clay Cross North	£158,500	
	Newbold	Lancaster Road	Various locations - Kendal Road to St John's Road	Footway Resurfacing	St Mary's	£138,500	
	Dunston	Willow Garth Road	Cordwell Avenue to no's 19 to 23	Footway Resurfacing	St Mary's	£63,500	
	Creswell	Elmton Road	Wood Lane to no.208 Elmton Road	Footway Resurfacing	Bolsover North	£33,500	
	Somercotes	West Way	B600 to Birchwood Way	Footway Resurfacing	Alfreton & Somercotes	£88,500	
	North Wingfield	Mayfield Drive	various	Footway Resurfacing	Clay Cross South	£53,500	
	Pinxton	Brookhill Road	Wharf Rd to Brookhill Road	Footway Resurfacing	South Normanton & Pinxton	£33,500	
	Somercotes	Nix's Hill	Hockley Way to Akramatic access (Western side)	Footway Resurfacing	Alfreton & Somercotes	£18,500	
	Alfreton	Salcombe Road	Northern footway - Wood Street North westwards into Salcombe Road cul-de-sac opposite LP 88548	Footway Resurfacing	Alfreton & Somercotes	£38,500	
	Pisley	Lansbury Avenue	Morton Road to No.35	Footway Resurfacing	Clay Cross South	£53,500	
	Long Eaton	Wellington Street	Canal Street to Cavendish Road	Footway Resurfacing (Slabs)	Petersham	£48,500	
	Old Whittington	Station Lane	B6052 to Hill Top Road (South side) B6052 to Bower Farm Road (North Side)	Footway Resurfacing	Staveley North & Whittington	£83,500	
	Long Eaton	Canal Street	Breedon Street to Curzon Street	Footway Resurfacing (Slabs)	Petersham	£43,500	
	Pisley	Queen Street	Station Road to end including Brunswick Street south side f/way		Clay Cross South	£83,500	
	Langwith	Langwith Drive	A632 to end (East side)	Footway Resurfacing	Bolsover South	£43,500	
	Langley Mill	Bailey Brook Drive	Lower Dunstead Road to Turton Close (North side)	Footway Resurfacing	Greater Heanor	£48,500	
	Dronfield	Snape Hill Lane	Green Lane to Alexandra Road (South side)	Footway Resurfacing	Dronfield East	£33,500	
	Clay Cross	Cross Street	King Street to Thanet Street (East side)	Footway Resurfacing	Clay Cross North	£28,500	
	Ilkeston	West End Drive	B6007 to Wharcliffe Avenue	Footway Resurfacing & Tree Pits	Ilkeston West	£58,500	
	Somercotes	Keys Road	Entrance to NeoElegance to entrance G & M Hartshorne Haulage	Footway Resurfacing	Alfreton & Somercotes	£48,500	
	North Wingfield	Wensley Road	Church Lane to Tansley Road	Footway Resurfacing	Clay Cross South	£38,500	
	Birdholme	Church Street South	Birchwood Crescent to and including Grangewood Road section adj. green	Footway Resurfacing	Birdholme	£58,500	
Footway Resurfacing Total						£2,822,042	£414,408

01-03 Drainage and flood management							
Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Ashford in the Water	A6 The Dukes Drive highway flooding mitigation scheme	A6 The Duke's Drive, Ashford in the Water	Carriageway and Drainage Damage due to Flooding	Bakewell	£190,000	
	Chapel-en-le-frith	Barmoor Clough highway flooding mitigation scheme	A6 Buxton Road, Barmoor Clough	Carriageway and property flooding	Chapel & Hope Valley	£100,000	
	Taddington	Hades Lane highway flooding mitigation scheme	Hades Lane, Taddington	Carriageway and property flooding	Dovedale	£200,000	
	Tupton	Mill Lane Highway Flooding Mitigation scheme	Mill Lane, Tupton (Caravan Park)	Carriageway and property flooding	Clay Cross North	£100,000	
	Clay Cross	A61 Derby Road, Clay Cross surface water diversion scheme	A61 Derby Road, Clay Cross (outside Incomol Business Park)	Carriageway and property flooding	Clay Cross North	£100,000	
	Ashbourne	Clifton Road highway flooding mitigation scheme	Clifton Road, Ashbourne	Carriageway and property flooding	Ashbourne	£150,000	
Drainage and flood management Total						£840,000	£168,000

01-04 Bridges, structures, retaining walls and highway boundary structures							
Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
PC-E-20-0001-01-06-01	Aston	P18082 Glenbrook Culvert Replacement (A6187)	P18082 Glenbrook Culvert (A6187)	Replacement of culvert (Top-up existing project)		£35,000	
PC-E-20-0001-01-06-21	Bakewell	Z26193 Weir Footbridge Refurbishment	Z26193 Weir Footbridge	Refurbishment to existing structure (Top-up existing project)		£94,000	

PC-E-20-0001-01-06-15	Castle Gresley	Gresley East Roundabout Bridge SI & Remedial Works	Gresley East Roundabout Bridge	Under take site investigations and temporary packing of beams. (Top-up existing project)		£90,000	
PC-E-20-0001-01-06-04	Chesterfield	P37909 Ridding Brook	P37909 Ridding Brook (A61 Dronfield By-Pass)	Strengthening / maintenance works as necessary. (Top-up existing project)		£82,000	
	Chesterfield	D37877 Off Crow Lane	D37877 Off Crow Lane	Design for bridge replacement. (Top-up existing project)		£30,000	
	Crowden	D09046 Crowden Old Rd	D09046 Crowden Old Rd	Design / Feasibility for strengthening (Top-up existing project)		£20,000	
PC-E-17-0001-01-05-10	Dronfield	Lea Rd Ramp Demolition (Design)	Lea Rd Ramp	Bridge Replacement Phase 1 (top up existing funding)		£35,000	
	Duffield	Eaton Bank Retaining Wall Strengthening		Incorporated backing to Wall		£140,000	
	Dronfield	P37737 Hill Top	P37737 Hill Top	Replace the 2 guide and 9 string bearings on the east abutment (Top-up existing project)		£45,000	
	Dronfield	A61 Dronfield Structures Impact Protection (Design)	A61 Dronfield Structures	Pier impact protection (Top-up existing project)		£35,000	
PC-E-20-0001-01-06-07	Glossop	P09013 Victoria (A624)	P09013 Victoria (A624)	Maintenance Works (Top-up existing project)		£85,000	
	Hathersage	RB180084 Brough Mill Retaining Wall Repairs ()		Repair of wall		£130,000	
	Hathersage	B6001 Retaining Wall Stabilisation Feasibility	B6001 Retaining Wall	Feasibility for wall strengthening (Top-up existing project)		£40,000	
	Kniveton	C25030 Kniveton Ln	C25030 Kniveton Ln	Strengthening of culvert (Top-up existing project)		£45,000	
	Various	Countywide Bridges, Principal Bridge Inspections & Works Arising	Various locations Countywide	Principal bridge inspections and works arising from inspections		£250,000	
	Various	Countywide Footbridges Replacement Wk	Various locations Countywide	Countywide Footbridges Replacement Wk		£125,000	
	Various	Countywide Retaining Wall Rebuilds Wk	Various locations Countywide	Highway retaining wall asset replacement		£375,000	
	Various	Countywide Structures Assessments & Post Tensioned	Various locations Countywide	Structures assessments & post tensioned special inspections		£150,000	
Bridges, structures, retaining walls and highway boundary structures Total						£1,806,000	£181,200

