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Ask for Danny Sunderland

PUBLIC

To: Cabinet Member - Strategic Leadership, Culture, Tourism and Climate Change

Wednesday, 25 August 2021

Dear Councillor,

Please attend a meeting of the **Cabinet Member - Strategic Leadership, Culture, Tourism and Climate Change** to be held at **10.00 am** on **Friday, 3 September 2021** in Committee Room 3, County Hall, Matlock, Derbyshire 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. To receive declarations of interest (if any)
2. To confirm the minutes of the meeting held on 4 February 2021 (Pages 1 - 4)
3. Members Community Leadership Scheme (Pages 5 - 8)
4. Appointments to outside bodies (Pages 9 - 12)

5. Proposal to support submission of an outline business case to create an East Midlands Freeport (Pages 13 - 22)

6. 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

7. To receive declarations of interest (if any)

8. To confirm the exempt minutes of the meeting held on 4 February 2021 (Pages 23 - 24)

9. Appendix - Proposal to support submission of an outline business case to create an East Midlands Freeport (Pages 25 - 184)

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Agenda Item 2

MINUTES of a meeting of the **CABINET MEMBER FOR STRATEGIC LEADERSHIP, CULTURE AND TOURISM** held on 4 February 2021.

PRESENT

Cabinet Member – Councillor B Lewis

Also in attendance – Councillors R Flatley and P Smith

Declarations of interest

Councillor B Lewis declared a personal interest in agenda item no.3 (a) (minute no.5/21) as a member of Marketing Peak District and Derbyshire.

4/21 **MINUTES RESOLVED** that the minutes of the meeting held on 19 January 2021 be confirmed as a correct record.

5/21 **MARKETING PEAK DISTRICT AND DERBYSHIRE – UPDATE**

The Cabinet Member was updated on the current financial position of Marketing Peak District and Derbyshire (MPDD) and approval was sought to underwrite up to £100,000 to support cashflow issues incurred by the organisation due to the impact of the Coronavirus (Covid-19) pandemic.

The Visitor Economy was a high level priority within the Economic Recovery Strategy. Pre-Covid-19, it was acknowledged as one of the key growth sectors within Derbyshire, demonstrating year on year growth over a decade, with the sector worth £2.49bn Gross Value Added (GVA) and supporting 31,932 jobs in 2019.

The evidence review which had informed the Strategy, highlighted the disproportionate impact that the Covid-19 pandemic had had on the Visitor Economy and the resulting action plan had identified key interventions necessary to help the sector recover over the medium to long term (2021 to 2025). It was proposed that MPDD would lead on the implementation of a number of these interventions.

As a result of Covid-19 and its impact on accommodation providers and attractions, commercial income in 2020-21 had been significantly impacted, with only £15,000 secured compared to £200,000 in 2019-20. This had caused significant cashflow issues for MPDD and reserves had had to be utilised to cover fixed costs. Reserves now stood at £140,000 but could no longer be utilised to cover fixed costs as proper financial management required that £100,000 be retained for staff liabilities and £40,000 for potential ERDF claw back in the event that the business had to cease trading.

MPDD had been able to secure additional income of £40,000 from Visit England towards the shortfall in 2020-21 income, along with £10,000 towards business resilience planning, which again needed to be spent within the 2020-21 financial year and could not be utilised to shore up longer term costs. Budget planning for 2021-22 had considered four scenarios based on reduced commercial income streams, due to the ongoing impact of the pandemic. All other income streams were assumed to remain constant at £417,979, although this was not without its uncertainties. The forward budget planning scenarios were highlighted.

MPDD was confident that it could achieve 70% (£135,620) of commercial income in 2021-22 and was considering a range of new approaches to generate income and support longer term financial viability. Business feedback suggested that once restrictions were lifted there would be a very strong staycation market during 2021-22 which should also result in returning membership and associated income.

RESOLVED to (1) note the update on the current financial position of Marketing Peak District and Derbyshire; and

(2) approve the proposal to underwrite up to £100,000 against loss of income incurred by Marketing Peak District and Derbyshire due to the impact of the Coronavirus (Covid-19) pandemic.

6/21 CULTURE, HERITAGE AND TOURISM BOARD – UPDATE AND FORWARD PROGRAMME Approval was sought for the proposals to support the economic recovery of Derbyshire’s creative and cultural industries through the development of a Cultural Framework.

