

PUBLIC

**MINUTES** of a meeting of **CABINET** held on Thursday, 14 October 2021 in the Members Room at County Hall, Matlock

## **PRESENT**

Councillor B Lewis (in the Chair)

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

Apologies for absence were submitted for Councillor N Renwick.

### **Declarations of Interest**

There were no declarations of interest.

### **163/ MINORITY GROUP LEADER QUESTIONS 21**

The following questions had been submitted on behalf of Councillor E Fordham:

#### **Agenda item 6(a) – Climate Change Strategy & Action Plan**

1. Unlike other Councils, the Climate Change Strategy has been drawn up without any extensive or meaningful public consultation. When this consultation takes place, will the relevant officers update the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction in a timely fashion on the changes to the Strategy as a result of the consultation exercise?
2. The Climate Change, Biodiversity and Carbon Reduction Committee requested that a SMART action plan, developed from the Strategies Appendix A - Action Long List - be submitted to the next meeting of this Committee (29 Nov). Will the Cabinet agree with the Committee and support this request?

#### **Agenda item 6(b) – Single Use Plastics Policy**

1. The SUP policy appendix five sets out a series of actions to be enacted as part of this policy. When will these actions be carried out and how will the success of this policy be measured?
2. Will the Cabinet accept the request of the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction, that the SUP policy should be subject to annual review by this Committee and not be subject to a review every three years?

A written response to each question would be provided to Councillor Fordham.

**164/  
21** **MINUTES**

**RESOLVED** – that the non-exempt minutes of the meeting of Cabinet held on 9 September 2021 be confirmed as a correct record.

**165/  
21** **CABINET MEMBER MEETINGS - MINUTES**

**RESOLVED** – to receive the non-exempt minutes of Cabinet Member meetings as follows:

- (a) Health & Communities - 2 September 2021
- (b) Strategic Leadership, Culture, Tourism & Climate Change - 3 September 2021
- (c) Children's Services & Safeguarding - 7 September 2021
- (d) Education - 7 September 2021
- (e) Corporate Services & Budget - 9 September 2021
- (f) Adult Care - 16 September 2021

**166/  
21** **CLIMATE CHANGE STRATEGY AND ACTION PLAN**

The Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change provided an update on the development of the Council's Climate Change Strategy and Action Plan and climate change and sought approval of the Strategy and delivery of the actions across the Council.

The Derbyshire County Council Climate Change Strategy: Achieving Net Zero (2021-2025) was attached at Appendix 2 and set out its structure and priority targets which would benefit residents and businesses across the county. The Strategy would be reviewed and updated fully in 2025, with review of targets and priority actions being conducted annually along with central Government legislation, policy, direction and significant technological advances.

A clear governance and delivery structure had been established and was detailed in the report. The delivery of the Strategy also had links and synergies with the work being carried out through the 'Living and Working sustainability' workstream of Vision Derbyshire.

A climate change engagement plan was in development and would set out how the Council would engage with residents and businesses and communicate crucial climate messages and information; a progress report would be presented to Cabinet annually.

The Cabinet Member thanked Caroline Toplis, Project Manager and the Improvement & Scrutiny Committee for Climate Change, Biodiversity and

Carbon Reduction for the work done towards this strategy.

**RESOLVED** to (1) approve the Derbyshire County Council Climate Change Strategy: Achieving Net Zero (2021-2025) and delivery of the priority actions within the Strategy; (2) support the production of an ‘easy-read’ document, that clearly and succinctly summarises the main points and priority actions within the Strategy; (3) note and support the revised governance arrangements of the climate workstream at the Council; (4) support the proposal that funding be made available from the General Reserve in 2021-22 up to a maximum of £100,000 to enable the programme to be moved forward in the short term; and (5) welcome the presentation of an annual progress report to Cabinet, summarising progress against delivery of the Strategy and Council’s net zero targets, as well as outcomes of the annual review of the need to refresh and update the Strategy.

**167/  
21**     **SINGLE USE PLASTICS POLICY**

The Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change sought approval of a Single Use Plastics (SUP) Policy to reduce the use of plastics which were used once or for a short period of time before being disposed of, and to recognise the implications of this policy.