01-04a Landslip / Rock fall investigation & remedial works

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Buxton	Holker Road Rockface	Holker Road	Stabilise rockface	Buxton West	£140,000	
	Chapel & Hope Valley	A57 Snake Pass Landslips	A57 Snake Pass	Continued Investigation Works.	Chapel & Hope Valley	£25,000	
	Various	Countywide Landslip / Rock fall investigation & remedial works	Various locations Countywide	Landslip / rock fall investigation & remedial works	Various	£500,000	
Landslip / Rock fall investigation & remedial works						£665,000	£33,000

01-05 Signs, Lines and Signals

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Dale Abbey	Speed Limit Vehicle Activated Signs (x2)	A6096 Ladywood Road, Ilkeston	Contributing to better safety, security and health.	Ilkeston South / Breadsall & West Hallam	£20,000	
	Ambergate	Junction Signalisation Scheme (Design Only)	A6 Derby Rd Junction with A610	Supporting a resilient local economy & Improving quality of life & address a personal injury collision history	Ripley West & Heage	£275,000	
	North Wingfield	Replacement of Vehicle Activated Sign-Little Morton Road	Outside No. 75	New Vehicle Activated Sign	Clay Cross South	£4,000	
	Area Wide	Signing and Lining	Countywide - areas 1 & 4	Small Scale lining and signing schemes	Various	£100,000	
	Area Wide	Signing and Lining	Countywide - areas 2 & 3	Small Scale lining and signing schemes	Various	£100,000	
	Area Wide	Signing and Lining	Countywide - areas 5 & 6	Small Scale lining and signing schemes	Various	£100,000	
	Area Wide	Anti - Skid Surfacing	Countywide - areas 1 & 4	Anti Skid Surfacing	Various	£40,000	
	Area Wide	Anti - Skid Surfacing	Countywide - areas 2 & 3	Anti Skid Surfacing	Various	£40,000	
	Area Wide	Anti - Skid Surfacing	Countywide - areas 5 & 6	Anti Skid Surfacing	Various	£40,000	
	Area Wide	Dropped Crossings	Countywide - areas 1 & 4	New Dropped Crossings	Various	£20,000	
	Area Wide	Dropped Crossings	Countywide - areas 2 & 3	New Dropped Crossings	Various	£20,000	
	Area Wide	Dropped Crossings	Countywide - areas 5 & 6	New Dropped Crossings	Various	£20,000	
Signs, Lines and Signals Total						£779,000	£96,000

01-06 Street Lighting

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Countywide	Replacement of defective lighting columns	Countywide	Replacement of defective lighting columns	Countywide	£300,000	
	Countywide	Structural, visual and electrical testing of highway electrical assets	Countywide	Structural, visual and electrical testing of highway electrical assets	Countywide	£100,000	
Street Lighting Total						£400,000	£0

01-07 Rights of Way

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
PC-E-23-0011-01-11	Chapel en le Frith	Chapel en le Frith BOAT 144	Rushup Edge	Links to Edge BOAT 16. Wash out and repair and reinforcement of pitched sections. Traffic Regulation Order to close to traffic.	Chapel & Hope Valley	£40,000	
PC-E-23-0011-01-12	Monyash	Monyash BOAT29	Derby Lane	Surface repairs to deep ruts	Dovedale	£20,000	
PC-E-23-0011-01-14	New Mills	New Mills BW144	Chinley Churn	surface and drainage repairs	New Mills	£20,000	
PC-E-23-0011-01-15	Tissington	Tissington FP22	Dovedale, Tissington Spire	Repairs to boardwalk, top dressing and minor revetment works to limestone	Dovedale	£20,000	
PC-E-23-0011-01-16	Chinley	Chinley FP44	Sandy Lane	Surface and drainage repairs	Whaley Bridge	£20,000	
	Clay Cross	Clay Cross FP28	Between A61 and A6175	Clear vegetation and undertake surface repairs	Clay Cross North	£35,000	
	Marston Montgomery	Marston Montgomery FP30	Barway to Cubley Lane	Revetment works beside watercourse, and clearing dense vegetation	Ashbourne	£45,000	
	Holmesfield	Holmesfield BW54	Car Road	Leaky dams to reduce erosion, surface repairs	Dronfield West & Walton	£15,000	
	Hartington UQ	Hartington UQ FP133	Shining Tor	Repairs to exposed geogrid; extension of stone flags over boggy section	Buxton West	£25,000	
	Ashover	Ashover BW140	Eddlestow to Kelstedge	Surface repairs	Wingerworth & Shirland	£40,000	
	Ashover	Ashover BW136	B6036 to Abraham's Lane	Surface repairs	Wingerworth & Shirland	£30,000	
	Great Longstone	Great Longstone FP14	Longstone Edge	Vegetation clearance and surfacing	Bakewell	£15,000	
	Hartington UQ	Old Longhill Road	Goyt's Lane to Rake End beside A5004	Unclassified Road below A5004. Grassy surface. Significant rutting.	Buxton West	£15,000	

	Holmesfield	Holmesfield BW60	Moss Road	Surfacing and damage	Dronfield West & Walton	£25,000	
	Grindleford	Grindleford FP52 & 53	Longshaw estate parallel to A6187	Surfacing of popular link path. Potential Miles without Stiles. National Trust.	Bakewell	£15,000	
	Hope Woodlands	Hope Woodlands FP17 and 23	Ladybower to Win Hill	Very muddy in places, needs steps and surfacing.	Chapel & Hope Valley	£20,000	
	Outseats	Outseats FP38	Baulk Lane	Surfacing	Bakewell	£25,000	
	Countywide	Fingerpost signing	Various - County wide	Replacement of missing or damaged fingerpost signs	Various	£120,000	
	Countywide	Emergency Schemes	Various - County wide	In-year schemes to promote safe use of network: typically include step repair.	Various	£115,000	
Rights of Way Total						£660,000	£85,000

01-08 Cycle Routes

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Various	White Peak Loop - Signage	High Peak and Derbyshire Dales area	Signage improvements	Various	£30,000	
Cycle Routes Total						£30,000	£6,000