At the meeting on 12 November 2020, the Culture, Heritage and Tourism Board (CHAT) agreed to develop a Cultural Framework for Derbyshire to support cultural and creative industries, as one of the interventions of the Economic Recovery Action Plan. Detailed work to define the scope, methodology and project deliverables was ongoing and would continue to be refined. Alongside delivery of the Framework, funding of £20,000 had been secured from Arts Council England to support development of the Framework and to support delivery of immediate outcomes.

A key priority for the CHAT Board was delivery of the Festival of Derbyshire, an 8 month campaign and programme of events aimed at celebrating Derbyshire’s distinctive culture, telling Derbyshire’s story, marking some key anniversaries in 2020 and attracting more visitors to the County.

In February 2020, CHAT Board members had been updated on the progress of the Festival of Derbyshire, which was due to be launched in May

2020. It was agreed the Festival had to be postponed due to the impact of lockdown and ongoing restrictions, with the hope that it would be re-scheduled for January 2021 onwards, to pull in key anniversaries such as the Peak District National Park 70th, Arkwright's Mill 250th and Silk Mill/Museum of Making 300th.

From consultation with partners, it was clear that the current restrictions and ongoing uncertainty meant that the Festival in its previous format, was no longer feasible and that officers would need to look to build a programme that supported delivery of the aims of the Festival, but that was able to flex and respond to current needs and the level of uncertainty that remained about Covid-19 restrictions.

RESOLVED to (1) note the proposals to support the economic recovery of Derbyshire's creative and cultural industries;

(2) approve development of a Cultural Framework and new proposals for a revised approach to Festival of Derbyshire in light of Coronavirus (Covid-19) impacts; and

(3) approve acceptance of £20,000 grant from the Art Council.

7/21 URGENT DECISION – DERBYSHIRE FLOODS HARDSHIP FUNDS FOR RESIDENTS AND BUSINESSES The Cabinet Member was asked to note the urgent decision taken by the Managing Executive Director, Commissioning, Communities and Policy in accordance with the Council's Constitution to establish hardship funds to support residents and small businesses in financial hardship in Derbyshire affected by the flooding following Storm Christoph during the week commencing 18 January 2021.

RESOLVED to note the Urgent Officer Decision detailed in Appendix 1 to the report.

8/21 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 Paragraphs 3 & 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 WERE EXCLUDED FROM THE MEETING

1. To consider the exempt report of the Managing Executive Director Commissioning, Communities and Policy on the proposal for Derbyshire County Council to support a regional bid to create an East Midlands Freeport (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

**CABINET MEMBER FOR STRATEGIC LEADERSHIP, CULTURE,
TOURISM AND CLIMATE CHANGE**

3 September 2021

Report of the Managing Executive Director

MEMBERS COMMUNITY LEADERSHIP SCHEME

1. Purpose

- 1.1 To allocate additional resources to the Members' Community Leadership Scheme (MCLS) to enable Members to support local communities in supporting recovery from the Covid-19 pandemic.

2. Information and Analysis

- 2.1 The Scheme allocates to each of the 64 County Councillors an annual fund of £3,860 which can be used to support local projects and activities in their Divisions.
- 2.2 At the end of each financial year (except an election year), any unspent balance is carried forward to the next financial year and 'new year' balance of £3,860 is allocated.
- 2.3 On 23 April 2020, Cabinet considered and approved a report which provided an additional allocation of £3,860 to Members to support their local communities throughout the Covid-19 pandemic, assisting with the recovery and delivery of social, economic, health, environmental and cultural services to support quality of life in communities.
- 2.4 During the 2020/21 financial year, a total of 851 applications were received and approved which were aimed at supporting local organisations and activities through the pandemic period.

- 2.5 The Council recognises that communities have had a pivotal role during the pandemic and the Council Plan ambition is to ensure that the Council continues to work with communities, sharing responsibility for improving their areas and supporting each other.
- 2.6 It is vital to support residents and communities through a period of recovery following the pandemic. Therefore, it is proposed that each Elected Member is provided with a further £3,860 making a total of £7,720 available during the current financial year. However, it should be noted that any unspent balance of the additional £3,860 cannot be carried forward into the next financial year.
- 2.7 In addition to the additional amount of £3,860, it is proposed that a further sum £1,500 is made available for the financial year 2022-23 commencing on 1 April 2021, which Members can allocate to communities to for specific projects to support celebrations of the Queen’s Platinum Jubilee. This allocation must be spent in the 2022-23 financial year. Any unspent balance cannot be carried to the following financial year.
- 2.8 Members will submit applications using the same process as is currently in place.

