

Public Document Pack



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Ask for Michelle Archer

PUBLIC

To: Members of Cabinet

Wednesday, 30 June 2021

Dear Councillor,

Please attend a meeting of the **Cabinet** to be held at **2.00pm** on **Thursday, 8 July 2021** in the Members Room, 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

PART I - NON-EXEMPT ITEMS

1. Apologies for Absence
2. To receive declarations of interest (if any)
3. To receive Minority Group Leader questions (if any)

Minority Group Leaders in attendance at the meeting are able to ask

questions on agenda items. Any questions should be provided in writing to democratic.services@derbyshire.gov.uk no later than 12 noon on the day before the meeting.

4. To confirm the minutes of the meeting of Cabinet held on 17 June 2021 (Pages 1 - 26)
5. To receive minutes of Cabinet Member Meetings as follows:
 - 5 (a) Health & Communities - 3 & 17 June 2021 (Pages 27 - 30)
 - 5 (b) Children's Services & Safeguarding - 8 June 2021 (Pages 31 - 34)
 - 5 (c) Education - 8 June 2021 (Pages 35 - 38)
 - 5 (d) Adult Care - 11 June 2021 (Pages 39 - 40)

To consider reports as follows:

- 6 (a) People Strategy (Pages 41 - 56)
- 6 (b) Urgent decision taken by the Managing Executive Director and approval for delegated authority relating to grant expenditure (Pages 57 - 70)
- 6 (c) Report seeking approval to procure projects in addition to latest departmental Forward Plan (Pages 71 - 74)
- 6 (d) A61 Growth Corridor Strategy - Funding for Chesterfield Station Masterplan (Hollis Lane Link Road Phase 1) (Pages 75 - 82)
- 6 (e) Outcome of the statutory consultation on the proposed conversion of Mickley Infant School to a Primary School (Pages 83 - 90)
- 6 (f) Outcome of the statutory consultation on the proposed alteration of the lower age limit at Brackenfield Special School (Pages 91 - 96)

7. 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

8. To receive declarations of interest (if any)
9. To confirm the exempt minutes of the meeting of Cabinet held on 17 June 2021 (Pages 97 - 100)

To consider the exempt reports as follows:

10. Appendix 2 - A61 Growth Corridor Strategy - Funding for Chesterfield Station Masterplan (Hollis Lane Link Road Phase 1) (Pages 101 - 114)

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MINUTES of a meeting of **CABINET** held on 17 June 2021 at County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

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

Declarations of Interest

There were no declarations of Interest.

87/21 MINORITY GROUP LEADERS' QUESTIONS

The following questions had been submitted by Councillor E Fordham:

Agenda item 4 – To confirm minutes of non-exempt minutes of the meeting of Cabinet held on 14 April 2021 (Minute 79/21 Out of Area Sexual Health Services)

Does this mean that HIV PrEP is now available on prescription in all of Derbyshire's sexual health clinics to all of those who need it, request it, or are prescribed it? Can the review of this trial be brought forwards so there is a seamless provision beyond March 2022 if it is to be continued past that date?

Agenda item 5(a) – Health and Communities – 25 March (Minute 20/21 Funding for Arts and Health Programme)

To ask if the Arts, Health and Wellbeing work planned could especially focus on hard to reach communities including the isolated, lonely and LGBT+ residents and those most vulnerable to suicide risk and mental health difficulties as this has been a particular consequence of the Pandemic and lockdown restrictions?

Agenda item 6(f) – Universal Funding for Drug Treatment

Given it has not been possible to undertake a full consultation, will the Council undertake to proactively communicate the effect and consequences of this funding with those members who are interested in such interventions and whose communities are directly impacted/affected?

Agenda item 6(j) Future Development of Bus Services in Derbyshire

Noting that the Council must publish a Bus Service Improvement Plan by 31st October will the Council undertake immediate consultation with all of Derbyshire's Parish and Town Councils and with all Districts and Boroughs on the proposals highlighting both the opportunities and risks of this initiative?

It was confirmed that a written response to each question would be provided to Councillor Fordham.

88/21 **MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 15 April 2021 be confirmed as a correct record.

89/21 **CABINET MEMBER MEETINGS - MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:

- (a) Health and Communities – 25 March 2021 and 14 April 2021
- (b) Adult Care – 1, 15 and 29 April 2021
- (c) Clean Growth and Regeneration – 8 April 2021
- (d) Young People – 13 April 2021
- (e) Corporate Services – 15 April 2021

90/21 **ENTERPRISING COUNCIL PROGRESS UPDATE** (Strategic Leadership, Culture and Tourism and Climate Change) The Managing Executive Director for Commissioning, Communities and Policy provided Cabinet with an update report which detailed progress on the Enterprising Council Strategy and sought approval on the next steps, which included investment in the Programme Management Office and Modern Ways of Working programmes to provide resources to take forward the work.

The role and shape of public services had changed dramatically over recent years. Reduced public sector funding and increasing demand for services driven by demographics and long standing social, health and economic pressures meant that the Council, like many other authorities across the country, continued to face significant challenges in providing within available resources the services that local people need and want.

During the last four years the Enterprising Council approach, had delivered significant improvements to the way in which the Council operates, in terms of its efficiency and effectiveness and, in the way in which the Council works with partners and communities. Going forward the impacts arising from COVID 19 would lead to further significant change to the way the Council operates and build on the work to strengthen engagement and collaboration with communities and with partners both locally, regionally and nationally.

The Council Plan 2021 to 2025 outlines the Council's strategic approach which focuses on three key pillars of activity - Enterprising Council,

Thriving Communities and Vision Derbyshire. This approach would be fundamental in ensuring an adaptive and dynamic response to the increasingly complex issues facing the Council, partner agencies and local communities, such as the recent coronavirus pandemic and climate change.

The Enterprising Council Strategy had been approved by Cabinet on 31 January 2019 and since that time had received a number of updates detailing progress. The most recent update had been presented to Cabinet on 10 September 2020 when approval had been given to progress Phase 2 of the strategy and the report gave extensive details of the approach and priorities.

The report contained detailed updates in relation to the following three priorities and concluded with the next steps for progression:-

- Cross Cutting Project including Modern Ways of Working (MWOW), Demand Management and Workforce Leadership and Behaviours;
- Organisation, community and economic recovery and renewal; and
- Strategic Transformation Case and Centralised Programme Management Office (PMO)

Based on the Council's current ambition and experience from other local authorities who have delivered whole council transformation, it would be possible to realise significant benefits, over a multi-year timeframe, both cashable and non-cashable savings, improved service delivery which would lead to improved outcomes for residents and communities, if sufficient investment was put into the programme.

Development of a comprehensive business case for the Strategic Transformation Programme, that would demonstrate both cash and non-cashable savings as well as improved service delivery and improved outcomes to residents would also need to be developed. The case would also set out what investment the council would need to make to realise the identified benefits. This would ultimately form the longer-term road map that would identify milestones and sequencing for delivering the benefits.

In support of this, a review of all existing change and transformation projects and programmes across the Council was currently being undertaken. This work would support the Council to develop and identify a sequenced programme of work in which the Council would continue to move forward alongside a new model of transformation change which would allow us to work more collectively as one council, reduce siloed working and ensure a consistent approach to change would be applied. Engagement across all stakeholders within the Council would be critical to the success of developing the strategic transformation priorities, new methodology of working and therefore a stakeholder engagement plan would also be developed to support the work.

I was proposed that an interim Programme Management Office (PMO) would be implemented to develop the business case and to start to build the council wide approach to transformation. A small team comprising of a programme manager and two business analysts would be required to scope the issues, identify the costs and benefits, determine the optimum prioritisation and sequencing, and develop this into a long- term road map of activity. This team would be appointed on a temporary basis up to the end of March 2022.

The resources required for an established programme management office would be considered as part of the business case and proposals for funding would form part of the revenue budget setting process in Autumn 2022.

A further report would be submitted to Cabinet in Autumn 2021 which would present the business case and outline the level of investment needed to deliver the identified benefits set out in the business case.

The report referred to the relevant Governance issues, alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to (1) note progress on the Enterprising Council programme;

(2) note the intention to advise all staff who can work from home to continue to do so until Autumn 2021;

(3) approve the allocation of resources from the General Reserve as outlined in the report in order to deliver the outcomes described for both the Modern Ways of Working and Strategic Transformation Programmes.

91/21 UPDATE ON EAST MIDLANDS FREEPORT (Strategic Leadership, Culture and Tourism and Climate Change) The Executive Director for Place presented a report that gave an update to Cabinet regarding recent progress and next steps which were being taken in the preparation of a full business case for the East Midlands Freeport. Cabinet approval was sought for the Council to join the Freeport ‘Set Up’ Board and the Leader of Derbyshire County Council (DCC) to be the nominated representative.

On 4 February 2021, the Leader and Cabinet Member – Strategic Leadership, Culture, Tourism and Climate Change had agreed to support a bid led by the D2N2 Local Enterprise Partnership to create a freeport in the Derbyshire, Nottinghamshire, Leicestershire area which would bring additional powers and tools to improve the regional economy as we ‘build back better’ from COVID-19 and respond constructively to the opportunities generated by the UK’s exit from the European Union (EU).

The Government's Bidding Prospectus described Freeports as:

“... a flagship government programme that will play an important part in the UK's post-Covid economic recovery and contribute to realising the levelling up agenda, bringing jobs, investment and prosperity to some of our most deprived communities across the four nations of the UK with targeted and effective support.”

The Government had proposed a range of benefits that would be available to freeports in the following policy areas:

- Customs
- Tax. This includes measures on:
 - Stamp Duty Land Tax (SDLT) Relief
 - Enhanced Structures and Buildings Allowance
 - Enhanced Capital Allowances
 - Employer National Insurance Contributions Relief
 - Business rates
- Planning
- Regeneration and infrastructure: successful bidders will be able to access a share of £175 million of seed capital funding, depending on the submission of an outline business case (OBC).¹⁹
- Innovation

An expression of interest had been submitted to Government on 5th February by the Derby, Derbyshire, Nottingham, Nottinghamshire (D2N2) Local Enterprise Partnership (LEP), supported by Derbyshire, Nottinghamshire and Leicestershire County Councils, South Derbyshire, North West Leicestershire and Rushcliffe District Councils and a range of private sector landowners, including Toyota Manufacturing UK.

The bid document set out the vision and ambitions for the East Midlands Freeport, along with an overview of site-specific proposals. These had been detailed fully in the report to the Leader on 4 February and were summarised in the report presented to Cabinet.

The bid document also set out the interdependencies between the proposed East Midlands Freeport and the East Midlands, locally led development corporation (DevCorp) currently being progressed in Nottinghamshire and Leicestershire. Aspects of two of the sites were in both the Freeport and the DevCorp (i.e. EMAGIC and Ratcliffe Power Station); the third site, the Intermodal Park in South Derbyshire, which was of greatest interest to the County Council, sits outside the current DevCorp geography.

Up to the point of submission on 5 February, 2021, the D2N2 LEP had provided the organisational capacity and acted as the 'lead accountable body'

in helping drive bid preparation, including chairing a working group of chief/senior officers and commissioning Vivid Economics to provide detailed support to the bid-writing process.

Members might be aware that Government had confirmed that the East Midlands Freeport had been successful in being shortlisted to progress to the next stage in its Budget on 3 March 2021, one of only eight in England. Other shortlisted locations were Felixstowe and Harwich (referred to as Freeport East), Humber, Liverpool City Region, Plymouth, Solent, Thames and Teesside.

Alongside the announcement, Government had issued additional guidance to help the shortlisted freeport geographies progress through the next stages of the freeport process. This guidance confirmed an ambitious timetable that would see the first freeports formally designated by the end of 2021 – with clear implications for the need to work at pace over the coming months including:

- Detailed governance arrangements, risk register and implementation plan to be submitted by end of April
- Outline business case to be submitted by Summer 2021
- Tax sites and details confirmed by Summer 2021
- Customs sites and details confirmed by Autumn 2021
- Full business case submitted by Autumn 2021

Government had also advised of the need to work with them closely on: developing a more detailed governance model to provide confidence in our ability to deliver; appropriate measures for the effective management of public funds – including application of capacity support funding; the process for working on, assessing and approving business cases; and, respective roles and responsibilities at each stage. One notable shift in emphasis within the guidance was that Government now expected accountable bodies for the freeports to be ‘legally constituted’. Within the current East Midlands partnership this meant that leadership of the delivery arrangements had needed to change from the D2N2 LEP to one of the local authorities. Given the primary customs site was the East Midlands Airport and located in North West Leicestershire, Leicestershire County Council (LCC) had confirmed it would fulfil the role of accountable body (AB). Its key roles as AB included being responsible for: Government funding and monitoring/ reporting against the use of these funds; upholding procurement practices; providing effective support to the Freeport Board in delivering its purpose, in achieving formal designation as a Freeport and progressing to delivery; maintaining appropriate project documentation e.g. project plans and risk registers; ensuring the Board operates in line with transparency, propriety and inclusivity standards; publishing relevant papers, minutes and a register of interests; and acting as a single point of contact for Government officials.

Since mid-March, LCC had been undertaking work to ensure the requirements of the early 'next steps' had been met. Given the sizeable nature of the task Ernst and Young had been commissioned by LCC to support this work and provide immediate additional capacity.

Alongside the guidance, Government had also provided detailed feedback on the content of the original expression of interest document and confirmed additional (new) areas of work. This was summarised further in the report.

Some of the key work areas had been progressed, led by LCC and supported by Ernst and Young which included:

- Confirmation of the title of the Freeport as the East Midlands Global Gateway Freeport (EMGGF).
- A revised vision for the EMGGF to be '*the UK's pre-eminent green, multimodal inland freeport and gateway to global trade, economic growth and job creation*'.
- Meetings commenced between Sir John Peace, Chair of Midlands Engine, and relevant local authority leaders and key partners to commence discussions on the full nature of the Freeport 'set up' phase.
- Development and submission of governance proposals, including terms of reference for the EMGGF 'Set Up Board', an interim governance arrangement for the pre-delivery phase of the Freeport which will ensure the necessary financial and human resources are in place to oversee the coordination of the different strands of activity required for full business case development.
- Development and submission of a strategic risk register for Freeport delivery
- Development and submission of a Diversity Statement
- Development and submission of an Implementation Plan
- Development and launch of a recruitment process to secure an independent Chair for the Set Up Board
- Development of person specification and job role for a dedicated Freeport Programme Manager

The report also referred to the governance arrangements for the Set Up Board. It was proposed that the Board would have a total of 16 members made up of an independent Chair and up to a further 15 individuals selected from across the private and public sector, including landowners (7 Board members), upper and lower tier local authorities (total of 6 Board members); others, such as representatives from the East Midlands Development Corporation and local members of parliament. It is proposed the local authority representatives are senior elected members.

In addition to the overarching Board, a number of sub committees had been proposed to cover activity such as: Investment & Growth; Innovation & Net Zero; Nominations; Security and Risk; and Skills. A wider Engagement Network was also proposed to ensure the views of key stakeholders such as LEPs, the Chamber of Commerce, Midlands Engine, Midlands Connects, colleges and universities were secured to inform the detailed development of the Freeport.