01-09 Greenways

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
PC-E-23-0013-01-02	Eckington/ Killamarsh	Trans Pennine Trail resurfacing	Renishaw to Westthorpe Dip	Resurfacing of KCN (multi-user greenway trail)	Eckington & Killamarsh	£155,000	
	Tibshelf	Silverhill Trail	Gloves Lane to Derbys/Notts boundary	Tree Works & Resurfacing	Tibshelf	£25,000	
	South Normanton	Blackwell Trail	Berristow Lane to Fordbridge Lane	Tree Works & Resurfacing	Tibshelf	£45,000	
	Middleton	High Peak Trail	Middleton Incline	Resurfacing	Wirksworth	£37,100	
Greenways Total						£262,100	£52,420

02 2023-24 Capital Integrated Transport Programme

02-01 Traffic Management

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Netherseal	Junction Improvement Scheme (Design Only)	Gorsey Lane & Main Street Junction, Netherseal	Improving quality of life and promoting a healthy natural environment.	Linton	£15,000	
	Barlborough	De-Rhodes Roundabout - Splitter island improvements	Splitter island on A619	Design Done - Enlarge island to help peds cross	Barlborough & Clowne	£17,000	
	Chesterfield	A61 Dronfield By-Pass safety barrier	Whittington Moor Roundabout north for around 300m	Relocate Street Lighting and new safety Barrier	Staveley North & Whittington	£150,000	
	Temple Normanton	Church Lane / B6039 Junction	Junction	Narrowing down of junction to stop abuse of one way	Sutton	£55,000	
	Aston-on-Trent	Phase 2 - New Footway Scheme	Shardlow Road, Aston-on-Trent	Improving quality of life and promoting a healthy natural environment through non-motorised travel provisions	Aston	£60,000	
	Belper	Pedestrian Refuge Scheme	Chesterfield Rd & Penn St Junction, Belper	Contributing to better safety, security and health.	Alport & Derwent	£15,000	
	Coton-in-the-Elms	Pedestrian Refuge Scheme	Mill St & Burton Rd, Coton-in-the-Elms	Contributing to better safety, security and health.	Linton	£15,000	
	Marsh Lane	B6056 Snowdon Lane	HFST at Troway Hall Nursery	High Friction Surfacing	Eckington and Killamarsh	£100,000	
	New Houghton	B6417 Rotherham Road	HFST at Pedestrian crossing	High Friction Surfacing	Shirebrook & Pleasley	£65,000	
	Clay Cross	A61 High Street	Market Street (incl junction bellmouth) & HFST approaches to ped crossing outside Funeral Directors	High Friction Surfacing	Clay Cross North	£75,000	
	Various locations	Pay & Display Machine Replacement Project (Year 1 of 2)	Chesterfield/ Bakewell/ Buxton/ Castleton	Upgrading of pay & display machines including associated back office system.	Various	£150,000	
	Countywide	Advertising and Making Traffic Regulation Orders	Countywide	Advertising and Making TRO's, with associated signing and lining changes	Countywide	£354,000	
Traffic Management Total						£1,071,000	£113,400

02-02 Key Cycle Network Investment

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Shirebrook	Wood Lane	Archaeological Way	Maintenance of 325m section	Shirebrook & Pleasley	£45,000	
	Various	White Peak Loop Construction	Topley Pike through Buxton to Harpur Hill	Key Cycle Network - Route Development	Various	£350,000	
	Various	KCN Routes - Design and preparation	Countywide	Key Cycle Network - Design and preparation of priority future routes, including planning permission and consents	Various	£125,000	
Key Cycle Network Investment Total						£520,000	£79,000

02-03 Local Cycling and Walking Investment

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Various	Groundwork Service Level Agreement for 2024/25	Countywide	Work with volunteers/ community groups to enhance/ increase accessibility of Key/Local Cycle Network routes and Public Rights of Way	Various	£30,000	
Local Cycling and Walking Investment Total						£30,000	£6,000

02-04 Sustainable transport

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
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Unstone , Eckington	Route 25/50 upgrade	Eckington, Marsh Lane, New Whittington, Chesterfield	Improving the quality of the bus service offer by upgrading the bus roadside infrastructure on the 25 and 50 route including accessibility improvements, new shelters, Real Time Information signs, raised kerb, carriageway markings etc	Eckington & Killamarsh/ Dronfield East/ Staveley North & Whittington/ St Marys/ Spire	£432,000	
Hatton/ Hoon/ Marston on Dove/ Hilton/ Etwall/ Burnaston	Villager 1 route upgrade	Hatton to Etwell	Improving the quality of the bus service offer by upgrading the bus roadside infrastructure including accessibility improvements, new bus shelters and electronic Real Time-Information displays. This supports the recent BSIP investment in the Villager 1 service with the introduction of additional early morning and later evening bus journeys on the route.	Hilton/ Etwall and Repton	£440,890	
Countywide	Countywide bus shelters and stop upgrade programme to improve the quality of public transport offer.	Countywide	Countywide programme providing funding to work with lower tier authorities all over Derbyshire to provide new and replacement bus shelters and improve passenger facilities at bus stops. DCC provides 50% of total cost and arranges procurement and installation of shelter. The partner authority provides the other 50% of the funding and takes on the long term cleaning and maintenance of the shelter. Also includes other minor works at bus stops. Work to take place in areas not included in specific route upgrades.	Countywide	£220,000	
Countywide	Countywide small scale bus stop improvements including accessibility, signage and information	Countywide	Small scale public transport infrastructure improvements including accessibility upgrades, information cases etc . Programme makes it easier for people to use bus services through small scale improved accessibility upgrades and clearer information	Countywide	£85,000	
Countywide	Countywide bus shelter lighting improvements	Countywide	Improving passenger safety, security and comfort through the provision of lighting at bus shelters	Countywide	£40,000	
Countywide	Countywide bus Real Time Information programme	Countywide	Installation of more Real Time Information signs and associated works at a variety of sites across the county which are not part of specific route upgrade proposals . Transport focus reserch has shown installing RTI at stops can result in an increase of 2% in passenger numbers	Countywide	£45,000	
Public Transport Total					£1,262,890	£174,578

02-05 Road Safety

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Egginton	Junction Give-Way Vehicle Activated Sign	Egginton Road Approach to A5132	Vehicle Activated Sign	Etwall & Repton	£15,000	
	Ripley	Zebra Crossings Improvement Scheme (x2 Sites)	1) B6179 Church Street/Chapel Street/ B6441 Nottingham Rd 2) High St/ B6179 Church St/ B6441 Cromford Road	Zebra Crossing Improvements	Ripley East & Codnor	£80,000	
	Swarkestone	Roundabout Improvement Scheme	A514 Bonnie Prince Roundabout, Chellaston	Roundabout Improvement Scheme	Aston	£150,000	
	Ilkeston	Roundabout Improvement Scheme	A6007 Chalons Way Rbt with Rutland St, Ilkeston	Roundabout Improvement Scheme	Ilkeston East/ Ilkeston West	£50,000	
Road Safety Total						£295,000	£59,000