3. Alternative Options Considered

- 3.1 n/a

4. Implications

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

5. Consultation

- 5.1 n/a

6. Background Papers

- 6.1 Members Community Leadership Scheme – Cabinet 23 April 2020.

7. Appendices

- 7.1 Appendix 1 – Implications.

8. Recommendation(s)

That the Cabinet Member:

- a) Approves the allocation of additional resources to the Members Community Leadership Scheme by providing an additional £3,860 to each Elected Member as set out in Section 2.6 above.
- b) Approves the allocation of additional resources to the Members Community Leadership Scheme by providing an additional £1,500 to each Elected Member in the financial year 2022-23 as set out in Section 2.7 above.

9. Reasons for Recommendation(s)

- 9.1 To provide Members with additional resources to support local communities.

Report Author: Paul Stone

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Implications

Financial

1.1 The additional cost of £343,040 will be met from the General Reserve.

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 Supports local communities in recovering from the Covid-19 pandemic.

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

7.1 None.



Agenda Item

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

**CABINET MEMBER – STRATEGIC LEADERSHIP, CULTURE, TOURISM &
CLIMATE CHANGE**

3 September 2021

Report of the Director of Legal and Democratic Services

Appointments to Outside Bodies

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is not a Key Decision

3. Purpose

3.1 To approve amendments to the list of appointments to outside bodies.

4. Information and Analysis

4.1 On 26 May 2021 Council approved the list of outside body appointments. Any in-year changes to the list can be agreed by the Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change by virtue of the delegation in Appendix 1 – Responsibility for Functions to the Constitution.

The Council has been made aware of changes which need to be approved as detailed below:

- (a) To replace Councillor N Atkin with Councillor J Woolley as the Council's representative on the Chesterfield and North Derbyshire Royal Hospital Trust
- (b) To insert Councillor R George as the minority group representative on the Derbyshire Schools Forum
- (c) To delete Pennine Care NHS Foundation Trust from the list as a County Council representative is no longer required
- (d) To replace Councillor A Sutton with Councillor T Ainsworth as the Council's representative on Derby and Derbyshire Waste Treatment Centre – Sinfin Community Liaison Group (CLG)
- (e) To replace Councillor B Lewis (Leader of the Council) with Councillor S Spencer (Deputy Leader of the Council) on the Waste Management Contracts Board
- (f) To delete Barlborough Heritage and Resource Centre as a County Council representative is no longer required
- (g) To replace Councillor N Hoy with Councillor J Barron on Bolsover Woodland Enterprise
- (h) To replace Councillor A Sutton with Councillor T Ainsworth on the Derby and Derbyshire Waste Treatment Community Liaison Group
- (i) To amend the appointments to Belper Leisure Centre Board to one member representative as the Board no longer requires a Director representative; and Councillor J Nelson be appointed as the County Council's representative;
- (j) To replace Councillors K S Athwal and D Muller with Councillors G Hickton and N Gourlay on Derbyshire Information Advice and Support service for SEND
- (k) To insert Councillor J Dixon as the minority group representative director on MEGZ Limited
- (l) To replace Councillor M Ford on the John Allsop Education Foundation with Ms C Heywood, agreed community representative
- (m) To add Bowden Head School Foundation (also known as Chapel-en-le-Frith Educational Foundation) to the outside body list and appoint Councillors N Gourlay and L Grooby as the County Council's representatives

5. Consultation

5.1 Consultation is not required.

6. Alternative Options Considered

6.1 No alternative options have been considered as the amendments have been submitted as appropriate by the County Council's political groups

7. Implications

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

8. Background Papers

8.1 Report submitted to Council on 26 May held in Democratic Services

9. Recommendation(s)

9.1 That the amendments to the appointments to outside bodies detailed in paragraph 4.1 (a) to (l) be approved.

10. Reasons for Recommendation(s)

10.1 To ensure that the Council has appropriate representatives on outside bodies.

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

11.1 No

Report Author: Anne Barrett

Contact details:

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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)	Yes
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Implications

Financial

1.1 None

Legal

2.1 As set out in the report

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 None



Agenda Item

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – STRATEGIC LEADERSHIP,
CULTURE, TOURISM AND CLIMATE CHANGE**

3 September 2021

Report of the Executive Director – Place

**Proposal to Support Submission of an Outline Business Case to
Create an East Midlands Freeport**

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a Key Decision.