Although good progress had been made in developing the overarching decision-making arrangements, more work was required to confirm the delivery arrangements that would drive development at each of the three sites and preparation of the outline business case. The previous working group that had been involved in preparing the initial expression of interest bid had been stood down, therefore implementation of the appropriate officer and project arrangements to drive the necessary work over the coming six months was now essential. It was likely these arrangements would become clearer within the next few weeks.

It was likely that Derbyshire County Council, as transport and highway authority for the EMIP area, would need to contribute directly to these arrangements and existing resources within the Economy and Regeneration Service were being prioritised and re-aligned accordingly; additional resources will be procured as necessary.

In addition, Ernst and Young were currently undertaking individual discussions with each of the Freeport partners to ascertain views on critical elements such as ambitions, key principles, issues and key areas requiring clarification. These discussions were due to take place week commencing 24 May and would inform the Council's views of current levels of risk, likely work packages and level of preparedness for progressing the outline business case. Further updates would be provided as appropriate.

The report referred to the relevant Governance issues, alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to (1) note that Government confirmed the East Midlands Freeport (EMGGF) has been successful in being shortlisted to progress to the next stage of freeport development in its Budget on 3 March 2021;

(2) note the issues and progress that has been made regarding the initiation of 'set up' arrangements and specifically, the submission of various documents to Government;

(3) note the proposed Governance arrangements as set out in this report;

(4) agree that Derbyshire County Council should be part of the Freeport Board and specifically approve the Leader of Derbyshire County Council as the Council's representative on the Set Up Board;

(5) delegate authority to the Leader to appoint a replacement representative on the Set Up Board in the event that he is unable to attend;

(6) note the more detailed work that will need to take place over the coming six months and specifically, the potential impacts on resources for Derbyshire County Council;

(7) note that a report outlining the key risks and resourcing implications be submitted to Cabinet once they have been confirmed.

92/21 FORWARD PLAN REPORT (Corporate Services and Budget)
The Managing Executive Director for Commissioning, Communities and Policy presented a report that sought Cabinet's consideration of the Executive's Forward Plan for the period 1 June – 30 September and that provided an opportunity for Cabinet to comment on future decisions for inclusion in the forthcoming Forward Plan.

An independent review of the Council's Scrutiny function had been undertaken in 2020 by the Centre for Governance and Scrutiny. The report commented upon several areas, including the proposal for a Forward Plan which looks to the future, for a period longer than the statutory requirement. It was believed that such a Forward Plan would enable the four Improvement and Scrutiny Committees to prepare better informed work programmes. This would equally apply to the work programme of the new Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction.

It had been agreed that a four-month rolling Forward Plan would be considered by CMT and then by Cabinet on a monthly basis. This approach should improve planning and horizon-scanning.

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

The Forward Plan was ultimately the responsibility of the Leader and Cabinet as it contained executive business due for decision. The document had been originally published on 12 May to comply with the requirements to give 28 days' notice of key decisions to be considered at the Cabinet meeting originally scheduled to take place on 10 June, but had subsequently been updated to reflect the revised date for this meeting. The Plan was presented to the meeting to give Cabinet the opportunity to discuss, amend or delete any

item that was listed to be considered in the future and comment on any items to be included in the forthcoming Forward Plan.

RESOLVED to note the contents of the Forward Plan appended to the report at Appendix 2.

93/21 TRANSFER OF THE COMMUNITY SERVICES DIVISION

(Strategic Leadership, Culture, Tourism and Climate Change Cabinet/Health and Communities/Infrastructure and Environment) Cabinet gave consideration to a report that had been prepared jointly by the Managing Executive Director for Commissioning, Communities and Place, and the Executive Director for Place which sought approval for the transfer of the Community Services Division (except Community Safety), and associated budgets, between the Commissioning, Communities and Policy (CCP) Department and the new Place Department.

Full Council had agreed at its meeting on 2 December 2020, to rename the Economy, Transport and Environment Department to Place on the appointment of the new Executive Director, Place on 17 May 2021. The Place Department had brought together those critical and universal front-line services that were most frequently used by the wider public. The improved integration and coordination of these services were important in a number of areas:

- Post-Covid economic recovery to improve infrastructure, facilities, training and skills;
- Better community resilience and improved local response to climate change;
- Addressing the public and private transport challenges to support a vibrant local economy in a sustainable manner; and
- Support the wider levelling up agenda both locally and regionally.

In March 2021, in order to better coordinate and deliver place-based services in a challenging environment, the Managing Executive Director (CCP) had approved proposals to reconfigure the existing functions in the Place Department under three new Director roles; Economy and Regeneration, Environment and Transport, and Highways. Two of the Director roles were currently vacant on an established basis and recruitment to these roles was underway.

The Community Services Director had retired at the end of March 2021 and this had presented the Council with an opportunity to consider the best structural fit for the community services functions going forward. Consideration of how functions were structured in the Place department was already underway and it had been concluded that incorporating the majority of the universal front line community-based services, which previously sat in

CCP, (comprising libraries, archives, arts and culture, museums and trading standards) within the Place structure would strengthen and integrate the role those functions could play in the community. It was proposed that Libraries and Heritage services would become a separate sub-division within the Economy and Regeneration Division, reporting to the Director. The Trading Standards function would also move to the division as part of a new Planning and Public Protection sub-division, along with Planning and Highways Development Control. Staff within these services would be included in the wider restructure of the Place Department once the three Director roles were in post. The proposals for the new Economy and Regeneration division are appended to the report at Appendix 2.

The Community Safety function would remain in CCP and be based in the Policy and Strategy team within the Organisation Development and Policy Division.

However, due to the timings, it had been necessary to put in place interim management arrangements for Community Services, following the retirement of the Director. These were detailed in the report along with the associated financial implications.

Cabinet approval was sought for the transfer of £7.694m budget and associated staff from the libraries, archives, arts and culture, museums, and trading standards services from CCP into the Place Department. In addition to the transfer of services, Cabinet was asked to approve the transfer of relevant powers associated with these services, which were currently delegated from Cabinet to the Managing Executive Director, to the Executive Director – Place. Until the three Directors were in place, it was not practical to fully establish the new Place divisions, therefore, the transfer would occur upon the appointment of the three Directors, which would likely be concluded no later than October 2021.

The £1.327m budget for Trading Standards would remain in CCP and be transferred to the Organisation Development and Policy Division of CCP.

The report referred to the relevant financial implications involved in the transfer, alternative options that had been considered and other relevant implications that had been taken into account in its preparation.

RESOLVED to approve (1) the transfer of the libraries, archives, arts and culture, museums and trading standards services of the Community Services Division of the Commissioning, Communities and Policy Department to the new Place Department, together with the appropriate staff and budgets;

(2) the transfer of the Community Safety Team from the Community Services Division to the Organisation development and Policy Division within the Commissioning, Communities and Policy Department, together with the appropriate staff and budgets; and

(3) the transfer of delegation 1 (a), (b) and (c) to the Executive Director – Place within Appendix 1 of the Constitution and for the Constitution to be amended by the Monitoring Officer under delegated powers, accordingly, with the amendments being noted by full Council.

94/21 REFRESH OF THE LOCAL OUTBREAK MANAGEMENT PLAN

(Health and Communities) The Director of Public Health submitted a report that asked Cabinet to:

- a) Note the revised Local Outbreak Management Plan appended to the report which was submitted to the Department of Health and Social Care on 31 March 2021;
- b) Note that the Local Outbreak Management Plan was a live document and that the Leader of the Council and Member for Health and Communities would be briefed on significant changes to the plan due to the evolving nature of the pandemic; and
- c) Note the additional funding received from Central Government to support the delivery of the Local Outbreak Management Fund and agree that expenditure would be prioritised against the aims and ambitions outlined in the Local Outbreak Management Plan.

Public Health Authorities in England had a lead role in protecting and improving the health of the population in relation to the pandemic. Within the Public Health Authority, the Director of Public Health was responsible for the Authority's contribution to health protection matters and preparing for and responding to incidents that present a threat to public health. Local Authorities had an ongoing statutory responsibility to have Local Outbreak Management Plans (LOMPs) for responding to emergencies in their areas as part of their existing duty for safeguarding and protecting the health of their population.

In July 2020 Derbyshire had produced an Outbreak Management Plan which outlined the system wide response to COVID-19. This had proved to be an important operational and technical document which had helped shape the response to COVID-19 over the past nine months.

Publication of the Government's Roadmap for exiting national lockdown, the accompanying refresh of the Contain Framework and an increasing focus on Variants of Concern (VOC) had highlighted the importance of local authorities urgently reviewing and updating their Local Outbreak Management

plans in order to ensure they were fit for purpose as well as an aid to national understanding.

In early March 2021 the Department for Health and Social Care (DHSC) had requested all Public Health Authorities refresh their current plan. The refresh provided local authorities with the opportunity to detail and reflect on the broad range of activity which had taken and was taking place in relation to the ongoing response to the pandemic. The document would be updated and reviewed on a regular basis to reflect changes in the local and national position.

The Plan was appended to the report.

Additional funding had been received from Central Government to support the delivery of the LOMP and to support the ongoing response to the COVID-19 pandemic via the Contain Outbreak Management Fund.

Cabinet had previously received a report in January 2021 that outlined how Derbyshire's initial allocation of Contain Outbreak Management Fund would be spent. It was proposed that the additional funding would continue to be used against the same priorities to manage and mitigate the impact of the pandemic in line with the aims and objectives of the Local Outbreak Management Plan as summarised in the report.

The report referred to the relevant financial implications, alternative options that had been considered and other relevant implications that had been taken into account in its preparation.

RESOLVED to note (1) the revised Local Outbreak Management Plan appended to the report which was submitted to the Department of Health and Social Care on 31 March 2021;

(2) that this is a live document and that the Leader of the Council and Cabinet Member for Health and Communities will be briefed on significant changes to the plan due to the evolving nature of the pandemic;

(3) the additional funding received from Central Government to support the delivery of the Local Outbreak Management Fund and agree that expenditure is prioritised against the aims and ambitions outlined in the Local Outbreak Management Plan; and

(4) approve continuation of the delegated authority to the Director of Public Health and Cabinet Lead for Health and Wellbeing to support rapid deployment of funding to implement the Local Outbreak Management Plan.

95/21 UNIVERSAL FUNDING FOR DRUG TREATMENT (Health and Communities) Cabinet approval was sought for the allocation of a new national universal funding grant of £0.526m to be awarded to Derbyshire Recovery Partnership to expand and develop drug treatment services across Derbyshire.

The Government had recently announced an additional £80 million national funding allocation in 2021-22 for one year to enhance drug treatment, focused on reducing drug-related crime and the rise in drug-related deaths. This funding was in addition to the money local authorities already spend on substance misuse from the Public Health Grant and must be spent on additional services. Derbyshire County Council had been awarded £0.526m under the Universal funding element to be provided under a Section 31 grant.

The proposal locally would be to focus on strengthening the criminal justice interventions relating to drug treatment which were a key element in the parameters of the new funding, and which it was felt would benefit from more robustness in Derbyshire. Despite extremely tight timescales of two weeks from being informed of the potential amount to submission of the proposal, discussions with partners and stakeholders had been undertaken at pace to develop an acceptable and workable approach.

The parameters for the proposed spend had been set nationally and the period of time for the expenditure was one year. The proposal which had been developed for Derbyshire consisted of a new Criminal Justice team within the Derbyshire Recovery Partnership (adult substance misuse treatment service) which would seek to engage more quickly and effectively with offenders at the pre-sentence stages to encourage more offenders into drug treatment, and to work with them under a more robust programme of interventions post-sentence. The majority of the one year funding (£0.509m) had been allocated to the function and delivery of this team which consisted of a co-ordinator, three Court treatment requirement workers, five specific criminal justice workers including prison release and Integrated Offender Management, one employment specialist worker and one administrator.

A sum of £6,992 of the universal funding had been allocated to harm reduction including increased naloxone provision to reverse opioid overdose and help prevent drug related deaths, and a further £10,000 had been allocated to increase the network of peer support for recovery from drug misuse. Derbyshire Recovery Partnership would also lead on delivering these elements.

The report referred to alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to approve the allocation of a new national universal funding grant of £0.526m to be awarded to Derbyshire Recovery Partnership to expand and develop drug treatment services across Derbyshire.

96/21 REGISTRATION SERVICE – WEDDINGS AND CIVIL PARTNERSHIPS (Health and Communities) The Managing Executive Director for Commissioning, Communities and Policy presented a report which advised Cabinet of an urgent decision taken in relation to wedding and civil partnership ceremonies in Derbyshire.

In accordance with the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020/1374 (as amended) and government guidance, the Managing Executive Director had agreed on 7 January 2021, weddings and civil partnerships could only take place with up to 6 people in attendance (excluding staff working) and in exceptional circumstances. This decision had been reported to Cabinet on 11 February 2021.

An example of exceptional circumstances was an urgent marriage where one of those getting married was seriously ill and not expected to recover or was to undergo debilitating treatment or life-changing surgery. However, there might be other circumstances which were exceptional and the wedding or civil partnership should be able to proceed. In recognition of this, delegated authority had been granted to the Director of Legal and Democratic Services to approve any other circumstances which were deemed to be exceptional.

The Government subsequently issued the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021/364 which remove the “exceptional circumstances” restriction on weddings and civil partnerships. Therefore, with effect from 29 March 2021 wedding and civil partnership ceremonies were no longer limited to exceptional circumstances. As a result of these new Regulations, the Managing Executive Director had agreed on 26 March 2021, that the exceptional circumstances restriction in relation to weddings and civil partnerships should be removed.

A copy of the decision record was appended to the report.

The report referred to alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to note the decision taken with regard to the removal of the exceptional circumstances condition in relation to weddings and civil partnerships in Derbyshire.

97/21 REPORT OF THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – COMPLAINT AGAINST THE COUNCIL (Children’s Services and Safeguarding) The Monitoring Officer presented a report that informed Cabinet of a recent case which had been investigated by the Local Government and Social Care Ombudsman (LGSCO) who had made a finding of fault by the Council causing injustice to the complainant.

Members were aware that if an individual is dissatisfied with the service provided by the Council, he/she could complain under the Council's Corporate Complaints Procedure. If a complainant remained dissatisfied, they were then able to refer the complaint to the Local Government and Social Care Ombudsman. If the LGSCO decided to investigate a complaint he would determine whether, in his opinion, the Council had been guilty of "maladministration" and if so whether the complainant had sustained "injustice" in consequence.

It was reported that Section 5A of the Local Government and Housing Act 1989 imposes a duty upon the Monitoring Officer to prepare a report to the Executive if at any time it appears to her that there has been maladministration in the exercise of its functions. The duty does not arise in respect of a finding of maladministration by the LGSCO unless the LGSCO has conducted an investigation (S. 5A(4)). The Monitoring Officer is obliged to and has consulted the Head of Paid Service and Chief Financial Officer in the preparation of this section 5A report a copy has been provided to each member of the Council.

As soon as practicable after the Executive had considered the Monitoring Officer's report it must prepare a report which specified:-

- (a) What action (if any) the Executive had taken in response to the Monitoring Officer's report,
- (b) What action (if any) the Executive proposed to take in response to the report, and
- (c) The reasons for taking the action or for taking no action.

The report presented contained all of the details of the complaint, the prescribed actions taken by the Council in relation to the complaint and the Ombudsman's findings.

In response, it was reported that the Council had accepted the LGSCO's findings and agreed to the following recommendations, which had been welcomed by the LGSCO.