02-06 Preparation and Implementation of Major Highway Projects

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
Preparation and Implementation of Major Highway Projects Total						£0	£0

02-07 Air Quality

Scheme Number	Parish	Project name	Location (list of streets or names of assets affected. Wider area schemes use a broad location)	Intervention description (linked to project/ programme objectives)	Electoral Division	2024/25 Estimated Cost (Design / Construction)	Contingency (20% of named projects)
	Countywide	Air Quality Management Action Plans	A515 Ashbourne AQMA; A619 Brimington AQMA; Dinting Vale AQMA, including any other AQMA's declared during 2024-25.	Traffic management and sustainable travel measures as agreed in emerging and adopted Air Quality Management Action Plans to tackle transport-related poor air quality and meet National Air Quality objectives. Develop Countywide Real Time Air Quality Monitoring and management capability.	Countywide	£61,000	
Air Quality Total						£61,000	£0

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Executive Director - Place

Permission to Procure the 2024-25 Micro Asphaltting Programme
(Cabinet Member for Highways, Assets and Transport)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 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 £500,000) and 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 Approves for officers to work with procurement colleagues to advertise an open tender to select a contractor to undertake the 2024-25 Micro Asphalt programme with the authority to approve contract award delegated to the Executive Director - Place.

4. Information and Analysis

4.1 Micro Asphalt surface treatment is a preventative maintenance treatment used predominantly on residential roads or other streets with slower moving traffic. It is used to seal the road surface and prevent

ingress of moisture, which can lead to potholes. The provision of Micro Asphalt is a cost effective treatment and a key element of the Council's Highway Maintenance Programme, as it can extend the life of a road by up to 10 years.

- 4.2 A successful Micro Asphalt programme has been delivered by the Council as part of the Highways Capital programme in both 2022-23 and 2023-24.
- 4.3 The application of Micro Asphalt requires specialist equipment and skills. It also needs to be delivered within a limited timeframe, typically between spring and early autumn, with the typical programme in Derbyshire being two months duration. Because of the seasonal nature of the works and short duration, it would not be economical for Derbyshire to procure the specialist equipment (and training) required to apply Micro Asphalt – the equipment would lie idle for 10 months of the year. Hence the Micro Asphalt programme is delivered by an external delivery partner.
- 4.4 The overall value of the contract will ultimately depend upon the number of roads which require treatment and market rates at the time of the tender. However, it is expected the overall value of the contract to lie in the region of £1.117m and this amount has been earmarked from the 2024-25 LTP grant to fund these works. The proposed procurement route would be via an Open Tender process. This would be overseen by colleagues in County Procurement to ensure compliance with procurement regulations.

5. Consultation

- 5.1 Streets included within the 2024-25 Micro Asphalt programme will be part of the 2024-25 Highway Capital Programme and subject to Cabinet approval on 19 October 2023.
- 5.2 Residents of roads included in the programme will be advised by letter in advance of works commencing.

6. Alternative Options Considered

- 6.1 Do Nothing – In the absence of suitable preventative maintenance treatments, such as Micro Asphalt, carriageway surfaces will deteriorate at a significantly higher rate, leading to potholes and ultimately to complete failure of the carriageway surface. As Highway Authority, the Council has a statutory duty to ensure that roads are safe and passable,

so failure to adequately maintain roads would breach our statutory duties.

- 6.2 Additionally, the use of treatments, such as Micro Asphalt, can significantly increase the life of a road, delaying the requirement for more expensive works, such as full carriageway resurfacing. Given that carriageway resurfacing costs approximately seven times the cost of Micro Asphalt, it is clear that targeted use of Micro Asphalt will lead to significant cost savings in the medium to long term.
- 6.3 Provide Service In-House – as discussed previously, Micro Asphalt requires specialist skills and equipment. We do not have these skills in-house, and as we only apply Micro Asphalt for two months of the year, equipment required for Micro Asphalt would lie idle for much of the year.

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, Allocation of 2024-25 Local Transport Plan Highways Capital Assessment, dated 19 October 2023.

9. Appendices

- 9.1 Appendix 1 – Implications.

10. Recommendation

That Cabinet:

- a) Approves for officers to work with procurement colleagues to advertise an open tender to select a contractor to undertake the 2024-25 Micro Asphalt programme with the authority to approve contract award delegated to the Executive Director - Place.

11. Reason for Recommendation

- 11.1 Procurement of a contractor to undertake the 2024-25 Micro Asphalt programme will ensure that the Council complies with our statutory duties as Highway Authority.

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

12.1 No.

Report Author: Tom Blackburne-Maze Contact details: Tom.Blackburne-Maze@derbyshire.gov.uk

Implications

Financial

- 1.1 The DfT has allocated Derbyshire County Council £27.3m grant funding for the 2024-25 LTP Capital Programme.
- 1.2 The capital programme includes an allocation of £1.117m from the LTP grant for these works to be undertaken. Any changes to this will be approved by the Highways Capital Board as per the Place Scheme of Delegation.

Legal

- 2.1 The Traffic Management Act 2004 requires the Council to publish advance notice of highway schemes or apply for permits to work. The Local Transport Act 2008 requires the Council to prepare an LTP, containing its highways and transport policies and its proposals for the implementation of those policies, with the Service Plan forming a part of this implementation plan. The provision of micro asphalt forms part of the Service Plan.
- 2.2 The Procurement of a contractor and the award of contract to undertake the micro asphalt programme will be undertaken in accordance with the Public Contract Regulations 2015 and the County Council's Financial Regulations

Human Resources

- 3.1 It is proposed to use an external contractor to undertake these works, as the Council's in-house service has neither the skills nor resources to undertake this work. However, Council staff will have a role both in managing the contract and in ensuring that the quality of the works is up to the Council's required standard.

Information Technology

- 4.1 Where appropriate, the Data Privacy Impact Assessment (DPIA) and Supplier Information Security Policy (SISP) process will be followed.

Equalities Impact

- 5.1 Not required.

Corporate objectives and priorities for change

6.1 The delivery of the Highways Capital Programme is a Council Headline Initiative within the Council Plan 2021-2025.

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

7.1 None.



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 2023

Report of the Executive Director - Place

Use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries (EMMA) Consortium Framework to Cover the Provision of Library Stock to Derbyshire Libraries

(Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 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 £500,000).

3. Purpose

3.1 To seek Cabinet approval to use the East Midlands and Mid Anglia Libraries (EMMA) Consortium Framework for the provision of library stock to Derbyshire libraries under Protocol 2a: of the County Council's Financial Regulations.