3. Purpose

3.1 This report seeks approval for the Council to support submission of an Outline Business Case (OBC) to the Ministry of Housing, Communities and Local Government (MHCLG) to create a freeport in the Derbyshire, Nottinghamshire, Leicestershire area. The East Midlands Freeport (EMF), if approved, will bring additional powers and funding to improve the regional economy as the Council 'builds back better' from COVID-19 and responds constructively to the opportunities generated by the UK's exit from the European Union (EU).

4. Information and Analysis

4.1 Overview of Freeports: National Policy Context

Freeports are a type of special economic zone designed to create a favourable business environment which attracts inward investment and international trade to support jobs and growth.

- 4.2 Within freeports, trade is facilitated by reducing the direct and administrative costs of trading goods with the rest of the world. Goods entering a freeport zone are not subject to typical import procedures but can be processed and re-exported from the zone '*without being considered to have entered the host country*'.
- 4.3 Freeports are a flagship Government programme that are expected to play an essential part in the UK's post-Brexit and post-Covid economic recovery programme, contributing to the levelling up agenda and bringing jobs, investment and prosperity through benefits and incentives within the policy.
- 4.4 In addition to customs and tariff benefits, freeports are also able to access significant tax benefits, including business rates relief and the ability for local areas to retain business rates to reinvest into their local communities. Within this context, securing a Freeport for the East Midlands could bring significant benefits to Derbyshire, particularly considering the specific economic challenges around social mobility and low skill levels in this part of the County.
- 4.5 **Background**
In February 2020, the Government launched a consultation on proposals to create a limited number of freeports across the UK to help 'level up' under-performing regions, promote regeneration and generate innovation and international trade. In late November 2020, a bidding prospectus was launched that set out further details on the freeport model and related bidding process.
- 4.6 Work to develop a freeport proposal was led by the Derby, Derbyshire, Nottingham, Nottinghamshire (D2N2) local enterprise partnership (LEP), working with colleagues in Leicestershire County Council (LCC), Leicestershire District Council (LDC) and the Leicestershire LEP. The freeport proposal for the East Midlands constitutes the following sites:
- The East Midlands Airport (EMA) as the main customs site
 - Ratcliffe on Soar Power Station in Rushcliffe
 - East Midlands Intermodal Park (EMIP) site at Burnaston in South Derbyshire.
- 4.7 Further to approval by the Cabinet Member – Strategic Leadership, Culture and Tourism on 4 February 2021 (Minute No. 09/21 refers), an expression of interest for the East Midlands Freeport was made to MHCLG on 5 February 2021 and Government confirmed the region had been shortlisted as one of 13 potential freeports in April 2021. The East Midlands Freeport Board must now submit an OBC by 10 September

2021; this will be evaluated by MHCLG and successful OBCs will then be required to develop a Full Business Case (FBC) for submission on 12 November 2021.

- 4.8 It is worth noting that the EMF complements parallel work taking place to create a development corporation for the East Midlands (EM Devt Co) based around three sites, some of which overlap the EMF, at Toton and Chetwynd Barracks, Ratcliffe on Soar Power Station in Nottinghamshire and East Midlands Airport area in Leicestershire.
- 4.9 **Progressing the East Midlands Freeport Bid Since January 2021**
Further to confirmation of the shortlist, Government produced additional guidance and feedback on the initial expressions of interest for each Freeport partnership. That guidance included a requirement that a local authority was identified to lead the development of the OBC (Lead Authority). Through discussion, it was agreed that LCC should provide that function for the Freeport given that the critical port of entry for customs and tax is in the County of Leicestershire. Government also confirmed seed funding of approximately £25m to the East Midlands Freeport to support mobilisation costs and the development of detailed proposals and spending plans within the business case; essentially, the seed fund is constrained to capital spend and driving delivery of key components in the short term, and at pace.
- 4.10 Following confirmation of LCC as lead authority considerable progress has been made, specifically the establishment of interim governance arrangements to oversee preparation of the Freeport proposals and work to progress development of the OBC. These arrangements include:
- Establishment of the Freeport Board – As agreed by Cabinet on 17 June 2021 (Minute No. 91/21 refers), Derbyshire County Council is a member of the Freeport Board and is represented by the Leader, Councillor Barry Lewis.
 - Development of the wider ‘delivery architecture’ and specifically, the creation of nine working groups focused on the key components required to complete the OBC, including: Operating Model, Tax and Customs, Skills, Infrastructure and Risk Management.
 - Appointment of an independent Chair of the Board (Penny Coates), who has an extensive background in the commercial sector, including the aviation industry.
 - Appointment of external, specialist support to drive and corral work on the development of the OBC.
 - Appointment of an interim Programme Director (David Leighton) to provide programme management support; David has a background in the commercial sector, including port-based industries.