Following receipt of the report, the Council had already apologised fully to the complainant and paid £1,000 as agreed.

In accordance with the LGSCO requirement, the Council would place two public notices announcements in two local newspapers/websites within two weeks of the LGSCO publishing the report. It would also make copies of the report available free of charge at one or more of the Council Offices.

This report fulfilled the requirement to arrange for the LGSCO's report to be considered by the "executive" and following this meeting the LGSCO would be informed that this has been done.

The LGSCO required that within six months of the date of the final report the Council should review its processes to ensure it was carrying out annual reviews, issuing decision notices and finalising amended EHCPs in line with the statutory guidelines. The Council had begun a review into its processes for the completion of annual reviews to ensure practice was as efficient as possible. Annual reviews were conducted by the provisions delivering an EHCP and the council's role was to ensure any amendments required were made in a timely manner.

Work had already commenced in relation to identified elements of the annual review process that would enable shorter timeframes and these were detailed in the report. The SEND assessment service had also considered the final aspect of the LGSCO's recommendations regarding the response to the complainant. During the last year, the number of complaints had fallen and all complaints were taken seriously. However, in this instance, it had been made clear that this complaint should have been fully upheld rather than two aspects being partially upheld.

The report also addressed further actions already taken to address the matters arising within this historical complaint.

Additionally, The Director of Legal and Democratic Services had noticed in 2019 that there had been a theme in complaints to the LGSCO relating to Children's Services matters and SEN. This was also the situation nationally. The Council had received a LGSCO report relating to another SEN matter in 2019 and this was reported to the Governance, Ethics and Standards Committee on 3 October 2019.

Following the Governance, Ethics and Standards Committee, the Director of Legal and Democratic Services had contacted Children's Services Quality & Assurance Team to discuss the number of Children's Services SEN LGSCO complaints and asked whether Legal Services could support Children's Services to address the underlying issues and to reduce the likelihood of a further LGSCO report on a Children's Services SEN matter. There had been a number of meetings with Legal and Children's Services and at that time a new Assistant Director of Children's Services with responsibility for SEN had also been appointed. Children's Services were confident that since the last LGSCO report in relation to SEN they were making good progress on complaints generally and SEN matters.

The SEN assessment team was responsible for delivery of the Council's statutory duties with regard to the assessment of need, writing and reviewing

of EHCPs. Significant change had taken place within this team to address the matters that had arisen in the history of this complaint and these were detailed in the report.

It was important that when considering this LGSCO report, Members were mindful that this and many of the recent complaints to the LGSCO were legacy complaints that had originated in practice from previous years, prior to the implemented changes. A strategic working group from SEND and the complaints team was now in place to monitor and address LGSCO reports specifically, ensure actions were delivered and would also monitor refusals to investigate.

It must also be noted that sometimes agreement of EHCPs might be late for a variety of reasons including parents' illness and therefore the team might be unable to agree a plan. However, performance had improved in this area and plans where there were significant delays had reduced from approximately 38 in May 2020 to 20 in July 2020, 7 in October 2020 and 2 in January 2021.

Several improvements had been made to communication mechanisms and how this had impacted on the improvement were detailed in the report.

Further recommendations had been identified by the Monitoring Officer during the term of the investigation and these included:

- The Council had already apologised fully to the complainant for the faults identified and paid her £1,000. In respect of the action to review processes to ensure the Council was carrying out annual reviews, issuing decision notices and finalising amended EHCPs in line with the statutory guidelines, it was recommended that Cabinet consider requiring a progress report to the relevant Cabinet member in August and November;

- In view of the fact that specific changes had already been made in areas identified prior to receipt of the LGSCO's report and the Council had accepted the LGSCO's recommendations, no further activity was recommended.

The report referred to alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to (1) note the findings of the Local Government and Social Care Ombudsman set out in the report at Appendix 2 and the actions which have been taken by the Council in response to that report and more generally to prevent further escalations of complaints;

(2) confirm that it is satisfied with the steps taken to address the findings and agrees that a progress report shall be provided to the relevant Cabinet Members in August and November; and

(3) note that a copy of this report has been circulated to all members of the Council.

98/21 COVID LOCAL SUPPORT GRANT (Children's Services and Safeguarding) Cabinet was asked to note the urgent decision taken by the Executive Director of Children's Services on 10 May 2021 which approved additional spending plans for the Derbyshire County Council allocation of the COVID Local Support Grant (CLSG). This scheme was a successor to the Covid Winter Grant Scheme (CWGS) for vulnerable families which had run from 1 December 2020 until 16 April 2021 and would continue until 20 June 2021. The CLSG Delivery Plan attached with Enclosures at end of the related report, had to be submitted to DWP no later than 14 May 2021, and therefore time for the normal decision-making protocols had not been possible.

RESOLVED to note the Urgent Decision taken by the Executive Director.

99/21 IMPACT OF THE NATIONAL BUS STRATEGY ON THE FUTURE DEVELOPMENT OF BUS SERVICES IN DERBYSHIRE (Highways Assets and Transport) Consideration was given to the report of the Executive Director for Place which gave an update in relation to the implications of the Government's recently announced National Bus Strategy which sets out the future shape and ambitions for local bus service provision and the options available to local transport authorities. Cabinet was also asked to give consideration to the viability of the options and agree the creation of an Enhanced Partnership for Derbyshire supported by a Bus Service Improvement Plan, within the timescales set out in the Strategy.

On 15 March 2021, Government had published the first National Bus Strategy for England. The main objective of the Strategy was to reverse the long-term decline in bus use nationally which had been exacerbated by the impact of the COVID-19 pandemic. It aimed to achieve this by making bus services more frequent, reliable, better co-ordinated and cheaper. To enable this, Government wanted to see major improvements in a variety of areas including bus priority measures, vehicle emission standards, the provision of service information, simplified ticketing arrangements and the joint marketing of services. Government had committed to provide £3bn of new transformation funding nationally to help drive forward these improvements.

Central to these changes, the Strategy expected all local transport authorities (LTAs) in England to play a much bigger role than they did currently in the way bus services were operated in their area. Under the

existing deregulated model of bus provision which had been in place since 1986, most services were provided on a commercial basis. This meant it is the bus companies themselves who decided the route of the service, the timetable, fares, types of vehicle used, etc, based on what they thought made the best commercial proposition. It was only when bus companies felt that there was not a commercial case to operate a route in a particular area, or time of day, that LTAs could become involved by specifying and funding additional services to fill gaps in commercial provision. Prior to the pandemic, approximately 80% of bus passenger journeys in Derbyshire had been made on commercially operated services, with the remaining 20% of journeys taking routes financially supported by the Council.

The Strategy expected all LTAs in England to replace this deregulated model in their area with one of the following two options:

- **Franchising** – Under a franchising model, LTAs would determine which bus services should be provided, with bus operators bidding for the right to run them on a contractual basis. Although the franchising model would give LTAs full control of where and when buses operate, the fares charged, etc, it also meant that the LTA would be required to meet the overall cost of providing all the services in their area that are not met by passenger fares and other income. As a result, any requirement by the LTA to make financial savings in its bus service budget would mean routes having to be scaled back or withdrawn altogether as there would be no commercial network to fall back on. There were also a variety of other costs associated with franchising, such as the need to establish large scale bus planning, procurement and monitoring teams within the LTA to manage and develop the whole network over time. Other costs, such as buying depot sites for franchise service operators to garage their buses, might also be required. As the specifier of the bus network, it would be the LTA which would also become directly responsible for any problems linked to the services which might, in turn, result in the need for additional political involvement in the day to day operation of the network.

Under current legislation, only Mayoral Combined Authorities (MCAs) had an automatic right to use franchising powers. For franchising to be introduced in Derbyshire, the County Council would need to develop a full business case setting out the reasons why it wanted this arrangement and then apply to the Secretary of State for Transport for permission to receive these powers. To date, no non-MCA had decided to pursue this model and the franchising system was only operational in London. Greater Manchester was, however, actively pursuing plans to introduce franchising, but it had taken nearly four years of work by Transport for Greater Manchester

(TfGM) to reach the point where the final decision to commit to the franchise model had now been taken. It was anticipated that the first franchised services would start operating in Manchester in 2023 with the process being completed by 2025. TfGM anticipated the cost of its introduction would be £135m.

- **Enhanced Partnerships** - Enhanced Partnerships (EPs) were a new type of partnership arrangement between LTAs and bus operators. The purpose of the EP would be to create a formal, collaborative agreement between LTAs and bus operators to deliver bus improvement objectives. As part of an EP, the LTA and operators could set service standards, including the timing or frequency of services along specific routes, the type of vehicle to be used and the availability of ticket products and payment methods. EPs also allowed for integration between different modes, such as bus and rail, with more joint ticketing arrangements and better timetabling to allow interchange. An EP would therefore bring many of the benefits of a franchise in terms of the provision of a more joined up bus network but would be cheaper to introduce for LTAs as the financial risk for running commercial services would still remain with the bus operators. In this way, it would also support more effective and sustainable place making as part of the County's green recovery ambitions, which would allow due consideration to be given to existing and future travel to learn, travel to work and leisure patterns and encouraging modal shift in line with 'good growth' principles. EPs would, however, still place significant obligations on the LTAs, with the National Bus Strategy making it clear they would need to invest in significant bus priority measures, as well as upgrades to bus stop infrastructure. Other elements of EPs, such as establishing integrated ticketing arrangements, joint marketing of the network and improvements to information provision would also inevitably result in additional costs to the LTA.

To date, only one EP had been introduced in England which covered the whole of the Hertfordshire County Council area. The Partnership's objectives included prioritising bus services in traffic, closer integration of the different bus companies' networks, upgrading roadside infrastructure and improving the image of bus travel generally. As the EP had been only launched in April 2020, it was too soon to comment on its impact. However, Hertfordshire had in the past, been involved in a number of different bus partnership arrangements which had been successful at increasing passenger numbers.

The National Bus Strategy made it clear that adoption of either franchising or EPs would be essential if LTAs were to receive future

funding from the Department for Transport (DfT), not only for bus related activities but for transport projects more generally, such as new roads or cycle schemes. Future Government funding to bus operators was also likely to be dependent on them taking part in these arrangements. It was therefore in the best interest of bus passengers, the Council and bus operators to fully commit to the process proposed.

The DfT anticipated that most LTAs would choose to pursue EPs rather than franchising, and this was the recommended approach for Derbyshire.

In respect of the Implementation process and progress that had been made to date in Derbyshire the report set out details of the very challenging timetable set out in the Strategy and how this had been embraced by the Council.

The report referred to consultation that had been undertaken, detailed alternative options that had been considered and relevant implications that had been taken into account in its preparation.

RESOLVED to (1) note the new National Bus Strategy and the increased responsibilities this placed on the Council in relation to bus services;

(2) approve entering into an Enhanced Partnership arrangement and the associated relevant notice of intent process with all of the bus operators who provide local bus services in Derbyshire, other relevant stakeholders in Derbyshire, and potentially with other local transport authorities if a joint area Partnership is found to be mutually beneficial;

(3) note the requirement for an increased commitment to revenue and capital funding for public transport to support the Enhanced Partnership over the medium term; and

(4) agree to receive a further report later in the year which will set out in more details the terms of the Enhanced Partnership proposed and the measures in the Bus Service improvement Plan.

100/21 REGENERATION KICK START FUND – MANAGEMENT FUND
(Infrastructure and Environment) The Executive Director for Place presented a report which:

- sought approval for the management arrangements for the approved Regeneration Kick Start Fund;
- provided an overview of infrastructure schemes currently in preparation with potential for Government funding that may be supported by the Kick Start Fund; and

- delegated authority for initial submissions to be made for two such projects.

At its meeting of 21 January 2021, as part of the Revenue Budget Report 2021-22, Cabinet had approved funding for a Regeneration Kick-Start Fund of £2,000,000 (Minute No 18/21 refers). As described in the report, there was a need to pump prime, or 'kick start', capital projects that could bring forward good growth for Derbyshire, providing housing, jobs and skills. Where these projects involved bids for external grant funding, they would always require significant up-front investment to cover activity such as economic and transport modelling, preliminary design and cost estimating, planning consent and land assembly (in order to demonstrate deliverability for funders) all of which formed essential elements of the business cases that were submitted to the grant funders. Typically, the costs associated with these early activities had to be funded from revenue, prior to any capital grant being confirmed.

The context for this 'kick start' initiative was a combination of the need to bring forward suitable projects not only for the Council's 'business as usual' programme, but also in response to ad hoc funding opportunities announced by Government, typically within the context of COVID economic recovery. In recent months, these funding announcements had included: Levelling Up Fund; Community Renewal Fund; Towns Fund; Restoring Your Railways; and Zero Emission Bus Regional Areas (ZEBRA).

Typically, the timescales for project delivery were tight to fit within the constraints of funding availability and that this could rule out the submission of projects which had not reached a certain level of 'readiness' ahead of the launch of a fund. This was exemplified by the Getting Building Fund (GBF), designed to ensure early delivery of regeneration projects as part of a national Covid-19 recovery strategy where the grant conditions required that all funding was spent within a 15-month period from funding confirmation. Due to the limited amount of revenue funding to support project readiness (e.g. detailed design work, planning consent, land assembly etc) the Council had no suitable projects in the pipeline that were capable of taking advantage of the GBF and being delivered within the requisite timescale.

Similarly, the Levelling Up Fund which had been launched in March 2021, required (except for a limited number of large projects) works to have commenced on site during 2021-22 and all grant funding to have been spent by March 2024. For any significant project requiring consents or land assembly, it would never be possible to take advantage of such funds unless work on these aspects was complete or, at the very least, already in hand prior to submission for grant funding. Even where it was possible to bring forward schemes which could be delivered quickly, these would tend to be those with the fewest constraints rather than those bringing the greatest benefits to residents, businesses or the wider economy.

The availability of the Regeneration Kick Start Fund would help to address this issue by ensuring the Council had funded and completed preparatory work for potential projects and was at an advantageous stage of project preparation, thus making it more likely to successfully access external funding. Ultimately, this approach would help ensure the Council's own resources go further.

In respect of developing the process for identifying priorities, the report referred to the current Strategic Growth and Infrastructure Framework (SGIF) which had been drawn together on behalf of the D2 (Derby and Derbyshire) Joint Committee for Economic Prosperity.

Projects already identified that were worthy of consideration included:

- South Derby Growth Zone/Infinity Garden Village (SDGZ);
- Derwent Valley Corridor;
- Restoring your Railway;
- Recovery and Renewal Priorities; and
- Further Levelling Up Propositions.

Each of these projects would need some capacity funding to ensure that they fully achieve their regeneration potential and were ready to access suitable sources of capital 'development' grants which were detailed in the report. The proposed project template and assessment method were appended to the report.

The report referred to governance arrangements, resource implications, detailed alternative options that had been considered and other relevant implications that had been taken into account in its preparation.

RESOLVED to (1) approve the evaluation and assessment processes set out in the report for the allocation to projects of the Regeneration Kick Start Fund, noting that the Executive Director – Place in consultation with the relevant Cabinet Member will approve the final, proposed allocations in liaison with the Director of Finance & ICT;

(2) note the potential projects listed in the report, but with the acknowledgement that these may not be the ones approved on full assessment; and

(3) authorise the Executive Director – Place in consultation with the relevant Cabinet Member to submit an Application Form for the Levelling Up Fund for the South Derby Growth Zone and an Expression of Interest for the Zero Emission Bus Regional Area, noting that these do not represent any firm commitments on the Council at this stage.