The Council was leading a once-in-a-generation opportunity to reduce carbon emissions generated in Derbyshire and wanted to go further to fulfil its climate and carbon reduction pledges and to deliver its Climate Change Strategy. This included building on measures already put in place to remove SUPs from catering at County Hall and minimising the use of SUPs across all the Council’s operations.

SUPs could be described as any disposable plastic item that was designed to be used only once or for a short period of time, used in packaging, consumer products, cosmetics, personal protective equipment and healthcare products. Appendix 2 gave a comprehensive list of SUPs used by the Council.

The report gave details of fossil fuel use in the production of almost all plastics, carbon dioxide (CO<sub>2</sub>) in the atmosphere and where plastics end up. It was recognised that there was a need to develop alternatives to plastic through supporting research and innovation and to develop the circular economy to ensure SUPs were not end products, but part of a cycle. There were also several voluntary initiatives aimed at changing the way that plastics were designed, produced, used, re-used, disposed of and reprocessed by all stakeholders in the plastics chain: examples of these were listed.

The Council’s draft policy, could be found at Appendix 3 and sought to

reduce SUPs in new procurements and the on-going contract management of existing contracts. It also recognised that there would be justifiable reasons where the use of SUPs could not be reduced or removed and it was anticipated that there might be additional costs incurred when seeking alternatives.

An action plan was produced setting out key actions for implementing the policy; implementation might place additional responsibilities on procurement, waste and climate change officers and for additional staffing resource to support delivery of the outcomes (this would be subject to a business case and approval by the Climate Change and Environment Programme Board).

It was proposed that the SUP Policy was monitored and reviewed annually and that a progress report was presented to Cabinet after the first review.

**RESOLVED** to (1) approve the Single Use Plastics Policy; (2) receive a further report presenting the resource implications of this Policy; and (3) receive a further report providing an update on the Single Use Plastics Policy in due course.

The Council's draft policy, could be found at Appendix 3 and sought to reduce SUPs in new procurements and the on-going contract management of existing contracts. It also recognised that there would be justifiable reasons where the use of SUPs could not be reduced or removed and it was anticipated that there might be additional costs incurred when seeking alternatives.

An action plan was produced setting out key actions for implementing the policy; implementation might place additional responsibilities on procurement, waste and climate change officers and for additional staffing resource to support delivery of the outcomes (this would be subject to a business case and approval by the Climate Change and Environment Programme Board).

It was proposed that the SUP Policy was monitored and reviewed annually and that a progress report was presented to Cabinet after the first review.

**RESOLVED** to (1) approve the Single Use Plastics Policy; (2) receive a further report presenting the resource implications of this Policy; and (3) receive a further report providing an update on the Single Use Plastics Policy in due course.

## 168/ 21 **CULTURAL FRAMEWORK**

The Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change sought approval for the draft Cultural Framework that had been prepared in partnership with the Culture Heritage and Tourism Board (CHAT) and the allocation of £1m from the Council's COVID-19 Recovery

Fund to support delivery of the Cultural Framework, of which funding would be subject to further reports and approval by the Cabinet Member.

The impact of COVID-19 had been devastating to Derbyshire's creative and cultural economy and the wider visitor economy. The contribution of this sector to the vibrancy and vitality of place had also been evident, with a reduced cultural offer impacting on the sustainability of town centres.

Recovery across the County had been co-ordinated through the Economy, Business and Transport Recovery Cell which had also delivered the Derbyshire Economic Partnership (DEP) Economic Development and Employment and Skills Recovery Strategy comprising short term interventions and longer term actions to enable the County to re-orientate and grow the economy to capitalise on new opportunities post COVID.

Evidence highlighted the disproportionate impact the pandemic had had on creative and cultural industries and recognised the significant place-making impact that the sector provided. The Strategy proposed a number of interventions across key themes, linked to the development of a cultural framework; these were detailed in the report.

At a meeting held on 4 February 2021, the Cabinet Member for Strategic Leadership, Culture and Tourism approved proposals to support the economic recovery of Derbyshire's creative and cultural industries through the development of a Cultural Framework, alongside proposals for 'Shine a Light' event as a replacement for the Festival of Derbyshire. These were developed by CHAT and included short term actions to support recovery and longer term interventions to enable the sector to become more resilient, re-orientate, grow and capitalise on new opportunities. The Framework sought to maximise the economic impact of Derbyshire's creative and cultural industries and considered how they could best support Derbyshire's place-making strategies, particularly the visitor economy and market towns renewal programme.