- 3.2 To seek approval to allocate up to £432,000 per annum from the Library Service budget for the six year period of the framework agreement, commencing April 2024 (total of up to £2,592,000).
- 3.3 To seek approval for the proposed budget control measures to be applied within the Library Service, including a quarterly review and approval of planned spend by the Director of Economy and Regeneration and an annual review of demand on stock as part of wider budgetary considerations and service delivery arrangements.

4. Information and Analysis

- 4.1 Derbyshire Library Service consists of 45 static libraries (including one Community Managed Library), two mobile libraries and a Home Library Service providing access to services and resources to all those living, working, and studying in Derbyshire. The service provides access to a wide and diverse range of physical and e-resources suitable for adults and children of all abilities and is currently subject to on-going budget review within the context of the Council's current financial challenges.
- 4.2 In 2022-23, 2,585,833 items were issued or renewed and 68% of those (1,759,857) were physical library stock; during this period, 97,576 physical items were added into stock.
- 4.3 Currently, Derbyshire libraries obtains physical library stock under a framework established by the East Midlands and Mid Anglia Library (EMMAC) Consortium (DN433996 Contract CCP18007). This came into effect on 1 April 2020 with Askews and Holts Library Services Ltd designated as the supplier. The arrangement was valued at £1,496,000 over four years and is due to expire on 1 April 2024, resulting in the need for a procurement exercise to be undertaken to secure a new contractor/ supplier.
- 4.4 Those authorities in the original Consortium, which includes Derbyshire County Council, have now been joined by Cambridgeshire and Peterborough to form the East Midlands & Mid Anglia Libraries Consortium (EMMA); Nottinghamshire County Council is running an open tender process on behalf of EMMA to establish a new framework agreement for the supply of library stock materials (DN684871).
- 4.5 The new framework is due to commence on 1 February 2024. Call-off from the framework will be by way of direct award and needs to be in place by 1 April 2024 – with an annual review providing flexibility with regards to changing circumstances and budgets. The actual award of

contracts from the framework is a matter which is delegated to the Executive Director – Place in accordance with Protocol 2B of the County Council’s Financial Regulations.

4.6 The EMMA Consortium consists of:

- Cambridgeshire County Council (recently joined)
- Creative Learning Services (CLS), part of Leicestershire County Council
- Derby City Council
- Derbyshire County Council
- Inspire; Culture Learning & Libraries (Midlands) (known as “Inspire”)
- Inspire’s Education Library Service
- Nottinghamshire County Council’s library service (operating as a charitable organisation)
- Leicestershire County Council, including supply to HMP Gartree.
- Leicester City Council
- Nottingham City Council, (including supply to Nottingham Prison Service)
- Peterborough City Council (recently joined)
- Rutland County Council (including supply to Rutland Prison Service)

4.7 The Consortium is a voluntary collaboration between the members who agree to comply with a set of collaborative tendering principles based on mutual benefits arising from joint working. Although the tender process is carried out jointly, there is no legal partnership agreement between the authorities and each member enters into its own call-off contracts with the appointed supplier(s) – spending up to whatever value is considered appropriate by the individual authority. A collaboration agreement has been formed detailing the roles and responsibilities of each party.

4.8 The aim of the Consortium is to achieve commercial value by undertaking a fair and transparent procurement process, utilising the combined purchasing power and economies of scale that a consortium can offer; this helps secure the best discounts and reduces the costs associated with the acquisition, processing, servicing, and delivery of stock. The previous consortium, for example, secured a discount of 43.5% for both adult and children’s stock.

4.9 The EMMA also helps ensure the quality of stock and reliability of services provided by the supplier through the provision of management information and inclusion of key performance indicators, service levels

and service credits in the framework. It also provides flexibility by allowing consortium members to create call-off contracts, reviewed annually, tailored to their service, and utilising the most appropriate selection methods.

- 4.10 The framework covers the mechanisms for selecting and acquiring stock (via websites and automated ordering systems) and ensuring stock is processed and delivered direct to libraries with records submitted to populate the library catalogue.
- 4.11 The proposed framework agreement will be split into two lots:
- Lot 1 - Adult fiction, non-fiction books and standing orders.
 - Lot 2 - Children's and Young Adult fiction and non-fiction books, books for education library services, including non-fiction to support Foundation, Key Stages 1 (KS1) and 2 (KS2) and some provision for Key Stage 3 (KS3) and Key Stage 4 (KS4).
- 4.12 The proposed framework will commence on 1 February 2024, and last for four years, with Derbyshire libraries having the option to extend for a further two years using call-off contracts. The estimated value of the contracts over the extended six year period would be £2,593,200, based upon current expenditure. It is recognised however, that within the Council's current budget constraints, expenditure may not reach projected levels.
- 4.13 Although the approval being sought is for expenditure up to the value of £432,000 per annum, Members should note this value is based on the current rate of expenditure on stock. Having regard to the current financial constraints, the framework arrangements allow for a lesser amount to be spent to ensure activity remains within available budget. To confirm, as part of the framework arrangements, the Council will submit an order form each year outlining projected expenditure for the following 12 months; this can change/be reduced depending upon circumstances. It was made clear in the tender specification for the consortium that any figures quoted on projected spend were indicative only and subject to change. It is proposed that in order to ensure value for money and spend on stock is reflective of wider financial pressures, a number of control measures be introduced within the Service. These are set out in paragraph 6.6 and in the recommendations.

	Fiction (£)	Non-Fiction (£)	Standing orders (£)	Year 1 Total (£)	Cumulative Total after 4 Years (£)	Cumulative Total after 5 years (£)	Cumulative Total after 6 years (£)
Lot 1 Adult	185,000	82,200	7,000	274,200	1,096,800	1,371,000	1,645,200
Lot 2 Children & Young Adult	110,000	48,000		158,000	632,000	790,000	948,000
				432,200	1,728,800	2,161,000	2,593,200

- 4.14 Under Protocol 2a, approval is sought to use the proposed framework which, given the value, requires Cabinet approval.
- 4.15 The Framework/Contract has been included on the Commercial Plan and also the Council's Forward Plan of procurement (CCP028), however, there was an error in quoting the value of the work (£748,000) and given the monetary difference, Cabinet approval is needed for the actual value of up to £2,593,200.
- 4.16 A business case (BC ID1809) for use of the non-DCC Framework, Provision of Library Stock to East Midlands & Mid Anglia Libraries (EMMA), with the correct value, has been approved by the Director of Finance & ICT, Director of Legal and Democratic Services in accordance with Protocol 2A of the County Council's Financial Regulations
- 4.17 The tender process, which is being managed on behalf of the Consortium by Nottinghamshire County Council, is currently in its initial stages. Derbyshire Library Service was actively involved in the development of the specification. In keeping with the timetable set by the Consortium this went out to tender on 11 September 2023 with the caveat that Derbyshire's inclusion is subject to internal approval. An indicative timetable is included below:

Specification Development	
Specification updated	Completed
Method statements questions development	Completed
Evaluation methodology	
Pricing Schedule	Completed
Legal Services (Terms and Conditions)	
Draft Framework Agreement	Completed
ITT Preparation	
ITT Guidance and Scoring	Completed
Final Preparation of Tender Documents	Completed

Tender Period	11 September 2023
Final Clarifications close	9 October 2023
ITT Closes	16 October 2023
Evaluation	
Evaluate Pass/Fail	23 October 2023
Evaluators to Score section individually	10 November 2023
Moderation (panel meetings)	14 November 2023
Post Tender	
Recommendation report	16 November 2023
Prepare Award letters with feedback	21 November 2023
Award Letter	21 November 2023
Mandatory Stand still ends	1 December 2023
Due Diligence Checks	15 December 2023
Issue Framework Agreements for signing to Preferred Bidders	18 December 2023
Award Notice	31 December 2023
Issue Framework Agreements agreed and signed	18 January 2024
Framework Agreement Commencement	1 February 2024
Contract Implementation	1 February 2024 – 31 March 2024
Contract Call off Commencement	1 April 2024

5. Consultation

5.1 Not required.

6. Alternative Options Considered

- 6.1 Option 1: Do nothing – The current framework and call-off contracts will expire in March 2024, leaving the Library Service unable to access discounted stock. This will have a negative impact on the quality of service provided to Derbyshire residents and would ultimately impact on usefulness as stock becomes increasingly out of date and potentially, would have reputational consequences.
- 6.2 Option 2: Go out to tender alone – Without the combined purchasing power and economies of scale the Consortium provides, the Council would have a much weaker position when negotiating with suppliers and would not be able to secure the same discounts or reduced costs. Undertaking its own tender process would also take much longer and present greater risk to continuity of service, given the tight timeframe.

- 6.3 Option 3: Consider use of an alternative non-DCC framework - There is no suitable alternative that meets service requirements. This framework includes tools for the selection of stock, automated ordering systems for acquiring stock, the processing of stock, direct delivery to libraries and the provision of records to populate the library catalogue all of which save staff time and resources. Other suppliers/frameworks can provide some but not all of these elements.
- 6.4 Having regard to the above options, it is concluded that use of the EMMA framework as outlined in Section 4 of this report enables the Council to benefit from substantial savings in the purchase of stock as a result of economies of scale. Although approval is sought for a maximum budget envelope over a six year period, it is fully recognised that budget challenges will determine the amount of money available.
- 6.5 The EMMA Consortium arrangements allow flexibility in terms of 'spending than less than projected' therefore enabling the Library Service to respond according to the budget available.
- 6.6 To this end, if the recommended option is approved to join the EMMA Consortium, it is proposed that additional checks and balances be introduced in the Service and that any planned spend on stock be reviewed and agreed by the Director of Economy and Regeneration on a quarterly basis, in line with agreed delegation levels. This will ensure that all spend not only remains within the allocated budget but more importantly, reflects the current financial challenges and need to achieve corporate savings targets at any given time.

7. Implications

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

8. Background Papers

- 8.1 Protocol 2a Business Case Provision of Library Stock to East Midlands and Mid Anglia Libraries Consortium (EMMA) Approved 24 August 2023.
- 8.2 Cabinet Report, Departmental Service Plan dated 10 March 2022 (Minute No.59/22 refers).
- 8.3 Tender documentation (Restricted).

9. Appendices

9.1 Appendix 1 – Implications

10. Recommendations

10.1 That Cabinet:

- a) Approves the use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries Consortium (EMMA) Framework Agreement for the purposes of acquiring stock to Derbyshire Libraries.
- b) Approves the allocation of up to £432,000 per annum for the six year period of the framework, commencing in April 2024, up to a total of £2,592,000.
- c) Agrees that any planned spend on stock be reviewed and agreed on a quarterly basis with the Director for Economy and Regeneration, prior to the placing of orders and purchase of stock.
- d) Agrees that an annual review be undertaken of demand on stock as part of wider budgetary considerations and service delivery arrangements to ensure appropriate levels of spend.

11. Reasons for Recommendations

- 11.1 The combined purchasing power and economies of scale offered by the Consortium puts the Council in a good position to negotiate favourable terms with suppliers. By awarding contracts using the Provision of Library Stock to East Midlands and Mid Anglia Libraries Consortium (EMMA) Framework, the Council will benefit from savings that could not be achieved alone. Under the previous EMMAC Consortium Framework, a discount of 43.5% for Adult Fiction and Adult Non-Fiction and 43.5% for Children and Young Adult stock was secured.
- 11.2 The Consortium has a proven track record of establishing frameworks that work and tendering for reliable suppliers. The previous framework operated successfully for its full term, ensuring a consistent supply of quality stock from a dependable supplier, ensuring the needs of Derbyshire residents could be met.
- 11.3 The setting of robust processes to evaluate and control planned spend will ensure the Library Service fulfils its responsibilities in helping address the wider financial challenges currently facing the Council.

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

12.1 No.

Report Anna Cotsell
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details:

Implications

Financial

- 1.1 Funding would come from the existing Derbyshire Libraries revenue budget. Given the Council's current financial situation, consideration should be given on the level of investment that is needed in year to renew library stocks, with only essential purchases being made from this framework. The recommendation to undertake quarterly assessments and an annual review would help ensure expenditure was aligned to essential purchases whilst still maintaining a level of quality offer within the service.
- 1.2 The level of spend should be agreed on a quarterly basis with the Director for Economy and Regeneration. All spend will remain within the agreed budget and consider the current savings target and stance on non-essential spend.
- 1.3 Based on Quarter 1 projections, the Library Service is predicting an overspend of £0.275m at year end, the spend on this framework was taken into account in this overspend.

Legal

- 2.1 The Director of Legal and Democratic Services considers that on the basis of the information set out in the report, the use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries Consortium (EMMA) Framework Agreement is appropriate and is in accordance with the County Council's Financial Regulations.

Human Resources

- 3.1 None.

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 Maintaining a good quality, up to date collection, which reflects the diverse nature of Derbyshire's communities and provides relevant, up to date resources for those living, working, and studying in Derbyshire, is

essential. Providing access to a wide range of books and audio books, catering for different purposes, ages, abilities, and interests enables the service to remain inclusive.

- 5.2 Physical book stock is essential for those who do not have access or the ability to make use of e-resources. Large Print, Audio and Dyslexia friendly books enable the Council to meet the needs of Visually and Print Impaired customers and are essential for the Home Library Service. Not being able to provide new, up to date library stocks would have a significant impact upon all customers, but certain key groups, such as the elderly, visually impaired and the housebound, would be particularly impacted.