101/21 EXCLUSION OF THE PUBLIC FROM THE MEETING

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

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

1. To consider Minority Group Leaders' Questions (if any).
2. To confirm the Exempt Minutes of the meeting of Cabinet held on 15 April 2021.
3. To receive exempt minutes of Cabinet Member meetings as follows:
 - (a) Health and Communities – 25 March and 14 April 2021
4. To consider the following exempt report:
 - (a) Corporate Property Joint Ventures Update – Managing Executive Director Commissioning, Communities & Policy (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

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MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 3 June 2021 at County Hall, Matlock

PRESENT

Councillor C Hart – Cabinet Member

Also in attendance: Councillor N Atkin

28/21 **MINUTES** **RESOLVED** that the non-exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 14 April 2021 be confirmed as a correct record.

29/21 **UPDATE ON PUBLIC HEALTH COVID-19 EMERGENCY FUND** The Cabinet Member was updated on organisations supported through the Public Health COVID-19 Emergency Fund.

The response to the COVID-19 pandemic had seen many organisations across Derbyshire working to ensure the basic needs of the most vulnerable residents were met. It had become apparent that a number of community and voluntary sector organisations had insufficient resources to maintain their response. Supporting the clinically extremely vulnerable, social isolation and requirement for activities to comply with social distancing guidance had compelled many organisations to quickly adapt their service delivery model to operate within the guidance, often requiring additional resources.

Funding up to a maximum value of £2,000 was available for constituted groups and £250 for non-constituted groups following the establishment of a Public Health COVID-19 Emergency Fund that supported voluntary and community sector organisations in mitigating the impact of COVID-19 on local communities and to work to improve the health and wellbeing of local populations. The Fund was funded from the Public Health Grant so all applications must be linked to the Public Health work programme to allow the Public Health Emergency Fund to run concurrently. Authority for approval of applications was delegated by the Cabinet Member to the Director of Public Health, with quarterly update reports.

This was the fourth quarterly update covering organisations who had received funding from 22 February 2021 to 26 April 2021; these were detailed in the report.

RESOLVED – that the Cabinet Member to (1) note the allocation of the Public Health COVID-19 Emergency Fund to date;

(2) continue to delegate authority to the Director of Public Health to approve awards of no more than £2,000 to individual organisations; and

(3) receive details of further recipient organisations on a quarterly basis.

30/21 USE OF THE CONTAIN OUTBREAK MANAGEMENT FUND TO PROVIDE ADDITIONAL SELF-ISOLATION SUPPORT Approval was sought from the Cabinet Member to fund Citizens Advice Derbyshire for additional surge capacity to provide specific advice, information and resources that support individuals to successfully plan for and adhere to self-isolation requirements linked to COVID-19.

Local welfare assistance and advice provision was likely to be in high demand throughout the 2021/22 financial year where Derbyshire individuals would still be asked to self-isolate if they test positive for COVID-19 or had been identified as a close contact of someone who had tested positive, creating challenges in terms of financial hardship or concerns about their rights during this period. The proposed activity sought to proactively prevent this, ensure access to the £500 self-isolation support and a local solution was in place where required.

The report went on to explain the rationale and evidence used to support this approach including recent research by [Public Health Wales](#) which made several recommendations, including increased financial support should be made available to enable individuals to get essential items and support that helped to minimise the potential health and economic harm of self-isolation.

Derbyshire Citizens Advice had identified that securing additional capacity for a period of 12 months would allow to offer dedicated over-the-phone practical financial and specialist advice regarding employment rights and status. There was considerable evidence of the effectiveness of advice from Derbyshire Citizens Advice of improving local wellbeing and this was detailed within the report.

Collaborative pathways would be developed with the Derbyshire Welfare Rights Service, Derbyshire Discretionary Fund, local contact tracing team and Community Response Unit enabling staff to signpost individuals to CA support (and vice versa) as required as part of a more local and holistic response to supporting individuals to effectively self-isolate or plan for self-isolation. It was intended that by providing this advice and support, individuals would be less likely to challenge the rules, enabling them to self-isolate, work safely and provide accurate test and trace information as the financial jeopardy of doing so was substantially mitigated.

Funding would be allocated on a locality basis to the four Citizens Advice Offices covering Chesterfield, Derbyshire Districts (Derbyshire Dales, High Peak, Amber Valley, Erewash), Mid Mercia (South Derbyshire) and North East Derbyshire (Bolsover and North East Derbyshire). This would secure 7.4 additional FTE adviser capacity across the county at a cost of £223,358. Citizens Advice would monitor and evaluate the project and sample a small number of users to understand whether the advice provided was effective.

DCC had been allocated a total Contain funding grant of £20.182m of which £19.058 m had been rolled over to 2021-22. A further £3.958m of Contain funding had been allocated from the Department of Health and Social Care for 2021-22.

RESOLVED – that the Cabinet Member approve funding to Citizens Advice Derbyshire for additional surge capacity to provide specific advice, information and resources that support individuals to successfully plan for and adhere to self-isolation requirements linked to COVID-19.

31/21 **EXCLUSION OF THE PUBLIC** **RESOLVED** that the public, including the press, be excluded from the meeting during consideration of the remaining item on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING

32/21 **RESOLVED** that the exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 14 April 2021 be confirmed as a correct record.

MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 17 June 2021 at County Hall, Matlock

PRESENT

Councillor C Hart – Cabinet Member

Also in attendance: Councillor N Atkin

33/21 **MINUTES** **RESOLVED** that the non-exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 3 June 2021 be confirmed as a correct record.

34/21 **GRANT TO DERBYSHIRE GYPSY LIAISON GROUP** The Cabinet Member considered a grant request of £3,500 from the Group in recognition of its work with Gypsies and Travellers in Derbyshire in 2021-21.

The Group played an extremely important role in supporting the three Council-owned Traveller sites in Derbyshire, with activities including assistance with private site planning applications and dealing with issues of education, health and welfare of Travellers. Over the years the Council had held regular discussions with the Group on issues arising from unauthorised encampments, site management and on developing good practice in dealing with unauthorised encampments.

During the Covid-19 epidemic, the Group assisted numerous roadside families by supplying special dietary food, when shelves were empty, by organising a weekly drop off and undertaking welfare checks at the same time. The Group also arranged vaccinations for those who did not have a GP or were in contact with any GPs.

The appendices attached to the report set out the relevant implications considered in its preparation, the accounts and accompanying report.

RESOLVED – that the Cabinet Member approve the grant request and that the Group be awarded £3,500 in recognition of its work in the County over the current year, subject to the County Council's standard conditions of grants.

PUBLIC

MINUTES of a meeting of the **CABINET MEMBER – CHILDREN’S SERVICES AND SAFEGUARDING** held on 8 June 2021.

PRESENT

Cabinet Member - Councillor J Patten

Also in attendance – Councillors A Dale, R George, G Hickton and N Gourlay

01/21 **MINUTES** **RESOLVED** that the minutes of the meeting of the Cabinet Member for Young People held on 13 April 2021 be received.

02/21 **REVENUE OUTTURN 2020-21** The Cabinet Member was informed of the revenue out-turn of the Young People’s portfolio for 2020/21.

The net controllable budget for the portfolio was £129.322m including additional allocations of £7.223m to fund the impact of Covid-19. The revenue outturn statement for 2020/21 showed a year-end overspend of £3.592m. Reserves of £0.204m which have no further commitments against them have been released during 2020-21 to offset this overspend. After the application of these reserves the revenue outturn was an overspend of £3.388m.

The outturn position included £1.390 million of Dedicated Schools Grant income transferred to contribute to costs incurred within Children’s Services supporting Early Help services and children with additional needs.

The significant areas which make up the outturn were detailed in the report.

Key variances included Placements for Children in Care/Unable to remain at home (overspend £7.875m); Children’s Safeguarding services (underspend £0.014m); Early Help and Preventative services (underspend £2.336m); Home to School Transport (overspend £1.m); Education Support services (underspend £0.655m); Pensions payable to former teachers and other staff (overspend £0.321m); and Unallocated budget (underspend £3.189m. These figures include all additional costs incurred due to Covid-19 and the funding provided to cover those costs. Identified Covid-19 costs and their funding sources were detailed I the report.

The value of the savings initiatives which have been identified for implementation in the current year was £3.013m and these were detailed in the report. It was calculated that £1.215m of savings have been achieved by the year-end.

Growth items and one off funding in the 2020-21 budget included Social Worker recruitment (£1.300m ongoing, £1.300m one-off); Placement demand

Pressures (£11.000m ongoing); Home to School Transport SEN (£1.000 ongoing; £0.971m one-off); SEND assessment and planning (£0.600m ongoing); Increase in Special Guardianship placements (£0.336m ongoing); Foster Carers (£0.100m ongoing); Care Leavers (£0.498m one-off); Child Protection (£0.500m ongoing); Children in Care Legal Proceedings (£1.100m one-off); Support to Achieving Great Futures (£0.108m one-off); Preventative Support to Families (£1.000m one-off); Elective Home Education (£0.207m one-off); Service Transformation (£0.438m one-off); and Quality Assurance SEND & Fostering (£0.214m one-off).

Details of the earmarked reserves totalling £6.912m and the debt position were also reported.

RESOLVED to note the report.

03/21 DEDICATED SCHOOLS GRANT OUTTURN 2020-21

The Cabinet Member received a report on the Revenue Budget outturn of the Dedicated Schools Grant (Young People portfolio) for 2020-21. The significant areas of expenditure and key variances were detailed in the report.

The Dedicated Schools Grant (DSG) and 6th form grant income received by the Authority in 2020-21 was £368.032m. This, together with the release of holding rates refunds in respect of school of £0.721m, totalled income available to fund expenditure of £368.753m in 202-21.

Full year expenditure amounted to £370.037m and compared with the income there was an overspend of £1.284m. However, this included an underspend of £1.370m which was ring-fenced to schools and a further £0.850m underspend of school growth funding, £0.322m of which has been earmarked to contribute to pre and post opening grants to planned new schools. The overspend falling to the Authority was therefore £2.976m.

The Authority would report a DSG deficit reserve at the end of 2020-21 of £6.187m. Other DSG committed reserves totalling £5.030m offset this deficit reserve within the Authority's accounts and the reported DSG position was a net deficit reserve of £1.157m.

Following consultation with Local Authorities (LA) and other stakeholders, the Department for Education have amended the School and Early Years Finance (England) Regulations and a DSG deficit must be carried forward to be dealt with from future years' DSG income, unless the Secretary of State authorises the LA not to do this. The Schools Forum as a first step agreed in January 2020 to allocate only some of the 2020-21 Pupil Growth fund within the Schools Block. The Forum agreed to leave £1.325m of the £3.428m grant for 2020-21 unallocated as a positive contribution towards the shortfall and the reported position for 2020-21 reflects this contribution.

RESOLVED to note the report.

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PUBLIC

MINUTES of a meeting of the **CABINET MEMBER – EDUCATION** held on 8 June 2021.

PRESENT

Cabinet Member - Councillor A Dale

Also in attendance – Councillors R George, N Gourlay, J Patten and G Hickton.

01/21 **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Young People held on 13 April 2021 be received.

02/21 **GRADUATED RESPONSE FOR INDIVIDUAL PUPILS (GRIP)** The GRIP process was a Derbyshire County Council policy initiative to deliver an 'Element 3' type funding stream to support inclusion and learning for young children with special education needs and disabilities (SEND) in mainstream schools. The concept of this discretionary policy was rooted in the graduated response described within the SEND Code of Practice: 0-25 Statutory guidance 2015.

The children and young people who receive GRIP allocations had life-long SEND associated diagnosed learning or physical/sensory disabilities, or enduring and very significant communication or social, emotional and mental health needs. Data confirms that of the 2316 pupils who have received a GRIP allocation, 75.4% continued to receive support from the High Needs Block funding.

The local authority needed to ensure that the GRIP process supports schools to meet need to avoid them resorting to requests for more costly EHC needs assessment. It was equally important that parents have confidence that the schools to provide support and interventions to pupils with SEND quickly and effectively without the need to apply for an EHCP. It was also important to streamline processes to generate capacity in the SEND locality teams so that they work with schools over the quality of the applications and play their part in processing the applications efficiently.

A Call for Views on sufficiency of SEND provision was completed in January 2021 and positive comments were received on the value of GRIP funding meeting needs early and giving schools the flexibility to support children and young people quickly and without a formal assessment of needs. Negative comments mainly referred to the administration of the process which was considered unwieldy and as causing delays. The report detailed the key issues and the recommendations set out the proposed changes to the administration of the Graduated Response for Individual Pupils (GRIP) for which approval was requested.

RESOLVED to (1) extend the funding allocation cycle to cover the full length of a Key Stage in which the application has been made (i.e. For the allocation of additional funding to only expire at the end of Year 2, Year 6, Year 9 and Year 11) rather than chronological time periods of one year, which could end at any time in that year;

(2) replace the current cycle of yearly applications, which must contain detailed review information, with 'annual evaluations' carried out by schools and support services with parents. These will be recorded in the child's school records and available to the SEND Locality Teams officers as part of their ongoing work to support schools in developing and delivering inclusive provision for all children with SEND;

(3) to remove the clause agreed in October 2018 which commits Derbyshire County Council to backdate the funding to the time of application if there is a delay in decision making. However, in exceptional circumstances if the application was subject to an unnecessary delay then the payment will be backdated and

(4) that a definition for "exceptional circumstances" and "unnecessary delay" be delegated to the Cabinet Member, in consultation with the SEND service, to ensure there was clarity over what the threshold would be for backdated payments being made.

03/21 DEDICATED SCHOOLS GRANT OUTTURN 2020-21

The Cabinet Member received a report on the Revenue Budget outturn of the Dedicated Schools Grant (Young People portfolio) for 2020-21. The significant areas of expenditure and key variances were detailed in the report.

The Dedicated Schools Grant (DSG) and 6th form grant income received by the Authority in 2020-21 was £368.032m. This, together with the release of holding rates refunds in respect of school of £0.721m, totalled income available to fund expenditure of £368.753m in 202-21.

Full year expenditure amounted to £370.037m and compared with the income there was an overspend of £1.284m. However, this included an underspend of £1.370m which was ring-fenced to schools and a further £0.850m underspend of school growth funding, £0.322m of which has been earmarked to contribute to pre and post opening grants to planned new schools. The overspend falling to the Authority was therefore £2.976m.

The Authority would report a DSG deficit reserve at the end of 2020-21 of £6.187m. Other DSG committed reserves totalling £5.030m offset this deficit reserve within the Authority's accounts and the reported DSG position was a net deficit reserve of £1.157m.

Following consultation with Local Authorities (LA) and other stakeholders, the Department for Education have amended the School and Early Years Finance (England) Regulations and a DSG deficit must be carried forward to be dealt with from future years' DSG income, unless the Secretary of State authorises the LA not to do this. The Schools Forum as a first step agreed in January 2020 to allocate only some of the 2020-21 Pupil Growth fund within the Schools Block. The Forum agreed to leave £1.325m of the £3.428m grant for 2020-21 unallocated as a positive contribution towards the shortfall and the reported position for 2020-21 reflects this contribution.

RESOLVED to note the report.