**RESOLVED** to (1) endorse the Cultural Framework which had been prepared in partnership with the Culture, Heritage and Tourism Board; (2) approve the allocation of £1m from the Council's COVID-19 Recovery Fund to support delivery of the Cultural Framework and pump prime match funding from other organisations (eg the Arts Council and Heritage Lottery); (3) agree the allocation of £1m for the delivery of the Cultural Framework subject to future detailed reports to be approved by the Cabinet Member - Strategic Leadership, Culture, Tourism and Climate Change; and (4) delegate the final approval of the Cultural Framework to the Cabinet Member - Strategic Leadership, Culture, Tourism and Climate Change, to allow final comments from the Culture Heritage and Tourism Board to be incorporated.

## 21 **CARE OMBUDSMAN 2020-21**

The Cabinet Member for Corporate Services and Budget presented a report on the Local Government and Social Care Ombudsman's (LGSCO) Annual Review Letter, which gave details of the total number of complaints for Derbyshire County Council for the year to 31 March 2021 (attached at Appendix 2 of the report).

The LGSCO had received 81 complaints and enquiries relating to the Council, a decrease of 34% on the previous year (in some part due to the Covid-19 pandemic and should be taken into consideration when comparing previous statistics). The report gave further detail on the number of investigations, their outcomes and comparisons with the previous year. One formal investigation report issued against the Council concerning Childrens Services was reported separately to Cabinet on 17 June 2021 and to the Governance Ethics & Standards Committee on 1 July 2021.

Details of complaints upheld were set out in Appendix 3. Compliance with the recommended remedy was recorded; the Council had a compliance rate of 100%.

The Covid-19 pandemic appeared to have amplified the LGSCO's concerns around the erosion of effective complaint functions in local authorities. As such they were developing a new programme of work that would utilise complaints to drive improvements in both local complaint systems and services, alongside their already established successful training programme which had been adapted for online delivery.

**RESOLVED** to note the Annual Review Letter of the Local Government and Social Care Ombudsman for the year ending 31 March 2021.

## 170/ 21 **FORWARD PLAN**

The Executive's Forward Plan for the period 1 September – 31 December was provided together with an opportunity for Cabinet to comment on future decisions for inclusion in the forthcoming Plan.

The Forward Plan looked to the future, for a period longer than the statutory requirement and enabled the four Improvement and Scrutiny Committees to prepare better informed work programmes. This would also apply to the new Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction.

It had been agreed that a four-month rolling Forward Plan be considered by CMT and then by Cabinet monthly to improve planning and horizon-scanning. The Plan included any item that was likely to require an Executive decision of Cabinet or Cabinet Member whether a key decision

or not. All items had been discussed and approved by the Corporate Management Team. A copy of the Forward Plan covering the period 1 September – 31 December was attached at Appendix 2.

**RESOLVED** to note the contents of the Forward Plan.

**171/  
21**     **MARKHAM VALE PROGRESS**

The Cabinet Member for Clean Growth and Regeneration provided a report on the continuing success and progress being made at Markham Vale, the Council's flagship regeneration project and to provide an overview of economic development activity over the period March 2020 to September 2021. Cabinet was also asked to note the continued success and progress in redeveloping Markham Vale and the scale and nature of work required to be undertaken over the coming years to complete the project. Progress on developments at Markham Vale was last considered by Cabinet on 4 June 2020.

In summary, to date, the Project had brought forward 173 of the 200 acres available for development, with 151 acres now either fully developed or have buildings under construction. A full jobs survey was completed in March 2021 and recorded 2,232 people in full time equivalent jobs; a remarkable achievement by the Markham Vale businesses, given that the country was still in COVID-19 lockdown. The significant progress made in relation to bringing forward development sites and construction of new buildings was detailed in the report.

The Council continued to work closely with the district/borough planning authorities in the preparation and submission of planning applications. The site-wide Design Framework had been reviewed and revised and submitted to the three Local Planning Authorities for approval.

BEAM continued to assist the Council in delivering its Public Art Action Plan. Artist Stephen Broadbent was commissioned to develop the Walking Together installation, comprising 106 figures that represented individual miners killed in the three colliery disasters at Markham; 93 figures had been installed to date. Sponsorship from a range of organisations and individuals enabled the figures to be installed over the past 15 months. This was supported by The Story Mine website which included stories, memories and photos of miners, their families and life in the mining communities.