- Allocation of LCC officer resources as match funding to resources provided by Government and have procured Ernst Young (EY) to provide consultancy support to develop the OBC.
- Allocation of Derbyshire County Council officers to provide input into the various working groups to ensure the best interests of the Council - and the residents and businesses of the County – are represented.

4.11 At the time of writing, the final version of the OBC was not available, but a draft OBC is attached to this report as an exempt appendix. By virtue of Paragraph 3 of the Schedule 12A of the Local Government Act 1972, the appendix is considered exempt as it contains information relating to the financial and business affairs of partners collaborating with Derbyshire County Council to develop the OBC. Having regard to all the circumstances, on balance, the public interest in disclosing the information does not outweigh the reason for exemption because the information would add a limited amount to the public understanding of the issues but would significantly damage the Council's and partners' commercial position. The version of the OBC in the Exempt Appendix is subject to amendment at the Freeport Board on 2 September 2021 and through the working groups, ahead of submission to Government by 10 September 2021. An update on the decision of the Freeport Board on 2 September and any amended version of the OBC will be provided to the Cabinet Member at the meeting.

4.12 **Implications for Derbyshire County Council**

The report considered by the Cabinet Member – Strategic Leadership, Culture and Tourism in February 2021 set out the key considerations for the County Council in the development and delivery of the East Midlands Freeport. Specifically, the need to assess and resolve issues around impact on road and rail networks, future infrastructure requirements, planning requirements, financial implications (including the use of business rates) and governance were all noted, alongside the potential for the Freeport to drive real economic benefits for the county.

4.13 These issues have continued to be explored through development of the OBC which is set out using the Treasury's 'five case model' and provides a focus on strategic, economic, financial, commercial and management aspects of the OBC. The County Council officers providing input to the work on the Freeport bid have been sighted on key developments within the OBC as they have emerged and are satisfied with the headline proposals in the draft document – and that there is sufficient opportunity prior to submission of the OBC, to clarify a number of transport and infrastructure-related matters, including resolving the use of seed funding at the EMIP site to support hydrogen and low carbon ambitions, bridge

connectivity across the A50 and further development of the skills academy.

- 4.14 More detailed work will still need to take place prior to submission of the full business case (FBC) regarding traffic impact assessment and the potential implications of the collective Freeport proposals on the wider highway network, including the A50 and junctions 23a to 24a of the M1. Also, to fully articulate the economic case around skills development and investment strategies in support of the levelling up agenda.
- 4.15 The OBC does not commit the Council to expenditure at this stage and the risks in respect of the Council's key considerations are either dealt with in the OBC or will be the subject of further detailed work in the FBC. The Council is properly represented in the working groups and at the Freeport Board so this report recommends the Cabinet Member – Strategic Leadership, Culture, Tourism and Climate Change gives support, in principle for the OBC by endorsing its content and submission and that a separate report is presented to Cabinet to consider the FBC in due course. Assuming the FBC is submitted on 12 November 2021, it may be necessary to consider a special Cabinet meeting, but this can be confirmed when the Government provides feedback on the OBC.
- 4.16 There are no immediate or significant implications for the Council's own infrastructure. Access to EMIP will be via a connection to the Strategic Road Network on the A50 and local connection to the Toyota site at Burnaston (TMUK) will be via a private asset. There could potentially be wider-area traffic impacts arising from the collective sites and additional activity generated by EMF status which may need mitigation where, for example, a junction onto the local road network requires improvement. These impacts are yet to be tested though and will be evaluated through planned traffic assessment work linked to preparation of the FBC.
- 4.17 Planning matters for EMIP are still expected to be managed through a Development Consent Order for which the Council's role is managed in producing a Local Impact Report rather than as the regulatory planning authority. This will not be insignificant but is a 'business as usual' process which would have been required irrespective of Freeport status.
- 4.18 It is considered that EMIP, irrespective of Freeport status, represents a major opportunity for employment and skills within the County, and a significant generator of business rates. The impacts of EMIP itself - and Freeport status - on inward investment across the wider area are uncertain at this stage, however, there is no doubt there will be benefits from the additional critical mass of development within a corridor which

already supports business, such as Toyota Manufacturing UK, JCB, Bombardier and Rolls Royce, alongside other commercial opportunities, such within the wider South Derby Growth Zone.