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PUBLIC

MINUTES of a meeting of the **CABINET MEMBER – ADULT CARE** held on 11 June 2021

PRESENT

Councillor N Hoy (in the Chair)

Also in attendance was Councillor D Muller.

No apologies for absence had been received.

21/21 **MINUTES RESOLVED** that the minutes of the meeting held on 29 April 2021 be confirmed as a correct record.

22/21 **OLDER PEOPLE’S INTERIM MARKET POSITION STATEMENT AND ENGAGEMENT REPORT** The main aim of a Market Position Statement was to encourage commissioners, people who use services, carers, and provider organisations to work together to understand and define what care services and support was needed in the area and why.

Following the publication of the Older People’s Housing, Accommodation and Support Strategy 2019-2035; an Older People’s Nursing, Residential, Extra Care and Homecare Services Market Position Statement (MPS) was produced and published 27 February 2020.

However, as the impact of the Covid-19 pandemic became clearer, it had been agreed that a refreshed Interim MPS was required. As part of the process to produce an IMPS, an engagement exercise to gather information about what was important to people when making decisions about their care and support, and where they lived, took place from Monday the 25th of January 2021 through to Monday the 8th of February 2021. The engagement was targeted on a total of 1,000 individuals and family carers already known to Adult Social Care because they already received care services and were likely to have considered their current housing and accommodation options.

106 people took part in the engagement from all the identified cohort of stakeholders. The majority of people who did respond wanted to remain in their own home, with additional support or adaptations as required. The draft Interim Market Position Statement was shared with representatives of the Derbyshire Care Providers Association to ask if they had any feedback or comments. The production of the IMPS was welcomed and the suggestion that this would be part of an on-going dialogue to better understand impact of Covid-19 on the overall market.

RESOLVED that the Cabinet Member approved the publication of the Older People's Interim Market Position Statement and the underpinning Engagement Report.

23/21 REVIEW OF URGENT OFFICER DECISIONS TAKEN TO SUPPORT THE COVID-19 RESPONSE The challenges relating to the COVID-19 pandemic had necessitated urgent decision-making processes by the Executive Director for Adult Social Care and Health to be implemented to ensure the welfare of service users and the public and to safeguard the interests of the Council. The decisions had been made under the urgent delegated powers to Executive Directors as set out in the Constitution.

The report detailed summary updates on the reviews taken place since the last Cabinet Member meeting on 29 April 2021. All review decisions had been discussed with the Executive Director and Cabinet Member following review by Senior Management Team. A copy of the most up to date version of the Officer Decision Records was attached at Appendix 1.

RESOLVED that the Cabinet Member note (1) the review of decisions made under urgent delegated powers arising from the COVID-19 Pandemic; and (2) that future review decisions would continue to be made on a fortnightly basis by the Executive Director for Adult Social Care and Health. A summary of which would be contained within this fortnightly review report.



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

THURSDAY 8 JULY 2021

**Report of the Managing Executive Director
(Commissioning, Communities & Policy)**

**Derbyshire County Council's People Strategy
(Corporate Services and Budget)**

1. Divisions Affected

1.1 Not applicable

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 To provide an update and seek Cabinet approval for the Council's People Strategy.

4. Information and Analysis

4.1 Context

Following Cabinet approval in September 2019, the organisation has successfully reshaped its HR service offering, with key benefits already being visible despite the impacts of the current pandemic.

The key aims of the review were to deliver a HR model with the capability to:

- Ensure all elements of 'people' management within the Council support transformational change and a 'whole Council' approach.
- Develop and implement the behaviours and competencies necessary for culture change.
- Manage the risk and anxiety generated by change within the existing workforce across the Council.
- Ensure we have a workforce of the right shape/size and skill set now, and in the future
- Cultivate an environment which attracts, retains and develops talent
- Maintain the Council's reputation as a fair and transparent employer, resilient to scrutiny.

Running concurrently with the second phase of the HR transformation programme, coupled with the accelerated need for a clear workforce agenda as we undertake organisational recovery, work has been underway during the last 12 months to develop an organisational people strategy owned and led by senior leaders across the organisation, supported by the HR function.

4.2 Insights into the People Strategy

The People Strategy (appendix 2) incorporates the organisation's people ambition which reflects what we are trying to achieve with the overarching aim to be a diverse employer, an innovative employer and an employer of choice.

Coupled with a diverse range of roles and services, the Council's People Strategy has been developed with consideration of the Council's strategic programmes, aiming to capture the people ambitions within these:

- Enterprising Council
- Thriving Communities
- Vision Derbyshire

It is intended that the People Strategy supports the Council Plan, being the 'what' we aim to achieve. The People Strategy aims to outline 'how' the Council will enable and support our workforce to deliver the council's strategic aims, delivering change through five people priorities.

The People Strategy assumes that leaders of the organisation at all levels own the relationship with their people and aligns to the employee lifecycle. Employee engagement is crucial throughout the employee lifecycle and is central to the People Strategy, with continued focus on

‘Our Spirit’ ensuring we ‘Listen and Engage’ and ‘Shape and Respond’, coupled with our organisational culture, employee values and behaviours.

4.3 People Priorities

The following five people priorities focus on the employee lifecycle ensuring a holistic approach to our workforce agenda and people ambition in being an employer of choice, recognising the interdependencies within these priorities.

- Attract and retain the best people in the most effective way possible.
- Promote diversity and inclusion, enable responsive workforce plans and develop credible reward strategies.
- Engage, nurture and develop our people and our future potential.
- Enable organisational transformation and effective employee relations.
- Enable and ensure the wellbeing and safety of our people.

To ensure the strategy is delivered and embedded, the people priorities will not only enable the development of the organisation wide workforce agenda but will also enable departmental and localised people plans to be developed by leaders at all levels of the organisation. Aligning the required activity within these five priorities will ensure cohesion when considering our differing workforce groups. Leaders will be responsible for driving forward the people priorities within their respective departments.

In addition, supporting the people priorities are HR led delivery plans for 2021-25 to support progress and outcomes in these areas, with manager enablement, development and upskilling being crucial. The HR delivery plans and departmental led people plans will complement and support one another in line with our people ambition.

The people priorities are underpinned by our employee values and behaviours which encompass what our organisation stands for and how our people will deliver their roles in the best possible way. The development of the Council’s competency framework is key to the success of the People Strategy and work continues to refine and further develop this in readiness for expansion across the organisation.

4.4 Developing our culture through a clear Employee Value Proposition (EVP)

Aligned to our people ambition of being an employer of choice, our Employee Value Proposition (EVP) will provide clarity on the Council's offer and what is expected from our people as we develop a culture of mutual trust.

The Council's workforce represent our organisation and we aim to ensure our workforce also reflects our communities. The development of the Council's workforce diversity and inclusion strategy and approach will further detail our overarching aims focused on improving the age profile of our workforce, improving under-represented employee groups and ensuring we have a diverse and sustainable workforce.

In addition, the Council's EVP aligns to the five people priorities, supported by clear expected outcomes and engagement drivers. The EVP will connect to our future recruitment approaches, the total reward offering, the Council's Learning and Development Strategy and the ongoing implementation of the Council's Wellbeing Strategy.

The engagement drivers are central to our ongoing 'Our Spirit' engagement approach, enabling the organisation to apply these in our future pulse surveys and engagement initiatives to enable the Council to baseline, trend colleague views and subsequently shape and respond to these.

5. Consultation

- 5.1 Feedback and input in developing the People Strategy has been gained across various forums ranging from Elected Members, leaders across the Council, employees and joint trade unions.
- 5.2 The draft people strategy was presented to Improvement and Scrutiny Committee (Resources) on 4th March 2021.

6. Alternative Options Considered

- 6.1 The Council does not currently have a workforce or people strategy, with the options being to continue without an organisational wide people agenda or to develop a cohesive people strategy and ambition across the organisation.

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 – Derbyshire County Council People Strategy

10. Recommendation(s)

10.1 That Cabinet:

a) note the development of and approve the council's People Strategy and its associated five people priorities.

11. Reasons for Recommendation(s)

11.1 To enable the organisation to provide a clear and cohesive workforce agenda detailed within the People Strategy.

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

12.1 No

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Implications

Human Resources

The Council's workforce is central to this strategy with all aspects of the employee lifecycle having been considered. Trade Union engagement has been undertaken in the development of this strategy, alongside wider stakeholder engagement across the Council.

Equalities Impact

The intention of the People Strategy is to support the Council in becoming an employer of choice, with diversity and inclusion being central to this approach. Progressing the priorities outlined within the report will be key as the Council also reviews and develops a clear workforce diversity and inclusion strategy and approach. In addition, the People Strategy will ensure the council embeds fair processes and practices across its workforce aligned to the people priorities.

Corporate objectives and priorities for change

The People Strategy aligns to the Council Plan, recognising its workforce as being at the heart of enabling change. In addition, this strategy reflects the ambitions of the Council's strategic programmes (Vision Derbyshire, Thriving Communities and Enterprising Council) recognising the interconnections between these.

People Strategy 2021-25



Enabling and supporting our people to deliver success



Our People Ambition

The next five years and beyond will continue to be exciting and challenging.

With a **diverse** range of roles and services, our **people** represent our organisation and we aim to ensure our workforce **reflects our communities**. Our people are at the **heart of enabling change**, ensuring our **partners and communities thrive** and our **organisation succeeds**.

Derbyshire County Council is a **successful community leader** and we will deliver change through our **five people priorities**.

- Attract and retain the best people in the most effective way possible
- Promote diversity and inclusion, enable responsive workforce plans and develop credible reward strategies.
- Engage, nurture and develop our people and our future potential
- Enable organisational transformation and effective employee relations
- Enable and ensure the wellbeing and safety of our people

Our **employee values** encompass what our organisation stands for and our **behaviours** will support our people to deliver their roles in the best possible way at all levels of the organisation.

We will be clear about **what we offer** and **what we expect** from our **people** as we develop **our culture** of mutual trust.

At Derbyshire, our people are:

- **committed** and **motivated**, being proud to work for Derbyshire and valued for their contribution.
- **high performing** and **engaged**, being clear about how their role contributes to the organisation's success and having a voice to participate.
- **empowered** and **challenged** to lead at every level, to take opportunities, manage risk and learn from mistakes with regular feedback on their performance.
- **valued** and trusted to find the right solution based on their knowledge and that of our colleagues, our partners and our wider communities.
- **energised** to be responsible for their wellbeing and safety and that of their colleagues, supported to create enabling environments to succeed.

Our people represent our organisation so it is vital that we listen and engage and shape and respond.

We are a diverse employer. We are an innovative employer. We are an employer of choice.

Our Workforce

At Derbyshire County Council, we have a diverse range of roles and services. Our people represent our organisation and we aim to ensure our workforce reflects our communities.



We employ **12,281** people*
(appointments)



79% of our workforce are female compared to **21%** being male*, with 49% of the economically active Derbyshire population being female and 51% being male.

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We have an annual pay bill of over **£300 million***



52% of our workforce are aged 50 years and over and **18%** are aged 34 and under*



We have over 1,000 different roles in **17** different job families*



3.2% of our workforce are from black, minority and ethnic groups* compared to 1.4% of the Derbyshire population

We work with **416** schools (including academies) directly employing approx. **12,082** schools employees (appointments)



4.9% of our workforce have told us they have a disability* compared to 15% of the Derbyshire population



Our employee turnover is **16%** with an average of **8.7** days lost per appointment to sickness absence*



73% of our workforce are part-time and **23%** of our part-time workforce work for us on a relief basis*

*Excluding Schools as at March 2021.

Derbyshire Population 2019 Data: 2019 Mid-Year Population Estimates-Office of National Statistics, Census 2011 and the Annual Population Survey 2013-15 & 2019-20

Our Strategic Programmes

Our strategic programmes are interconnected and our people are at the heart of enabling change, ensuring our partners and communities thrive and our organisation succeeds.



Alignment to our Council Plan

Our Council Plan and People Strategy will support us in continuing to be a successful community leader.

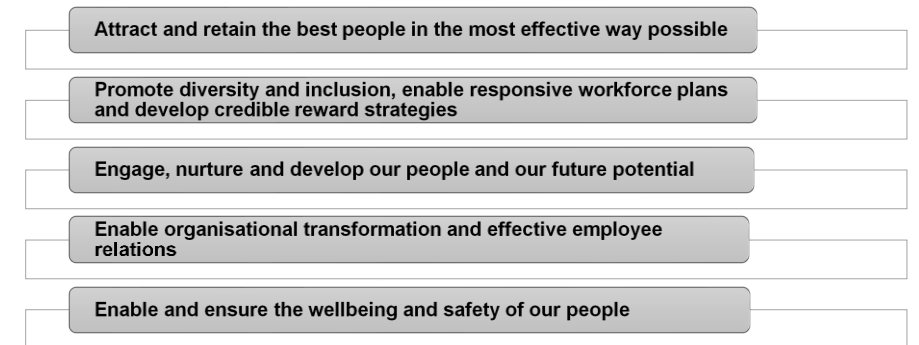
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Our Council Plan sets out **what** we will do and the future direction of the council.



Our People Strategy sets out **how** we will enable and support our workforce through our people priorities to deliver success.



Our People Priorities

Our focus on the employee lifecycle will ensure we remain diverse and innovative in our approach to becoming an employer of choice. We will deliver change throughout our organisation through five key people priorities, working collaboratively with leaders, employees and Trade Unions.

Attract and retain the best people in the most effective way possible

- We will recruit, attract and retain our people using innovative approaches to ensure our people have the right skills, experience and values, enabling our organisation to succeed both now and in the future.

Promote diversity and inclusion, enable responsive workforce plans and develop credible reward strategies

- Our people will be clear about what our organisation stands for, supported by people policies which promote diversity and inclusion, credible reward strategies and effective workforce plans that ensure we can meet current and future needs.

Engage, nurture and develop our people and our future potential

- We will enable professional and personal development, clear career pathways, a performance culture and succession planning to support the potential, performance and diversity of our workforce.

Enable organisational transformation and effective employee relations

- We will support to enable organisational and cultural change, underpinned by fairness and consistency within our employment procedures, whilst ensuring our people are adaptable and resilient.

Enable and ensure the wellbeing and safety of our people

- We will ensure we have safe and enabling environments, which support the wellbeing, motivation and retention of our people. We will integrate wellbeing into our day to day activities to promote a positive environment where employees are engaged, energised and supported to perform and achieve to their full potential for the benefit of themselves and the organisation.

Our Employee Values

Our employee values encompass what our organisation stands for.



We work with colleagues, partners and local communities, because we know that we cannot tackle complex problems on our own.



We are open minded, honest and accountable, ensuring the decisions we make are fair and transparent and we are respectful of the opinions of others.



We spend money wisely, making the best use of the resources that we have.