The report detailed other services that the Council had had success in, including assisting new businesses identify and fulfil recruitment and training needs, an on-line career and employability platform "My Future", assisting the HR team at Squadron Medical in assisting their 65 employees who were facing redundancy as the business centralised its operations elsewhere in the UK and develop conference facilities at the Environment

Centre. Landscape management and maintenance works across the whole site continued. Markham Vale Land Services (MVLS), a dedicated team established within Adult Care, provided training and support across areas, such as landscape and horticulture.

Henry Boot Developments was appointed in 2003 as the Council's private sector partner to develop the Markham Vale project. The Partnership Agreement required both partners to work in a spirit of mutual trust and co-operation and set out key elements and roles of each partner. A number of boards had been established, each Board consisting of three representatives from Derbyshire County Council and three from HBD.

The past 18 months had focused on securing new occupiers and completing developments. Pace and momentum in the final stages of the project would depend on external market forces, particularly the local economic recovery following from the COVID-19 pandemic period. To support continued programme delivery, the Place Department would continue its approach to project and programme management, ensuring critical alignment of available resources to support delivery.

**RESOLVED** to note the success and recent progress in developing Markham Vale and the scale and nature of work required to be undertaken over the coming years to complete the project.

**172/  
21** **DIRECT CARE HOMES FOR OLDER PEOPLE: ESSENTIAL WORKS PROGRAMME**

The Cabinet Member for Adult Care presented the report seeking approval for a Corporate Property prepared report outlining a work schedule and budget estimates for all of the Council's directly provided residential care homes for older people.

The schedule, detailed within the report, included all priority works deemed necessary either for reason of health and safety or statutory compliance. The programme did not include rewiring or full refurbishment and did not include the three homes already undergoing full refurbishment but did include all other homes identified as requiring essential works.

**RESOLVED** to (1) approve the programme of essential works at the Direct Care Homes for Older People as set out in this report; (2) approve the funding allocation of £2.190m from Adult Care reserve to fund the programme (in addition to the already approved £1.410m from the Capital Programme); and (3) approve the arrangements for procurement set out in the report in order to undertake the work as soon as possible.

**173/  
21** **TRADING STANDARDS - AUTHORISATION OF STATUTORY DUTIES**

The Cabinet Member for Health and Communities sought approval to

update and amend the current arrangements in place within the Council's Scheme of Delegation, detailed within the Constitution, to ensure the appropriate authorisation of the Trading Standards service and its officers to undertake enforcement of over 150 Acts, Regulations and Orders.

The Trading Standards Service enforced over 150 pieces of legislation on behalf of the Council. These laws covered a diverse range of subjects and a full list was provided in Appendix 2. The Trading Standards Service subscribed to a vetted facility which provided an updated list of legislation on a six-monthly basis. A new and updated list had recently been provided and it was proposed that this update replaced that currently included at Appendix A of the Council's Constitution.

To ensure the update be completed as speedily as possible in future, it was proposed that authority to update the list of legislation be delegated to the Director of Legal and Democratic Services. Cabinet was also asked to recommend that both the Governance, Ethics and Standards Committee and full Council note the decisions made regarding these delegations and that Council agreed to amend the Constitution accordingly.

Appendix 1 of the Constitution delegated the responsibility for undertaking enforcement and administrative duties to the relevant Executive Director or Director. This was detailed in the Constitution as being the Director – Community Services. In July 2021, the Trading Standards Service moved into the Place Department and, it was appropriate for the delegation to become the responsibility of Executive Director - Place. A departmental scheme of sub-delegation, further delegates this responsibility to the Head of Trading Standards (HoTS) who, in turn, provided specific authorisation to officers via warrants and/or credentials that were periodically updated and be reflected within the Place Department's Scheme of Sub-delegation.

One of the laws administered and enforced by Trading Standards was the Weights and Measures Act 1985, part of which defined the Local Weights and Measures Authority (LWMA) and in Derbyshire, this is the County Council. The Act required the LWMA to appoint a Chief Inspector Weights and Measures (CIWM) - the role of HoTs incorporated the role. An additional delegation was proposed to the Executive Director - Place to appoint inspectors of weights and measures; this would also be sub-delegated to the HoTS in accordance with the departmental scheme.