Corporate objectives and priorities for change

- 6.1 By working as part of the Consortium, Derbyshire libraries aim to ensure value for money by securing discounts and savings through economies of scale that could not be achieved alone. The inclusion of key performance indicators, service levels and service credits in the Framework will ensure the delivery of high performing services.
- 6.2 As part of the tender process, potential suppliers have also been asked to provide evidence of how they support social value and sustainability in keeping with Council values. They have to demonstrate their commitment to Equality, Diversity and Inclusivity and show how they will support the Council, as a service, to acquire and promote a diverse and inclusive range of stock across all lots, reflective of its communities and customer base age range. This will help to ensure services are resident focused and fulfil communities' needs.

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

Environmental Sustainability

- 7.1 The tender documents specify suppliers should use environmentally friendly packaging wherever possible. Items should be packed in cardboard boxes that can be recycled and all internal packaging materials used in boxes should be recyclable.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

19 October 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 October – 31 January 2024 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 October – 31 January 2024 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 October – 31 January 2024

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

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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 OCTOBER 2023 TO 31 JANUARY 2024

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 Charlotte Cupit	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 and Families
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

October

Subject: Domestic Heating and Home improvements for vulnerable householders

To approve a direct award

Is this a key decision?	No
Date decision to be made	10 October 2023
Decision to be taken by	Cabinet Member for Adult Care
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	Bill Purvis bill.purvis@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: SAP Upgrade Implementation

- to re-commence the county-wide project to upgrade the Council's core business systems (SAP) solution to the SAP HANA version.
- to re-commence the county-wide project to migrate the Council's core business systems (SAP) infrastructure to an external cloud datacentre.
- to undertake a procurement exercise to appoint expert software and infrastructure implementation partners to assist in the SAP upgrade project.

Is this a key decision?	Yes
Date decision to be made	19 October 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Director - Finance and ICT
Lead Officer	Sue Pilgrim Sue.Pilgrim@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

Subject: Treasury Management Annual Report 2022-23

To provide Cabinet with details of Treasury Management activities during 2022-23 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 2021 Edition" (the CIPFA Code).

Is this a key decision?	No
Date decision to be made	19 October 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Director - Finance and ICT
Lead Officer	Louise Scholes, Eleanor Scriven Louise.Scholes@derbyshire.gov.uk, Eleanor.Scriven@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

Subject: Annual Review Letter of the Local Government and Social Care Ombudsman (LGSCO) 2022-23

To inform Cabinet of the LGSCO Annual Review letter for the year ended 31 March 2023.

Is this a key decision?	No
Date decision to be made	19 October 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Director - Legal and Democratic Services
Lead Officer	Paul Peat paul.peat@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

Subject: Approval of the ICT & Digital Strategy

To seek approval of the ICT & Digital Strategy for the Council

Is this a key decision?	No
Date decision to be made	19 October 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Executive Director -

maker	Corporate Services and Transformation
Lead Officer	Stephen Oxley, Sue Pilgrim Stephen.Oxley@derbyshire.gov.uk, Sue.Pilgrim@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

Subject: East Midlands Freeport, Proposals to Accept Amendments to Articles of Association and Members' Agreement

The report sets out amendments made to the two documents since Cabinet approval in July 2022 and outlines the implications for Derbyshire County Council, identifying mitigation as appropriate. The revised Articles of Association and Members; Agreement documents will be attached to the report as exempt appendices.

Is this a key decision?	Yes
Date decision to be made	19 October 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 Executive Director - Place
Lead Officer	Joanna Jackson, Joe Battye Joanna.Jackson@derbyshire.gov.uk, joe.battye@derbyshire.gov.uk
Improvement and Scrutiny Committee	Climate Change, Biodiversity and Carbon Reduction

Subject: Allocation of 2024-25 Local Transport Plan Highways Capital Settlement

To seek Cabinet approval for the addition of the 2024-25 Local Transport Plan grant from the Department for Transport to the Highways Capital Programme providing forward visibility to members and communities and enabling early delivery of those projects within the £120m three-year programme commitment.

Is this a key decision?	Yes
Date decision to be made	19 October 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	Jon Wallace, Joanna Jackson Jon.Wallace@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Permission to Procure the 2024-25 Micro Asphaltting Programme

To seek Cabinet approval to procure the 2024-25 Micro Asphaltting programme.

Is this a key decision?	Yes
Date decision to be made	19 October 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, Jon Wallace Joanna.Jackson@derbyshire.gov.uk, Jon.Wallace@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries (EMMA) Consortium Framework to Cover the Provision of Library Stock to Derbyshire Libraries

To seek Cabinet approval to use the Provision of Library Stock to East Midlands and Mid Anglia Libraries (EMMA) Consortium Framework for the provision of library stock to Derbyshire Libraries under Protocol 2a: use of non-DCC Framework.

To seek approval to carry out the procurement and to delegate approval to award call-off contracts to the Executive Director for PLACE.

To advise Cabinet that the contract value, over six years (including extensions), based on current expenditure, would be, £2,596,800 (£432,000 per annum).

Is this a key decision?	Yes
Date decision to be made	19 October 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 Executive Director - Place
Lead Officer	Anna Cotsell, Joanna Jackson Anna.Cotsell@derbyshire.gov.uk,

Improvement and Scrutiny Committee

Joanna.Jackson@derbyshire.gov.uk

Climate Change, Biodiversity and Carbon Reduction

Subject: Agreement between Derbyshire County Council and Derby City Council for the administration of English National Concessionary Travel Scheme 2023-24

To seek Cabinet approval to an Agreement between Derbyshire County Council and Derby City Council regarding administration of ENCTS for Derbyshire.

Is this a key decision?	Yes
Date decision to be made	19 October 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, Paulette Walters Joanna.Jackson@derbyshire.gov.uk, Paulette.Walters@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Strengthen Digital Support in Derbyshire

To seek approval to grant fund Digital Support in Derbyshire to strengthen community based digital inclusion work

Is this a key decision?	No
Date decision to be made	30 October 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	Adam Norris, Claire Burnage, Greg Stenson Adam.Norris@derbyshire.gov.uk, Claire.Burnage@derbyshire.gov.uk, Greg.Stenson@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

November

Subject: Library Strategy Refresh Framework

To seek Cabinet approval of the Library Strategy Refresh Framework.