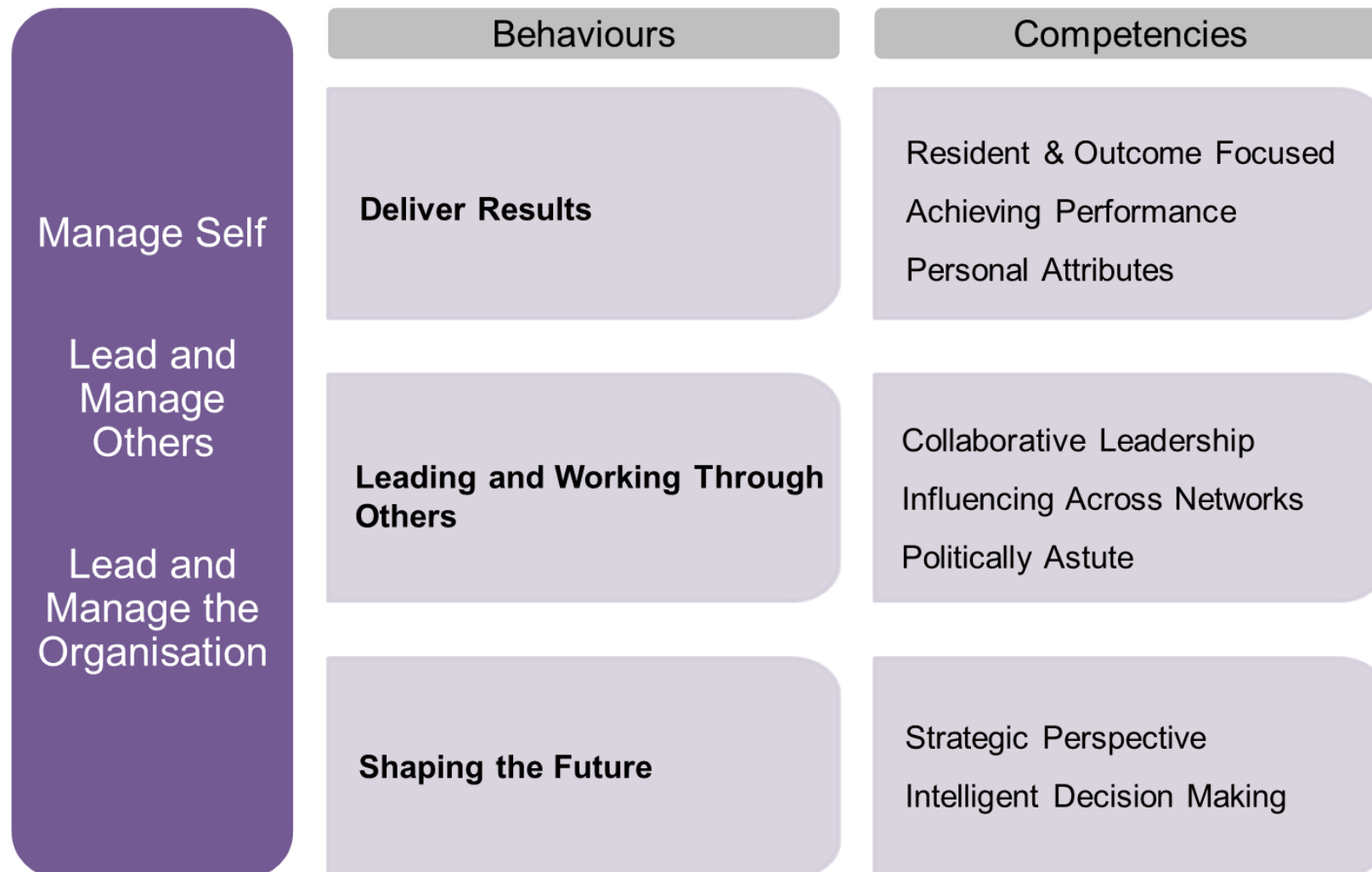
We listen to, engage and involve colleagues and local people, ensuring we are responsive and take account of the things that matter most to them, enabling our communities and our organisation to thrive.



We are aspirational about our vision for the future, encouraging everyone to be the best they can be and to achieve the full potential of Derbyshire.

Our Employee Behaviours

A clear competency framework will support our people to deliver their roles in the best possible way at all levels of the organisation.



Developing our Culture

We will be clear about what we offer and what we expect from our people through our employee value proposition as we develop our culture of mutual trust.

We will:

Attract and retain the best people in the most effective way possible

Promote diversity and inclusion, enable responsive workforce plans and develop credible reward strategies

Engage, nurture and develop our people and our future potential

Enable organisational transformation and effective employee relations

Enable and ensure the wellbeing and safety of our people

Our people will be:

Committed

I am proud to work here

Motivated

I am recognised and rewarded fairly for my contribution

High Performing and Engaged

I have clear objectives and see how my work contributes to the council's success

Empowered and Challenged

I have everything I need to do my role effectively

Valued

I am treated with respect by my colleagues and manager

Energised

I feel supported and cared for



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

8 July 2021

Report of the Managing Executive Director

**Urgent Decision Taken by the Managing Executive Director and
Approval For Delegated Authority Relating to Grant Expenditure**

Health and Communities

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 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 provide an update on the new statutory duties placed on the Council by the new Domestic Abuse Act 2021, to note the urgent decision taken by the Managing Executive Director to accept the new burdens grant 2021/22 associated with the Act from the Ministry of Housing and Local Government (MHCLG) and to seek approval to extend grant funding to existing services providing support to victims with complex needs from October 2021 to March 2022.

4. Information and Analysis

4.1 Domestic Abuse Act 2021

On 20 April 2021, the Domestic Abuse Act 2021 (the Act) received Royal Assent.

The Act places new statutory duties on local authorities. In two tier authorities, there are implications for both upper and lower tier authorities. However, as an upper tier authority, the Act requires the Council to:

- Provide accommodation-based support to victims of domestic abuse and their children in refuges and other safe accommodation, in accordance with statutory guidance
- Convene a Local Partnership Board (LPB)
- Undertake a needs assessment establishing any gaps in service provision, by June 2021
- Publish a strategy by August/September 2021
- Commission accommodation-based services based on the findings of the needs accommodation
- Monitor and evaluate the effectiveness of the strategy and any associated commissioning of services and report annually to central government.

The Act also provides for a number of other changes. In summary these are to:

- Create a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, controlling or coercive, and economic abuse.
- Provide that a child who sees or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator is also to be regarded as a victim of domestic abuse in their own right.
- The introduction of a Domestic Abuse Commissioner to stand up for victims and survivors, raise public awareness, monitor the response of local authorities, the justice system and other statutory agencies and hold them to account in tackling domestic abuse.
- Provide for a new Domestic Abuse Protection Notice and Domestic Abuse Protection Order.
- Prohibit perpetrators of abuse from cross-examining their victims in person in the civil and family courts in England and Wales.
- Create a statutory presumption that victims of domestic abuse are eligible for special measures in the criminal, civil and family courts.

- Extend the offence of disclosing private sexual photographs and films with intent to cause distress (known as the “revenge porn” offence) to cover threats to disclose such material.
- Create a new offence of non-fatal strangulation or suffocation of another person.
- Clarify by restating in statute law the general proposition that a person may not consent to the infliction of serious harm and, by extension, is unable to consent to their own death.
- Extend the extraterritorial jurisdiction of the criminal courts in England and Wales, Scotland and Northern Ireland to further violent and sexual offences.
- Provide for a statutory domestic abuse perpetrator strategy.
- Enable domestic abuse offenders to be subject to polygraph testing as a condition of their licence following their release from custody.
- Place the guidance supporting the Domestic Violence Disclosure Scheme (“Clare’s law”) on a statutory footing.
- Provide that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance.
- Ensure that where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy
- Prohibit GPs and other health professionals in general practice from charging a victim of domestic abuse for a letter to support an application for legal aid.
- Provide for a statutory code of practice relating to the processing of domestic abuse data for immigration purposes.

The Council will need to take account of these changes in the work undertaken with partners to address domestic abuse.

4.2 Implications for the Council

The Council currently commissions a range of services to support victims of domestic abuse and their families, in partnership with the Police and the Office of the Police and Crime Commissioner. These are split into three contracts:

- Derbyshire Domestic Abuse Helpline – a single point of contact for victims/survivors, their friends and family seeking support and advice and professionals referring victims/survivors and seeking advice and guidance
- Derbyshire Domestic Abuse Support Services – a partnership of locally based organisations that provide:

- Safe accommodation in both communal refuges and dispersed accommodation including support in that accommodation for victims and their families
 - Outreach support in the community victims and their families, including support in move-on accommodation
 - Therapeutic services for victim/survivors and their children.
 - Support for children and young people affected by domestic abuse
- Independent Domestic Violence Advisors (IDVA's) – support for high risk victims of domestic abuse to address immediate safety issues and mitigate and reduce risks. The IDVA service also provide support to victims going through criminal and family court proceedings.

All commissioned services are available to both male and female victims of domestic abuse.

There are also a number of other non-commissioned services within the county which provide significant additionality to the provision. However, these services are often time limited and reliant on grant funding.

In April 2021, the Council received notification of a new grant award from the Ministry of Housing, Communities and Local Government (MHCLG) totalling £1.47 million relating to the new burdens associated with the implementation of the Act. The timescales relating to the acceptance of this grant and the expectation that the grant be utilised in 2021/22, required that an urgent officer decision, by the Managing Executive Director be taken to secure the funding. This decision was taken in consultation with the Cabinet Member for Health and Communities. Any delays, at that time, may have impacted the Council's ability to deliver against the new statutory duty in the current financial year and may have impacted grant allocations in subsequent years.

Cabinet are asked to note the urgent decision taken by the Managing Executive Director, details of which are included in the urgent officer decision record attached at Appendix 2 for information to this report.

Since 2015/16 the Council has successfully secured grant funding from MHCLG of approximately £0.52m pa to enhance the commissioned services. This grant was utilised by a range of local providers to make specialist services more visible and accessible to those under-represented, and to provide more intensive support to clients with

complex needs in emergency accommodation. This competitive grant has been replaced by the new grant award outlined above.

Arrangements in place under the previous grant funding have been extended up until end September 2021. In order to ensure continuity of provision whilst longer-term commissioning decisions are taken following completion of the needs assessment, agreement is being sought to further extend these grants up to the end of March 2022. The cost of this additional extension would be £262k and would be met by the grant funding received by the Council for 2021/22.

In anticipation of the Act, the Council has been working with partners for a number of months to ensure a robust and timely response to the new requirements. Despite this, and the existing governance structures and services in place, the timescales outlined in the statutory guidance are challenging. Not least because the grant funding available to support this duty will need to be utilised in year. The focus to date has therefore been on undertaking the needs assessment as this is a critical document which will inform strategy development, commissioning decisions, governance structures and the development of partnership arrangements as follows:

- Needs Assessment - The needs assessment is well underway and is being undertaken jointly with Derby City, with multi-agency support. To supplement the data held by partners, the views of statutory agencies, the third sector, community and faith groups and the wider public is being sought. It is anticipated that the interim findings will be reported in July, but the assessment will not be finalised until late summer due to delays in the public consultation.

The local strategy is to be developed and published by September 2021 and this will be subject to a further report to Cabinet in due course.

- Partnership Arrangements - From a partnership perspective, the Domestic Abuse and Sexual Violence Governance Board (the Board), which is a sub-group of the Derbyshire Criminal Justice Board currently provides partnership oversight in relation to domestic abuse. The Board covers both the City and County and there is a strategy in place which also covers both areas. Whilst the existing partnership arrangements are strong and give a good foundation, the Act raises a number of considerations which will need to be worked through at a local level in order for the Board to meet the requirements of an LPB. These relate to where the

Board should report and representation of district and borough councils, specialist support providers and survivors.

Under the new arrangements the LPB and the strategy to remain joint across the City and County.

4.3 Next Steps

Following the completion of, and in response to the needs assessment, a programme of work which identifies potential future activity, will be established. The most appropriate delivery option/s will need to be assessed at this point but may include the requirement to commission additional services, to enter into grant agreements directly with service providers and/or to implement variations to existing contracts.

The programme of work will need to take account for the fact that whilst MHCLG has committed to provide funding in future years, this will be dependent on the spending review and how grant funding allocated to the Council in the current financial year has been utilised.

To avoid delays in delivering the new statutory duty in the current financial year, and negatively affect grant allocations in subsequent years, it is requested that decisions relating to expenditure of the grant be delegated to the Managing Executive Director in consultation with the Cabinet Member for Health and Communities.

5. Consultation

- 5.1 In order to conduct the needs assessment referred to above, data has been collected from appropriate agencies able to supply information regarding the impact of domestic abuse on their services. Surveying of professionals, faith and charitable agencies have already been carried out and surveying of the public for views on domestic abuse services is currently underway. Whilst this is not a statutory consultation exercise, the findings of this engagement exercise will inform the development of future strategy and the programme of work.

6. Alternative Options Considered

- 6.1 There are two alternative options which have been considered, these are outlined below;
- Taking no action in response to the introduction of the Act – By taking no action the Council would not be meeting the statutory duties placed on it by the Act.

- Not delegating authority to spend the grant against a programme of work – There is an expectation that the grant funding provided by MHCLG be spent in year and underspend could impact the level of grant funding provided to the Council in future years. Expedited decision making is required to ensure the programme of work developed in response to the need's assessment is implemented swiftly. Furthermore, any delays in the delivery of the programme of work will negatively impact the Council's ability to provide support to victims of domestic abuse and their families.

7. Implications

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

8. Background Papers

- 8.1 Recommissioning of Domestic Abuse Services Cabinet Report – 18 April 2019

Provision of a Derbyshire Domestic Abuse Support Service Cabinet Report – 22 October 2019

Extension of Grant Funding – Domestic Abuse Report to Managing Executive Director - 1 February 2021

Acceptance of MHCLG Grant Officer Decision and Decision Review Report – 1 April 2021

9. Appendices

- 9.1 Appendix 1 - Implications

- 9.2 Appendix 2 - Acceptance of MHCLG Grant Officer Decision and Decision Review Report – 1 April 2021

10. Recommendation(s)

That Cabinet:

- Note the new statutory duties placed on the Council by the Domestic Abuse Act 2021 and the broader changes which have been outlined in the Act.
- Note the Urgent Officer Decision to accept the 2021/22 grant of £1.47m to support the implementation of the new statutory duty to provide

emergency accommodation for victims of domestic abuse and their families.

- c) Note the work that has been taking place within the Council on the development of a need's assessments and the establishment of new governance arrangements to support delivery.
- d) Receive a further report in October 2021, outlining progress on the development of a new local strategy
- e) Delegate decisions relating to the future commissioning and/or grant funding of services to the Managing Executive Director in consultation with the Cabinet Member for Health and Communities on completion of the needs assessment as outlined in the report.
- f) Approve the extension of grant funding to specialist providers from October 2021 – end March 2022 at a cost of £262,000 to be met by the MHCLG grant, as set out in the report.

11. Reasons for Recommendation(s)

- a) To ensure Cabinet have an understanding and awareness of the new statutory duties placed on the Council under the Domestic Abuse Act 2021.
- b) Under the financial regulations, it is a requirement that all urgent decisions of this nature, taken by officers are reported to Cabinet.
- c) To ensure Cabinet are sighted on the work undertaken to date in relation to the implementation of the Domestic Abuse Act 2021.
- d) To provide an update on the local response to the Domestic Abuse Act 2021 and to seek support for the domestic abuse strategy.
- e) To ensure that decisions are taken in a timely way to facilitate spend against grant funding from MHCLG in 2021-22.
- f) To ensure continuity of provision whilst the needs assessment is completed, and the programme of work developed.

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

12.1 No

Report Author: Christine Flinton

Contact details: Christine.flinton@derbyshire.gov.uk

Implications**Financial**

- 1.1 The Council has been awarded £1,471.203 for 2021/22, through a section 31 grant to meet the burden of the new statutory duty. This was accepted by means of an urgent officer decision by the Managing Executive Director on 8 April 2021. The Cabinet Member, Health and Communities was consulted, and was in agreement with the acceptance of this grant.