**RESOLVED** to (1) agree to the updating of the existing list of legislation within the Council's Constitution; (2) note the Departmental Scheme of Sub-delegation which provides for the delegation of the responsibility to undertake enforcement and administrative duties under the legislation detailed to the Head of Trading Standards (HoTS) which, in turn, provides for further delegation to individual officers within the Trading Standards Service; (3) agree to delegate authority to the Director of Legal and Democratic Services to update the Constitution as necessary and in

response to changes in relevant legislation regarding Trading Standards enforcement or administration and, in particular, to update the list of legislation to update the list of legislation attached at Appendix A to Appendix 1 of the Constitution – Responsibility for Functions, as necessary; (4) agree that the postholder of the role of HoTS also be appointed as Chief Inspector Weights and Measures as required by Section 72 of the Weights and Measures Act 1985; (5) agree that the responsibility to appoint additional inspectors of Weights and Measures is delegated to the Executive Director – Place; and (6) agree to recommend the necessary amendments to the Constitution to the Governance, Ethics and Standards Committee and to Council; and for Council to note the decisions and amend the Constitution.

**174/  
21** **ENHANCED PARTNERSHIP ARRANGEMENTS FOR BUS SERVICES IN DERBYSHIRE AND THE BUS SERVICE IMPROVEMENT PLAN**

The Cabinet Member for Highways Assets and Transport updated Cabinet on the development of the Enhanced Partnership arrangements for bus services in Derbyshire and the various measures which were recommended for inclusion in the Council’s Bus Service Improvement Plan to support the delivery of the partnership.

The Government published the first National Bus Strategy for England in March 2021, the main objective of which was to reverse the long term decline in bus use nationally. It aimed to make bus services more frequent, reliable, better co-ordinated and easier to use. Government wanted to see major improvements in a variety of areas and had committed to provide £3bn of new transformation funding nationally to help drive forward these improvements.

The Strategy expected all Local Transport Authorities (LTAs) in England to play a much bigger role in the way bus services were operated in their area. The existing deregulated model of bus provision had been in place since the 1986 and most services were provided on a commercial basis. 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 were made on commercially operated services.

The Department for Transport (DfT) had made it clear that adoption of Franchising or EPs was essential if LTAs were to receive future funding. Cabinet had agreed in June 2021 to enter into an EP arrangement with all of the bus operators who provide local bus services in Derbyshire and with other relevant stakeholders and a formal notice of intent to prepare an EP Plan was subsequently published.

The Council needed to publish a Bus Service Improvement Plan (BSIP) by 31 October 2021 and would be developed in collaboration with bus

operators and other stakeholders. The BSIP would be used to judge how much of the £3bn Transformation Fund each LTA would be allocated for future bus projects and support. Formal agreement of the terms of the Partnership would take place to allow an EP to be in place, covering all of Derbyshire, from the 1 April 2022.

The Council's Public Transport Unit and external consultants, Systra, had developed the project - undertaking detailed consultation across Derbyshire with key stakeholders. It was apparent that there were a number of broad themes where improvements were considered to be required – these were listed. A copy of the final draft of the BSIP was not yet available however the key interventions proposed for inclusion were also listed.

The Council estimated its proposed measures would cost between £85m and £95m over a five year period from 2022-23. A requirement for additional Council capital and revenue funding was likely. The DfT had said that LTAs which committed more of their own funding as part of the process was likely to receive more from the Government for their BSIP.

Once the BSIP was submitted, it was anticipated that the membership of the board would change (to that stated in the report) to include representatives from a variety of other stakeholders including representatives from passenger groups and borough and district councils. Workshops had been held to agree the area to concentrate on and the associated targets. Following the submission of the BSIP, the Board's focus would change with particular emphasis on finalising the details of the EP agreement and an implementation plan for what measures should be introduced during the first year of the new arrangements in 2022-23.

Councillor Athwal added to the report: During the pandemic the DFT had supported local bus services by making bus recovery grants (BRG) to the bus operators to replace lost on bus fare revenue. The BRG payments would finish at the end of March 2022. In the week leading up to the Cabinet meeting, the DFT informed local transport authorities that any continuing revenue funding to support commercial bus services from April 2022 should be included in the BSIP bid.