- 4.19 Further opportunities exist for EMF to be an exemplar and/or accelerator for existing aspirations such as Derbyshire being a centre of excellence for 'future fuels'; the seed funding available for EMF may be able to bring forward key moves towards this and also in the delivery of sustainable travel links between EMF sites and surrounding areas including the proposed Infinity Garden Village.
- 4.20 Beyond submission of the OBC, the Full Business Case (FBC) needs to follow swiftly and will provide a higher level of justification for the Freeport status itself and for Government's investment. This will need to set out evidence of transport impacts across the affected area (the A50 and M1 in particular) and finalise other core components such as site security for the defined customs sites.
- 4.21 The OBC submission also sets out governance arrangements. The proposed model is based on a non-constituted partnership body that is unincorporated and it is proposed that LCC will continue to play the role of lead authority and support the Freeport Board. Derbyshire County Council will not cede any power or responsibility to the Freeport Board as it is currently proposed and will retain sovereignty over relevant powers. It is also proposed the Leader of the Council will continue as the representative at the Freeport Board.

5. Consultation

- 5.1 Not applicable - public consultation on the proposal at this stage is not required.

6. Alternative Options Considered

- 6.1 Do nothing – doing nothing is not considered an option as Government has already shortlisted the EMF proposal and invited the submission of an OBC which either needs to be supported by Derbyshire County Council or not.
- 6.2 Do not support submission of the OBC – the OBC is intended to reflect the broad nature of the Freeport proposals, specifically highlighting the Strategic Case and benefits expected to be achieved from the development for the people of Derbyshire – and wider area. At the time of reporting, a small number of gaps remain in the draft OBC (attached to this report) but continued efforts through the EMF working groups will

ensure these are filled and that the final OBC meets Government requirements. On that basis, it is considered that to not support the submission of the OBC is an appropriate option.

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 – Draft Outline Business Case (Exempt).

10. Recommendations

That the Cabinet Member:

- a) Notes the overview of progress and proposals outlined in this report and the current draft Outline Business Case for the East Midlands Freeport which is attached at Exempt Appendix 2.
- b) Subject to due consideration of the final draft and any amendments from the EMF Board, delegates authority to the Executive Director - Place, in consultation with the Leader of the Council, to endorse the final Outline Business Case, ahead of submission to Government by 10 September 2021.
- c) Agrees that a further report to consider the Full Business Case and any implications for the County Council be submitted to Cabinet for consideration, should the Outline Business Case bid be taken forward by Government.

11. Reasons for Recommendation

11.1 All partners are required to affirm support for the Freeport to meet a key Government criteria for bid submission of the OBC. In the case of the County Council, there are clear synergies between the benefits offered by the Freeport and the stated priorities of Derbyshire County Council in the Council Plan to drive economic prosperity across the county in

support of the levelling agenda and commitments expressed in the Covid Economic Development Recovery Strategy.

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

- 12.1 Yes. The timescales for preparing the Outline Business Case and submitting it to Government are extremely challenging. This has impacted on the time available for the Council to formally consider and endorse the proposal.

Councillor Steve Bull, Chairman of the Improvement and Scrutiny Committee, Places has agreed that call-in should be waived on the basis that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency due to the nature of the decision required and the timescales involved.

Report Author: Joe Battye

Contact details: Joe.battye@derbyshire.gov.uk

Implications

Financial

- 1.1 To date, in supporting preparation of the outline business case, the Council has received external support and advice, e.g. legal instruction, the total cost of which has been approximately £10,000. There are no further, direct financial implications arising from the recommendations of this report. If the OBC is successful, the County Council will work closely with local partners to develop the Full Business Case, during which, the County Council will have a role in shaping the financial and commercial case for the Freeport. It will then be a matter for Cabinet to consider the full business case, including any financial implications.

Legal

- 2.1 There are no direct legal implications arising from the recommendations of this report. The submission of the OBC is not legally binding on the Council and is subject to approval by Government. The County Council has reserved its position on the final proposition until such point that the full business case is complete, this continues to be the case and our support remains non-binding. As more detailed work progresses to prepare the full business case potential implications and risks will be identified and it is expected that a further report will be submitted to Cabinet for consideration in due course

Human Resources

- 3.1 There are no human resource implications associated with this report. Officer input into the EMF working groups is being provided through the Economy and Regeneration Service and Finance Service on a project basis. Development of the Full Business Case may require more dedicated input for a short period of time over the period September to November but will be managed within service resources.

Information Technology

- 4.1 None.

Equalities Impact

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

Corporate objectives and priorities for change

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

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

- 7.1 None.

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