A breakdown of the proposed grant extensions detailed within the report is provided in the table below.

	£
The Elm Foundation	75,150
Crossroads Derbyshire	42,034
Salcare (ESCAPE)	14,896
NCHA (Derbyshire WISH)	95,817
Good News Family Care	33,851
Total Expenditure	261,748

Legal

- 2.1 The Council's Constitution provides that "notwithstanding any other provision of the Constitution Strategic Directors shall have the power, after discussion, if practicable, with the Leader of the Council or the relevant Cabinet Member or Chair, to take such actions deemed to be necessary and expedient in matters requiring urgent consideration and which, because of the timescale involved, or the need to safeguard the interests of the County Council, cannot be dealt with by submission to the next following meeting of the Council, Cabinet, Cabinet Member or Committee." The Director of Legal Services will provide appropriate advice in relation to procurement and award of contract/grant/s to ensure compliance with the County Council's Financial Regulations and relevant procurement regulations.

Human Resources

- 3.1 None identified

Information Technology

- 4.1 None identified

Equalities Impact

- 5.1 Domestic abuse is a complex crime that can affect anyone, leaving physical and emotional scars on victims for a lifetime and impacting on their families and society into the future. However, evidence suggests that it is an issue which disproportionately affects women and children and that there is an under-representation in services of male victims and LGBTQ+ victims. The grant funded services will enable the specialist providers to continue to provide enhanced support to those with complex needs and to continue development work to increase engagement from under-represented groups.

Supporting victims and their families to access specialist support services at the appropriate time enables them to make their own choices and live independently, reducing the impact on communities and the need for them to access wider services, for example social care and health services.

Corporate objectives and priorities for change

- 6.1 The work outlined in the report will contribute to the following key priorities for the Council
- resilient, healthy and safe communities
 - high performing, value for money and resident focused services
 - effective early help for individuals and communities
7. **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**
- 7.1 The work outlined in this work will support the safeguarding of victims of domestic abuse and their families and will support the reduction of crime and disorder, substance misuse and anti-social behaviour.

**DERBYSHIRE COUNTY COUNCIL
OFFICER DECISION AND DECISION REVIEW RECORD**

Officer: Emma Alexander <i>*For emergency powers, this would be the Executive Director</i>		Service: Community Safety
Delegated Power Being Exercised: Acceptance of MHCLG Grant <i>*The delegation detailed in the Constitution to the specified officer or emergency powers</i>		
Subject of Decision: (i.e. services affected)	New Statutory Duty - Provision of emergency accommodation for victims of domestic abuse and their families	
Is this a review of a decision? If so, what was the date of the original decision?	No	
Key decision? If so have Democratic Services been notified?	Yes Democratic Services will be informed with the view to this being added to the Forward Plan within 28 days of the next Cabinet meeting.	
Decision Taken (specify precise details, including the period over which the decision will be in place and when it will be (further) reviewed):	<p>To accept grant funding of £1.417m for 2021/22 to support the new statutory duty in relation to the provision of emergency accommodation for victims of domestic abuse and their families.</p> <p>The Domestic Abuse Bill is due for Royal Assent in April 2021.</p> <p>The Bill will put in place a statutory framework for the delivery of support to victims of domestic abuse and their children in safe accommodation and provide clarity over governance and accountability, this will include a duty on each tier one local authority in England (county and unitary councils) to appoint a multi-agency Domestic Abuse Local Partnership Board which it will consult as it performs certain specified functions. These are to:</p> <ul style="list-style-type: none"> • assess the need for accommodation-based domestic abuse support • develop and publish a strategy • give effect to the strategy • monitor and evaluate the effectiveness of the strategy • report back to central government <p>New burdens funding is being provided to</p>	

	<p>Local Authorities and will be paid via a Section 31 grant. On 3 March 2021 MHCLG announced the allocations and Derbyshire County Council was awarded £1,471,203 for 2021/22.</p> <p>Since 2015 DCC has secured grant funding from MHCLG of approx. £0.52m pa to provide the domestic abuse services to support victims with complex needs in emergency accommodation. The final grant award terminates at the end March 2021. On 1 February 2021 CCP DMT agreed to underwrite the extension of these grants up until September 2021 pending the funding announcement. It is proposed that the cost of this extension will now be met from the grant funding.</p> <p>Further details about the grant (including approval of decision and approval to commission and allocate resources will be subject to a report to the next meeting of Cabinet in May 2021.</p>
Reasons for the Decision (specify all reasons for taking the decisions including where necessary reference to Council policy and anticipated impact of the decision) Where the decision is subject to statutory guidance please state how this has been taken into consideration.	MHCLG anticipate payment of the grant in April 2021 and have an expectation that it is spent or committed during this financial year. It is therefore essential that approval to accept the grant be sought as a matter of urgency as any delays will impact the ability to deliver against the new statutory duty in the current financial year and may impact grant allocations in subsequent years.
Alternative Options Considered (if appropriate) and reasons for rejection of other options	N/A
Has a risk assessment been conducted? - if so, what are the potential adverse impacts identified and how will these be mitigated?	No
Would the decision normally have been the subject of consultation with service users and the public? If so, explain why this is not practicable and the steps that have	No

or will be taken to communicate the decision		
Has any adverse impact on groups with protected characteristics been identified and if so, how will these be mitigated?		There are no adverse impacts on groups with protected characteristics. Accepting the grant will enable the Authority to enhance provision of support to vulnerable victims of domestic abuse and their families.
Background/Reports/Information considered and attached (including Legal, HR, Financial, Equality and other considerations as required))		The grant will be paid to the Council as a Section 31 Grant.
Consultation with relevant Cabinet Member (s) – please note this is obligatory.		Consultation has been undertaken with Cllr Hart, Cabinet member Health and Communities, who is supportive of the acceptance of the grant.
Approval of Chair of appropriate Improvement and Scrutiny Committee where call in is intended to be waived – please note this is obligatory in those circumstances		N/A
Decision:	Approved by Emma Alexander, Managing Executive Director	
Signature and Date:		

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Agenda Item No. 6(c)

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

8 July 2021

Report of the Executive Director - Place

**Report Seeking Approval to Procure Projects in Addition to Latest
Departmental Forward Plan**

(Highways, Asset and Transport)

1. Divisions Affected

1.1 County-Wide

2. Key Decision

2.1 The four procurements are not a Key Decision, given their estimated value is less than £500,000

3. Purpose

3.1 This report is seeking to obtain permission to procure three projects which were not included in the latest 2021-2023 departmental Forward Plan.

3.2 This approval will allow Award of Contract to be approved by the Executive Director in line with DCC Financial Regulations and the Scheme of Delegation.

4. Information and Analysis

4.1 Details of the proposed procurements are detailed in the table below:

Contract Title	Estimated Value over 4 years £	Key Decision
Supply & Fitment of Vehicle Tyres	360,000	No
Provision of Lubricants, Oils and Greases (CETE047)	140,000	No
Provision of Managed Vehicle Breakdown and Recovery service	310,000	No

4.2 Note – Estimated values are based on a four year framework period.

5. Consultation

5.1 N/A

6. Alternative Options Considered

6.1 N/A – These contracts are ‘business as usual’ meaning the Council cannot operate without these contracts in place. If they are not re-procured, the Authority would be in breach of Financial Regulations.

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.

10. Recommendation(s)

That Cabinet:

- a) Grants permission to procure the three procurement projects outlined in the body of this report.
- b) Acknowledges that approval to award can be granted by Executive Director - Place under the scheme of delegation.

11. Reasons for Recommendations

- 11.1 To allow the commencement of the procurements listed in this report and retain compliance with DCC's financial regulations

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

- 12.1 No

Report Author: George Davies

Contact details: 35453

This report has been approved by the following officers:

On behalf of: Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)	
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Appendix 1

Implications

Financial

1.1 The Procurements listed in this report will be undertaken in accordance with the Authorities Financial Regulations

Legal

2.1 The Procurements listed in this report will be undertaken in accordance with the Regulations governing Public Procurement. (Public Contract Regulations 2015)

Human Resources

3.1 N/A

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 N/A

Corporate objectives and priorities for change

6.1 N/A

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

7.1 N/A



Agenda Item No. 6(d)

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

8 July 2021

Report of the Executive Director - Place

**A61 Growth Corridor Strategy – Funding for Chesterfield Station
Masterplan (Hollis Lane Link Road Phase 1) (Highways Assets and
Transport)**

1. Divisions Affected

1.1 Spire

2. Key Decision

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is significant having regard to the budget for the service or function concerned.

3. Purpose

3.1 To note the Urgent Officer Decision to confirm an additional contribution of £0.992 million towards delivery of the Hollis Lane Link Road Phase 1 (with an equal contribution from Chesterfield Borough Council). This falls within the context of an increase in the required budget for the project of £1.983 million (from £8.808 million to £10.791 million) to accommodate an increase in the design and delivery costs. This also includes an additional contingency amount of £191,000 (i.e. an increase from £363,000 to £554,000), based upon a revised assessment of project risks.

4. Information and Analysis

4.1 Background

In recent years, Cabinet has received a number of reports relating to the A61 Growth Corridor programme of works which has benefitted from financial support totalling £8.5m via the Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2 LEP) in the form of Local Growth Fund (LGF) grant. This grant funding programme closed on 31 March 2021, with a number of Derbyshire projects having benefitted from targeted financial support. Although all available LGF monies have been spent within the required timescales, delivery of some of the projects is still in progress:

- Ashbourne Airfield Link Road and Roundabout (£1m)
- Woodville to Swadlincote Regeneration Route (£6.4m)
- A61 Growth Corridor
 - Standard Gauge for Sustainable Travel (£1.69m)
 - 21st Century Transport Corridor (£3.0m)
 - Hollis Lane Link Road Phase 1 (within the Chesterfield Station Masterplan) (£3.81m)

4.2 Each of the above projects have been complex, requiring planning consents, land assembly (often from multiple vendors), multiple legal agreements, design and construction. Working over the last year under the challenges of Covid-19 has impacted upon costs and delivery programmes, and Government has offered no relaxation of the requirement for all LGF grant to be drawn down by the end of the 2020-21 financial year. This has meant that, with the delivery of projects already committed, any shortfall in grant funding draw-down would have had to be met from other sources, or the projects cancelled and 'sunk' costs met from revenue budgets. Fortunately, as advised above, each of these projects has progressed sufficiently to allow all allocated LGF to have been drawn down in full, prior to 31 March 2021, thereby protecting the Council's investment and maximising access to external funding.

4.3 Hollis Lane Link Road Phase 1

The County Council and Chesterfield Borough Council (CBC) have been working together, alongside other partners such as Network Rail, for a number of years to bring forward the Chesterfield Station Masterplan, and particularly since the Government announced that HS2 services would call at Chesterfield Rail Station from 2033.

4.4 The Masterplan, showing wholesale regeneration and redevelopment of the station area, has been drafted by CBC and was the subject of

public consultation earlier in 2021; the results of this are currently being assessed by CBC. The regeneration ambitions require an appropriate balance of housing and employment development, new highways infrastructure, public realm at the railway station entrance gateway, car parking and a high standard of pedestrian and cycle connection to the town centre.

- 4.5 The delivery of enabling highways infrastructure within the Masterplan area will bring forward brownfield land that is currently largely unused or underused (e.g. for car parking). Local people will benefit from the creation of a significant number of new jobs through the delivery of employment growth areas and accelerating the completion of new housing to support growth, including delivery of more affordable homes.
- 4.6 The first phase of the Hollis Lane Link Road is to create a new southern access to the railway station car park and has been able to proceed ahead of Masterplan adoption as it delivers highway and connectivity benefits in its own right, without prejudicing other proposals. Its alignment is fixed by the adjacent A61 Inner Relief Road to the west and the Midland Mainline to the east, so would not be altered by any decisions taken over land to the north.
- 4.7 Cabinet last considered a report on the Hollis Lane Link Road Phase 1 at its meeting of 10 December 2020 (Minute No. 229/20 refers), where the total project budget was reported as £8.808 million. The activities covered by this budget include highway construction at Spa Lane, for which enabling works are already on site, and the acquisition and preparation of a second site (on Sheffield Road) onto which a displaced business is being relocated (the business currently occupying at Spa Lane, immediately adjacent the new link road and which, in due course, will allow the delivery of commercial plots).
- 4.8 The Sheffield Road site was acquired pro-actively by Chesterfield Borough Council, but its preparation for occupation has been particularly complex, given the need for legal agreements with its intended occupant and also with third parties, in order to ensure a means of access and utilities supplies and diversions. All these issues have needed to be resolved within the LGF timescales which has resulted in cost estimates having to be carried out in a 'pre-contract environment', with the contract itself only issued on completion of the required legal agreements.
- 4.9 Since the project was reported to Cabinet in December 2020, the Hollis Lane Project Team (County and Borough Council officers, plus specialist advisors) has carried out a thorough review of the project

costs, as a result of which it has been necessary to increase the budget. The specific areas identified are:

Project Component	Previous Budget	Revised Budget	Increase
Sheffield Road (Relocation Site)	£4,091,662	£5,289,108	£1,197,446
Hollis Lane Link Road (Construction)	£3,595,896	£3,659,106	£63,210
Design & Project Management Costs	£757,610	£972,880	£215,270
Governance, Legal Agreements & Advice (including disbursements such as stamp duty)	Previously split across above figures	£315,329	£315,329
Contingency	£362,590	£553,970	£191,280
Total	£8,807,758	£10,790,293	£1,982,535

- 4.10 This has been a significant increase in costs and an initial review has already taken place to understand how project costs could have been forecast earlier in the development process; this review is not yet complete and more work is planned over the coming months.
- 4.11 Under the terms of the Collaboration Agreement which the County Council and CBC have signed to ensure robust partnership working, this increase of £1.98m will be shared equally by the two authorities (i.e. a 50/50 split of additional costs). Cabinet should note that previously agreed contributions from CBC exceed those from the County Council.
- 4.12 As noted above, the absolute requirement to draw down all LGF monies by 31 March 2020 put pressure on the timescales for issuing the contract for preparation of the Sheffield Rd site (equivalent to £1.2m, the amount of LGF remaining to spent) and hence a need to increase the project budget. An Urgent Officer Decision was therefore taken on 22 March 2021 to allow virement of £0.992 million (50% of the cost increase) to the project budget, which Cabinet is now requested to note. The other 50% of the increased budget is provided by Chesterfield Borough Council under the terms of a Collaboration Agreement between the two Councils. This Urgent Officer Decision report contains details of the construction contract for the Sheffield Road site and is attached as an exempt appendix (Appendix 2).

5. Consultation

- 5.1 None associated with this decision. Public consultation on the Hollis Lane Link Road was carried out ahead of its submission for planning consent. Consultation on the wider Station Masterplan by Chesterfield Borough Council has just been completed but does not directly impact the Urgent Officer Decision or the proposals contained in this report.