The Council's bid included just over £10m of bus revenue support for maintaining and enhancing the bus network over the next 5 years. In light of this last-minute change by the DFT and following intelligence received from our major operators on future funding to support the current network, increase our financial bid needed to increase by £10m to £20m.

Officers considered this amount to be sufficient and included some contingency to allow for any unforeseen changes to the commercial bus network over the next five years. This would ensure that the Council could continue to support the commercial bus operators until they return to full financial recovery, possibly by 2025, and ensure that bus services continue to operate across Derbyshire without any significant changes.

The Cabinet Member for Corporate Services and Budget welcomed the report and the start of a strategic vision to enhance public transport. The challenges in delivering a service across rural areas faced by the local authority, were recognised and thanked the incredible work of the transport department.

**RESOLVED** to (1) note the work undertaken on the development of the Enhanced Partnership including the formation of the Board; (2) note the measures which are likely to form the key elements of the Bus Service Improvement Plan (BSIP) and the estimated funding bid to the Department of Transport (DfT) associated with it; (3) grant the Executive Director - Place in consultation with the Cabinet Member - Highways Assets and Transport delegated powers to agree the final wording of the BSIP which will be submitted to the DfT by 31 October 2021; and (4) note the requirement for an increased commitment to revenue and capital funding from the County Council for public transport to support the Enhanced Partnership and BSIP over the medium term.

**175/** **CHESTERFIELD EAST-WEST WALKING AND CYCLE ROUTE**  
**21**

The Cabinet Member for Highways Assets and Transport sought approval for the completion of detailed design and subsequent construction of the proposed east-west Chesterfield walking and cycling route as per the consulted extents and drew attention to a typing error in the recommendations; reference to “5.25 above” should read “the report”.

In November 2020, the County Council was successful in securing funding of £1.68m from the Department for Transport’s (DfT’s) Active Travel Fund (Tranche 2) to create a new east-west walking and cycling route between Holymoorside and Chesterfield Royal Hospital at Calow, providing access to Chesterfield town centre, the rail station and a range of other key employment, retail and education destinations. This was follow-on investment from a Tranche 1 of the DfT’s Active Travel funding allocation, which provided temporary walking and cycling improvements along a section of this route with the temporary closure of Crow Lane (as well as at various other locations across the County).

The proposed route formed a strategic transport corridor across Chesterfield, an essential commuter route and used as a route to schools, transport hubs and health, education, and retail destinations and would enhance walking and cycling access to all destinations referred to in the report. The delivery of the route also formed a fundamental part of Derbyshire’s Covid-19 economic recovery planning and supported and embedded longer term changes in behaviour by encouraging people to walk/cycle/wheel, thereby helping to decarbonise transport, tackle climate change, reduce inequalities and improve air quality. The route proposals were also closely aligned to the priorities of the Derbyshire Key Cycle

Network approved by Cabinet in January 2020.

The route measured approximately 8km in length and was divided into five distinct sub-sections. Initial design options had been produced and considered and a wide-ranging engagement exercise to seek the views of the local community was undertaken, with a detailed summary of findings being published in '*Chesterfield Active Travel Route Community Engagement Summary Report*' (appended to the report) and key findings highlighted.

It was considered that the consultation had demonstrated overall broad support for the proposed route across Chesterfield and provided appropriate justification to continue with the further design and implementation of the route proposals. Detailed design would consider measures to alleviate concerns and would include enhanced signing and lining to clearly mark cyclists and pedestrian space with appropriate road markings, signage and traffic calming to encourage considerate cycling and enhanced lighting along Crow Lane to include the western section to begin and expand on the entire length subject to ongoing funding award. Thinning of the trees and shrubs would also be considered to aid improved lighting conditions for the Crow Lane and Wetlands Lane route.

Cabinet members recognised the prescriptive nature to the criteria and that further consultation would be held. It recognised the wish of government and the need for communities to change their approach to clean and greener modes of transport.

**RESOLVED** to approve to continue with the further detailed design and subsequent implementation of the east-west Chesterfield walking and cycling route proposals with inclusion for the measures outlined in the report.

176/  
21

### **DERBYSHIRE YOUTH JUSTICE PLAN 2021-22**

The Cabinet Member for Children's Services and Safeguarding sought approval of the Youth Justice Plan 2021-22.