Is this a key decision?	No
Date decision to be made	16 November 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 Executive Director - Place
Lead Officer	Michelle Parker, Joanna Jackson Michelle.Parker@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Climate Change, Biodiversity and Carbon Reduction

Subject: Statutory Guidance on CCTV Installation in Taxis and Private Hire Vehicles – Impact on Council Contracted Services

To update Cabinet on the new requirement for CCTV to be installed in taxis and private hire vehicles, which will impact on children and vulnerable adults who are transported on Council contracts to educational settings and adult day services. To recommend that the Council supports the implementation of the new requirement, initially for North East Derbyshire and Bolsover District Councils who are implementing currently, but subsequently for other licensing authorities, whilst complying with data protection legislation and the rights of individuals.

Is this a key decision?	Yes
Date decision to be made	16 November 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, Joanna Jackson Deborah.Oddy@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk

Subject: Update on the Preparation of a New Local Transport Plan

To update Cabinet on the preparation of a new Local Transport Plan for the East Midlands Combined County Authority Area and seek approval to carry out public engagement and consultation to inform Plan development.

Is this a key decision?	Yes
Date decision to be made	16 November 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, Alan Marsden Joanna.Jackson@derbyshire.gov.uk, Alan.Marsden@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Derbyshire Makes, the Derbyshire Festival of Making: Approval of Delivery Plan, including a Range of Procurement and Funding Methods

To set out the expected activities and methods of delivery for Derbyshire Makes.

Is this a key decision?	Yes
Date decision to be made	16 November 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 Executive Director - Place
Lead Officer	Alison Foote, Joanna Jackson Alison.Foote@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Climate Change, Biodiversity and Carbon Reduction

Subject: Acceptance of Low Emission Vehicle Infrastructure (LEVI) Funding from the Department for Transport

To seek Cabinet approval to accept the Low Emission Vehicle Infrastructure (LEVI) grant funding awarded by the Department for Transport for £7,308,000.

Is this a key decision?	Yes
Date decision to be made	16 November 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 McCrory, Joanna Jackson daniel.mccrory@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Places

Subject: Target Operating Model Implementation Plan

To describe the programme to move from the current ICT position to the TOM articulated in the ICT Strategy, with associated timeframe and costs

Is this a key decision?	No
Date decision to be made	16 November 2023
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Executive Director - Corporate Services and Transformation
Lead Officer	Stephen Oxley, Sue Pilgrim Stephen.Oxley@derbyshire.gov.uk, Sue.Pilgrim@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

December

Subject: Performance and Budget Monitoring Q2 (July-Sept 23)

To provide Cabinet with an update of Council Plan performance and the Revenue Budget/forecast outturn for 2023-24 as at 30 September (Quarter 2)

Is this a key decision?	No
Date decision to be made	7 December 2023
Decision to be taken by	Cabinet

Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Director - Finance and ICT
Lead Officer	Eleanor Scriven, Samuel Holmes, Louise Scholes Eleanor.Scriven@derbyshire.gov.uk, Samuel.Holmes@derbyshire.gov.uk, Louise.Scholes@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

Subject: Opportunities for the Potential Relocation of Clay Cross and Staveley Libraries - Public Consultation Results

To inform Cabinet of the results of the public consultation on the opportunities presented by the Town Deal programmes to support wider ambitions and improvements to Library Services.

Is this a key decision?	Yes
Date decision to be made	7 December 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 Executive Director - Place
Lead Officer	Michelle Parker, Joanna Jackson Michelle.Parker@derbyshire.gov.uk, Joanna.Jackson@derbyshire.gov.uk
Improvement and Scrutiny Committee	Climate Change, Biodiversity and Carbon Reduction

January

Subject: Development of a Physical Activity Partnership update and approval of approach

To update Cabinet on the progress on the development of the physical activity partnership and approve the agreed approach

Is this a key decision?	Yes
Date decision to be made	11 January 2024
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	Rachel Green, Adam Norris, Angela Kirkham (Health Improvement Practitioner) Rachel.Green@derbyshire.gov.uk, Adam.Norris@derbyshire.gov.uk, angela.kirkham2@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Localities and Place Community Health and Wellbeing Programme 2024-2029

This report seeks Cabinet approval for the continuation of funding to support the Public Health Localities Programme and approach across the County for five years from 1 April 2024.

Is this a key decision?	No
Date decision to be made	11 January 2024
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	Luan Wilde Luan.Wilde@derbyshire.gov.uk
Improvement and Scrutiny Committee	Health

Subject: Reviewing the scope of the Derbyshire Discretionary Fund

To seek approval from Cabinet to engage in consultation on the future scope of the Derbyshire Discretionary Fund

Is this a key decision?	Yes
Date decision to be made	11 January 2024
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	Vicky Smyth, Lois Race Vicky.smyth@derbyshire.gov.uk,

Improvement and Scrutiny Committee

Lois.Race@derbyshire.gov.uk

Health

Subject: Derbyshire County Council Climate Change Strategy: Annual Review of Progress

For Cabinet to consider the progress being made with regards to delivery of the Council's Climate Change Strategy and the associated net zero targets.

Is this a key decision?	No
Date decision to be made	11 January 2024
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 Executive Director - Place
Lead Officer	Caroline Toplis Caroline.Toplis@derbyshire.gov.uk
Improvement and Scrutiny Committee	Climate Change, Biodiversity and Carbon Reduction

Subject: Recovery from Alcohol and Drug Dependence Grant

To seek approval for the award of funding to organisations from the Recovery from Alcohol and Drug Dependence Grant

Is this a key decision?	No
Date decision to be made	22 January 2024
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	Victoria Clarke, Gillian Quayle Victoria.Clarke@derbyshire.gov.uk, gillian.quayle2@derbyshire.gov.uk
Improvement and Scrutiny Committee	People

February

Subject: Approval of the 2024-25 Strategic Plan and Budget

Approval of the Council Budget, Council Plan, Departmental Service Plans and Commercial Pipeline for 2024-25

Is this a key decision?	Yes
Date decision to be made	22 February 2024
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, Esther Croll, Matthew Walters Laura.Howe@derbyshire.gov.uk, Esther.Croll@derbyshire.gov.uk, Matthew.Walters@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

March**Subject: Performance Monitoring and Budget Monitoring/Forecast Outturn 2023-24 as at Quarter 3 (30 December 2023)**

To provide Cabinet with an update of Council Plan performance and the Revenue Budget/forecast outturn for 2023-24, as at 30 December 2023 (Quarter 3).

Is this a key decision?	No
Date decision to be made	14 March 2024
Decision to be taken by	Cabinet
Relevant Cabinet portfolio	Cabinet Member for Corporate Services and Budget
Document to be submitted to the decision maker	Report of the Director - Finance and ICT
Lead Officer	Samuel Holmes, Louise Scholes, Eleanor Scriven Samuel.Holmes@derbyshire.gov.uk, Louise.Scholes@derbyshire.gov.uk, Eleanor.Scriven@derbyshire.gov.uk
Improvement and Scrutiny Committee	Resources

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