6. Alternative Options Considered

- 6.1 Alternative options to increasing the budget considered were:

- a) Cease work on the project and cancel the scheme. This was not considered a viable option as circa £2.2m of eligible LGF monies had been spent already. If the project ceased, this would constitute a default against the Local Growth Fund grant and it is highly likely that all of these costs would have to be paid back in full to the D2N2 LEP. The majority of these abortive costs would need to be met from revenue budgets. There would also be additional costs associated with making good areas of land where site investigations and other works have been started.
- b) Reduce the deliverables on the project to match the available budget. This would materialise in reducing the amount of the new Link Road that could be delivered. This was not considered to be a suitable option as it is not in the spirit of the County Council's grant agreement with the LEP and could still lead to claw back of funding if the LEP considered that the milestones for the project had not been achieved. Also, it is likely this option would simply result in a request for additional funding from the promoting authorities at a future date to cover the items not delivered in Phase 1.
- c) To explore options for an alternative contractor. This was not considered viable because it would have meant the remaining £1.2m of the LEP funding would not be possible to spend by 31 March 2021 and therefore would be at risk of clawback, increasing the funding gap even further. In addition, the delay to the project timeline of another procurement process would put pressure on the build process, not necessarily result in a reduction in the price and would require additional client and project management time to progress, so reducing any ultimate saving on price.

7. Implications

- 7.1 Implications of this decision are set out in Appendix 1.

8. Background Papers

- 8.1 The exempt Appendix (2) provides the Urgent Officer Decision containing details of the construction contract and negotiation for the Sheffield Road site.

9. Appendices

- 9.1 Appendix 1: Implications.
 9.2 Appendix 2 (exempt): Urgent Officer Decision (containing details on construction contract and negotiation).

10. Recommendation(s)

That Cabinet:

- 10.1 Notes the Urgent Officer Decision to confirm a further £0.992 million contribution from Derbyshire County Council towards the Chesterfield Station Masterplan (Hollis Lane Link Road Phase 1) Project, which forms part of the A61 Growth Corridor Strategy.

11. Reasons for Recommendation(s)

- 11.1 The Urgent Officer Decision was required in order to avoid the consequences set out in the body of the report.

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

- 12.1 No.

Report Author: Jim Seymour Contact details: 38557

This report has been approved by the following officers:

On behalf of: Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)	
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Appendix 1

Implications

Financial

- 1.1 The previous estimate for the Hollis Lane Link Road project was £8.808m, made up of the following proposed funding:

Funding Source	Contribution £m
D2N2 LEP Grant	3.808
Derbyshire County Council	1.300
Chesterfield Borough Council	3.700
Total Funding	8.808

- 1.2 This now becomes:

Funding Source	Contribution £m
D2N2 LEP Grant	3.808
Derbyshire County Council	2.292
Chesterfield Borough Council	4.692
Total Funding	10.792

- 1.3 The revised cost estimates are set out in Paragraph 4.8 above. The sources of the approved virement of the additional County Council contribution (£0.992m) are:

- ETE capital allocations of £930,000 (Local Transport Plan 2019)
- ETE capital allocations of £62,000 (Local Transport Plan 2020).

Legal

- 2.1 None

Human Resources

- 3.1 None

Information Technology

- 4.1 None

Equalities Impact

5.1 None.

Corporate objectives and priorities for change

6.1 None.

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

7.1 The project involves the acquisition of property for the purposes of highway construction and for associated commercial development.



**FOR PUBLICATION
DERBYSHIRE COUNTY COUNCIL**

CABINET

8 July 2021

Report of the Executive Director of Children's Services

**Outcome of the Statutory consultation on the proposed conversion of Mickley
Infant School to a Primary School**

Education

1. Divisions Affected

1.1 Wingerworth and Shirland

2. Key Decision

2.1 This is not a key decision

3. Purpose

3.1 To report to Cabinet the outcome of the statutory consultation carried out for Mickley Infant School to propose the conversion to a Primary School, and to seek Cabinet's approval to expand the school and to increase the age range of pupils at the school for the new primary phase.

4. Information and Analysis

Mickley Infant and Nursery School currently provides education for children aged 3 to 7 years. The school was designed as an infant only site to accommodate 40 infant age pupils and a 20 place nursery. The nursery numbers are fluid dependent on the number of reception children already in school as the class is run as an Early Years Foundation Stage (EYFS) unit. The school also offers 30 hour funded places for those parents who can access this.

The core facilities (hall and dining) accommodate their existing pupils. There is no library or separate physical education facility.

The expansion of the school and the change of age range would support the housing development in the locality with land potentially being available to expand the site next to the school or at the rear of the school as it backs onto farmland.

The school and local community recognises and supports the need for the expansion of the age range to become a primary school and last year a petition in support of the expansion was forwarded to the Cabinet Member for Young People. Currently most children attend Shirland Primary School for their junior provision.

The estate where Mickley Infant & Nursery School is situated has poor public transport links and this is exacerbated by the fact that the bus that they currently use has been stopped in the evenings. Historically, the parents have organised and funded this but it is no longer financially viable. As a result, parents are struggling to ensure that their children arrive and return from Shirland Primary School in time for the school day. As a response to this, Mickley Infant School has been forced to shorten its school day as parents could not be in two places at once.

There is a planning application for 120 dwellings in the normal area of the school which would yield an additional 24 primary school aged children. Shirland Primary School is unable to expand any further and following the DfE Building Bulletin 103 guidance on accommodation requirements, Mickley Infant School has space to become a Primary School with a pupil admission number of 10 per year group and a capacity of 70.

A non-statutory consultation took place from 24 September 2020 until 12 November 2021 to gauge opinion on the proposal to change Mickley Infant School to a Primary School. The outcome of that consultation was reported to Cabinet on 11 March 2021 (minute number 56/21) and members approved the proposal to undertake a statutory consultation.

5. Consultation

- 5.1 The statutory consultation was carried out for a four-week period between the 18 April 2021 to 19 May 2021 in accordance with the formal statutory process as set out in the DfE statutory guidance, '*Making Significant Changes (prescribed alterations)*' to *Maintained Schools*' (October 2018). There were 53 responses to the consultation. 52 responses were in overwhelming support of the proposal. There were common themes to the responses and therefore they have been grouped together.

General

43 respondents simply provided general support for the proposal or identified it as being in the best interests of children, the school and the community.

Quality

7 respondents expressed satisfaction at the quality of the existing school provision and would welcome the opportunity to continue their child's education there if the school were a primary.

Transportation

23 respondents expressed concerns around distance and travel of the existing junior provision; numerous features were cited in particular:

9 respondents reported their concern for having no means of transportation and the current poor transportation links to the existing junior provision.

6 respondents highlighted current safety concerns around travelling on foot to the alternate primary provision, especially in the winter months.

8 respondents noted their struggles, pressures or upcoming concerns in getting siblings of differing ages to different schools that are not close in distance

Housing Developments

2 respondents expressed concerns around housing developments at neighboring Primary Schools and the impact on those schools then having enough capacity for the children from Mickley; the proposal would reduce the concerns of being able to be accommodated at other schools.

Transition

1 respondent identified that by extending the schools age range the children would be relieved of a potential stressful situation of transitioning to another school.

Other responses

A neighbouring Primary School responded requesting additional information. Additional information was provided prior to the closure of the consultation and an Officer of the Authority has since met with the school and a representative of the governing body to further clarify points raised. The main points requiring clarification were:

Pupil admission arrangements (PAN) to the affected local Primary school following expansion of their site and normal area consultation.

Local Authority Response:

An officer met with the School and explained the consultation processes of increasing a school's PAN when a school has two forms of intake being the reception year and at KS2. The Authority has agreed to the Primary School exceeding their reception PAN to 30 so that as Mickley grows their KS2 provision year on year, the school's numbers are not compromised. It is envisaged and has been discussed with both affected schools, that in preparation for Mickley having full KS2 provision (by 2025) the KS2 intake be removed from the neighbouring school, and a further consultation be undertaken to determine each school's normal area as set out by the Schools Admissions Code 2014.

Planning applications detailed in the consultation were inaccurate

Local Authority Response:

The Authority were only able to provide information on approved planning applications at the point of consultation. It is recognised that there may be other applications in the pipeline but until a formal planning application has been made, these cannot be considered.

Concerns of misappropriation of approved S106 funding

Local Authority Response:

Any approved S106 payments with a named school will be expended at that named school.

The Consultation did not identify the funding for the proposed expansion required at Mickley

Local Authority Response:

The funding of the project will be subject to a separate Cabinet Report.

Availability of additional land referred to in the consultation

Local Authority Response:

Mickley Infant School has a sufficient site size in accordance with BB103 for the proposed capacity of 70 with a PAN of 10. The additional land referred to in the consultation was detailed should the school need to extend its capacity

to accommodate additional pupil yields. If this is required, officers will undertake negotiations with the relevant landowners.

The consultation did not detail a timeline for the proposal

Local Authority Response:

It is proposed that Mickley Infant School be able to admit year 3 pupils from September 2022 concurrently with the additional accommodation being built.

6. Alternative Options Considered

- 6.1 Not to proceed – The school would remain an Infant School and the children would go to an alternative location for their Junior provision. When reviewing the responses to the statutory consultation it would be the preferred option to proceed with the change of age range and include junior provision at the current Mickley Infant School by extending its age range and making it a primary school.

7. Implications

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

8. Background Papers

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

9. Appendices

- 9.1 Appendix 1- Implications.

10. Recommendation(s)

That Cabinet:

- (1) considers the statutory consultation responses and the publication of the statutory notice; and
- (2) considers approving the proposal to change the status of Mickley Infant School to a Primary School by expansion of the school premises to increase the age range of pupils at the School.

11. Reasons for Recommendation(s)

- 11.1 In response to the overwhelming support from the outcome of the pre-publication and statutory consultations.

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

12.1 No

Report Author: Jenny Webster

Contact details: x35808

Implications

Financial

- 1.1 A feasibility was carried out for the additional accommodation in 2019 which could be phased. An update will be required to confirm the agreed option, phasing and ultimately the estimated budget cost. The cost however is expected to be in the region of £1M for the first phase. Funding is the subject of a separate report to Cabinet. Subject to funding, the design and project delivery will be procured through Concertus Derbyshire Ltd for completion in accordance with a project programme to be agreed.

Legal

- 2.1 A local authority which is proposing to make a 'prescribed alteration' to a maintained school is required to publish its proposals in accordance with section 19 of the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ("the Regulations") and relevant DfE statutory guidance, '*Making Significant Changes (prescribed alterations) to Maintained Schools*' (October 2018) sets out the procedure for making a prescribed alteration, which includes altering the lower age limit of a community school, including the addition of nursery provision. The Regulations require the publication of the Authority's proposal on its website and a notification of the proposal (including the website where the proposals are published) in a local newspaper. Once the proposals have been so published, there follows a four-week representation / formal consultation period, during which time any person may make representations to the Authority on the proposal. This consultation was carried out from the 18 April to 19 May 2021 following approval from Cabinet on the 11th March 2021. Within two months of the end of the representation / formal consultation period, the Authority is required to make a decision as to whether or not to implement the proposal. Should a decision not be made by the Authority within this time frame, the proposal must be sent to the Office of the Schools Adjudicator for determination. Pursuant to section 13 of the Education Act 1996 the local authority shall (so far as their powers enable them to do so) contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.

Human Resources

- 3.1 The school will increase their staffing with suitably qualified personnel accordingly with the incremental increase in year groups.

Information Technology

4.1 None

Equalities Impact

5.1 No Impact – The school do not currently have an equalities impact assessment.

Corporate objectives and priorities for change

6.1 Not applicable

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

7.1 A primary school is able to organise and co-ordinate the teaching across the primary phase, and there is no need for a transition between infant and junior schools; the transition from infant to junior can be unsettling for some children and impact on educational progress, parents may have children in both infant and junior schools at separate locations thus presenting travel and time issues in getting children to school.



**FOR PUBLICATION
DERBYSHIRE COUNTY COUNCIL**

CABINET

8 July 2021

Report of the Executive Director of Children's Services

**Outcome of the Statutory consultation on the proposed alteration of the lower
age limit at Brackenfield School**

Education

1. Divisions Affected

1.1 Countywide

2. Key Decision

2.1 This is a key decision

3. Purpose

3.1 To report to Cabinet the outcome of the statutory consultation carried out for Brackenfield School to alter the lower age range from 4 years to 3 years so that the school can offer Nursery provision and to seek a decision on the proposal.

4. Information and Analysis

A non-statutory consultation took place from 15 December 2020 until 26 January 2021 to gauge opinion on the proposal to change the age range at Brackenfield Special School from 4 years to 3 years by extending the provision to include both Foundation Stage 1 and Foundation Stage 2 children. The outcome of that consultation was reported to Cabinet on 11 March 2021 (minute number 55/21) and members approved the proposal moving to statutory consultation. The Authority has confirmed that the school

already has adequate staffing and premises for a maximum 8-place Nursery. If implemented, this proposal would allow the school to offer families a seamless and comprehensive education program for children from 3 years. During the four-week consultation period one response was received in support of the proposal.

5. Consultation

- 5.1 The statutory consultation was carried out for a four-week period between the 18 April 2021 to 19 May 2021 in accordance with the formal statutory process as set out in the DfE statutory guidance, '*Making Significant Changes (prescribed alterations)*' to *Maintained Schools*' (October 2018). One response was received in support of the proposal.

6. Alternative Options Considered

- 6.1 Not to proceed – The school would keep their lower age range of 4

7. Implications

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

8. Background Papers

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

9. Appendices

- 9.1 Appendix 1- Implications.

10. Recommendation(s)

That Cabinet:

- (1) Considers responses to the statutory consultation; and
- (2) Consider approving the publication of the statutory notice to lower the age range at Brackenfield School from 4 years to 3 years so that it can offer nursery provision.

11. Reasons for Recommendation(s)

- 11.1 In response to the support from the outcome of the pre-publication and statutory consultations.

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

12.1 No

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Implications

Financial

- 1.1 It is proposed to locate the nursery within the existing early years setting and there will be no additional building or staff costs.

Legal

- 2.1 A local authority which is proposing to make a prescribed alteration to a maintained school is required to publish its proposals in accordance with section 19 of the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ("the Regulations") and the DfE statutory guidance, '*Making Significant Changes (prescribed alterations) to Maintained Schools*' (October 2018) sets out the procedure for making a prescribed alteration, which includes altering the lower age limit of a community school, including the addition of nursery provision. The Regulations require the publication of the Authority's proposal on its website and a notification of the proposal (including the website where the proposals are published) in a local newspaper. Once the proposals have been so published, there follows a four-week representation / formal consultation period, during which time any person may make representations to the Authority on the proposal. This consultation was carried out from the 18 April to 19 May 2021 following approval from Cabinet on the 11th March 2021. Within two months of the end of the representation / formal consultation period, the Authority is required to make a decision as to whether or not to implement the proposal. Should a decision not be made by the Authority within this time frame, the proposal must be sent to the Office of the Schools Adjudicator for determination.

Human Resources

- 3.1 The school has Early Years trained staff already on the teaching and support staff and their contracts would be varied through agreement if applicable.

Information Technology

- 4.1 None

Equalities Impact

- 5.1 No Impact – The school do not have an Equalities impact assessment.

Corporate objectives and priorities for change

- 6.1 Not applicable

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

- 7.1 Research has shown that when schools provide Early Years education, pupils make improved progress as they move between Early Years and Key Stage 1, allowing for consistent progress. The transition becomes a smooth and effective process allowing the children to settle more quickly. Staff can get to know the parents/carers on entry and build on this partnership in the ensuing years; it provides the continuity of education and provision through a single leadership team and governing body.

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