Derbyshire Youth Offending Service (YOS) was a multi-agency statutory partnership established under Section 39 of the 1998 Crime and Disorder Act. Funding was provided by a Youth Justice Board Grant, DCC and partner agency funding or staffing in kind. The YOS worked with children and young people who had offended, to prevent further offending.

It was a requirement, under Section 40 of the Crime and Disorder Act 1998, for the partnership to produce an annual youth justice plan setting out how youth justice services in the area were provided, funded, how the YOS was composed, operated and what functions it would carry out. The Plan, drawn up in conjunction with strategic partners, was attached to the report.

The authority was required to submit an “in principle agreement” from youth justice partners and sign off via the Chair of the Management Board – this was attached to the report. It also required approval by full Council.

**RESOLVED** to approve the Youth Justice Plan and recommends it for approval by Council as part of the policy framework.

**177/** **CORPORATE PARENTING BOARD TERMS OF REFERENCE**  
**21**

The Cabinet Member for Children’s Services and Safeguarding sought approval for the Corporate Parenting Board to cease being a formally constituted public meeting, continue secretarial support for the Board, revise the Terms of Reference and membership for the Board and for consequential amendments to be made to the Constitution.

The corporate parenting principles provided a framework to help local authorities understand and fully comply with existing duties however there was nothing prescribed on how local authorities should implement those principles: however it was considered good practice to set up a Corporate Parenting Board.

Board meetings were held in public and were conducted in accordance with legislation regarding such meetings. Items affecting particular individuals were regularly discussed and a significant amount of the information was confidential. Subsequently concerns around maintaining confidentiality of the children and their representatives had been raised.

The Board was rarely required to make decisions, but supported those made by the Cabinet Member or Cabinet. It was apparent that the Board was a forum for discussion with an advisory function, rather than a decision-making one.

To enable more freedom for discussion around topics which arose on the day and related to identifiable individuals, and to preserve the confidentiality of the members of the Children in Care Council, the Care Leavers Council and the Foster Carer Council, it was proposed that the Board be confirmed as non-decision-making and have an advisory function only. It was also proposed that the status of the Board be re-considered so that it no longer required meetings be constituted as formal Council meetings which were open to the public.

The Terms of Reference attached at Appendix 2 reflected the proposed changes as well as the benefits of improved engagement realised through virtual meetings held during the pandemic.

The contents of the report were also welcomed by the Cabinet Member for Education who recognised the responsibilities of the Board and

engagement by all parties. He also concurred that private meetings of the Board would encourage essential open and robust debate.

**RESOLVED** to (1) approve the proposal for the Corporate Parenting Board to be convened as an informal advisory group and for it to cease to be a public meeting; (2) approve that secretarial support for the Board continues; (3) approve the revised Terms of Reference for the Corporate Parenting Board; and (4) agree that the Terms of Reference currently at Article 16 of the Constitution be removed and no longer included and that the required changes be reported to full Council for agreement for those changes to be made.

**178/  
21** **EXCLUSION OF THE PUBLIC**

**RESOLVED** that under Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that in view of the nature of the items of business, that if members of the public were present, exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A 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 confirm the Exempt Minutes of the meeting of Cabinet held on 9 September 2021.
2. To confirm the Exempt Minutes of the following Cabinet Member Meetings:
  - (a) Strategic Leadership, Culture, Tourism & Climate Change – 3 September 2021
  - (b) Corporate Services & Budget – 3 September 2021
3. To consider the following exempt reports:
  - (a) Markham Vale Delegated Decisions – for the continued redevelopment of the Markham Vale taken by the Executive Director - Place (formerly Economy, Transport and Environment), in conjunction with the Leader of the Council and to secure approval to extend the current partnership agreement with the Council's private sector partner Henry Boot Development (HBD) (Clean Growth & Regeneration) (information relating to the financial or business affairs of any particular person (including the authority holding that information)).

- (b) Derbyshire Carers Association – Carers Assessment Contract Extension - to seek Cabinet approval for the extension of the current contract for the provisions of Carer Information Advice Assessment and Support service, under Protocol 10 of the Financial Regulations, for a period of twelve months until 31 March 2023 (Adult Care)(not for publication by virtue of paragraph 3 of part 1 of schedule 12a to the local government act 1972 or not for publication – report contains confidential information).

179/ **EXEMPT MINUTES**

21