

PUBLIC

MINUTES of a meeting of **CABINET** held on Thursday, 13 January 2022 at the Members Room, County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

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

There were no Declarations of Interest

1/22 **MINUTES**

RESOLVED - that the non-exempt minutes of the meeting of Cabinet held on 6 December 2021 be confirmed as a correct record.

2/22 **PERFORMANCE MONITORING AND BUDGET**
MONITORING/FORECAST OUTTURN 2021-22 AS AT QUARTER
2 (30 SEPTEMBER 2021)

Cabinet was provided with an update of Council Plan performance and the Revenue Budget/forecast outturn for 2021-22, as at 30 September 2021 (Quarter 2).

This report presented:

- the Council Plan performance and financial budget monitoring and forecast outturn data;
- the Performance Summary which set out the progress the Council was making on delivering the Council Plan with a focus on the achievement of the Council Plan priorities;
- the Revenue Budget Position and Financial Summary which provided an overview of the Council's overall budget position and forecast outturn as at 30 September 2021; and
- appendices that summarised progress on Council Plan deliverables and the controllable budget position by Cabinet Member Portfolio for 2021-22 as at 30 September 2021.

Further reports would be considered at Audit Committee and Council in accordance with the Budget Monitoring Policy and Financial Regulations.

RESOLVED – to (1) note the update of Council Plan performance and the Revenue Budget position/forecast outturn for 2021-22 as at

30 September 2021 (Quarter 2); (2) consider whether there are any further actions that should be undertaken to improve performance where it has not met the desired level; and (3) note the position on General and Earmarked Reserves.

3/22

CAPITAL BUDGET MONITORING AND FORECAST AS AT QUARTER 2 2021-22

Cabinet was informed of the latest Capital budget monitoring position as at 30 September 2021.

The report gave comprehensive information on Cabinet approved schemes active during the financial year. The programme approved adjustments to increase the budget and rolled forward from previous years; this totalled £682.400m. An underspend of £5.720m over the life of these projects was forecasted; details were provided in Appendix 2 of the report.

The prolonged effect of the Covid-19 virus continued to have an impact on some schemes and where necessary the profile of expenditure had been adjusted to reflect this fact.

Adult Social Care & Health had a projected underspend of £1.222m and a budget of £110.818m. This comprised of 66 schemes, five of which accounted for 59% of the budget; the schemes were summarised in the report.

Children's Services had a projected underspend of £3.412m and a budget of £151.527m. This comprised of 687 schemes, six of which accounted for 29% of the budget; the schemes were summarised in the report.

Commissioning, Communities & Policy had a projected underspend of £0.753m and a budget of £71.288m. This comprised of 261 schemes, five of which accounted for 69% of the budget; the schemes were summarised in the report.

Place had a projected underspend of £0.333m and a budget of £348.767m. This comprised of 102 schemes which accounted for approximately 51% of the total Capital budget with five schemes accounting for 65% of the Place budget; the schemes were summarised in the report.

Appendix 3 attached to the report saw a summary of the ten largest current capital schemes which represented approximately 48% of the current budget; there were projected to underspend by £0.045m.

RESOLVED – to note the current position on the monitoring of Capital schemes.

4/22

TREASURY MANAGEMENT MID-YEAR REPORT 2021-22

Cabinet was provided with details of Treasury Management activities during the first half of 2021-22 (to 30 September 2021) and shown the Council's compliance with the prudential indicators set by Council at its meeting of 3 February 2021, in accordance with the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017 (the CIPFA Code).

The Council had borrowed and invested substantial sums of money and was exposed to financial risks. The successful identification, monitoring and control of risk remained central to the Council's Treasury Management Strategy. Treasury risk management was conducted within the framework of the CIPFA Code, requiring the Council to approve a treasury management strategy before the start of each financial year and a semi-annual and annual treasury outturn report .

RESOLVED – to note the Treasury Management Mid-Year Report 2021-22 and the Council's compliance with the prudential indicators set by Council at its meeting of 3 February 2021 for 2021-22, in accordance with the Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017.

5/22

TREASURY MANAGEMENT ANNUAL REPORT 2020-21

Cabinet was provided with details of Treasury Management activities during the last financial year 2020-21 and shown the Council's compliance with the prudential indicators set by Council at its meeting of 5 February 2020, in accordance with the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017 (the CIPFA Code).

The Council had borrowed and invested substantial sums of money and was exposed to financial risks. The successful identification, monitoring and control of risk remained central to the Council's Treasury Management Strategy. Treasury risk management was conducted within the framework of the CIPFA Code, requiring the Council to approve a treasury management strategy before the start of each financial year and a semi-annual and annual treasury outturn report .

RESOLVED – to note the report on Treasury Management activities

during the 2020-21 and the Council's compliance with the prudential indicators set by Council at its meeting of 5 February 2020, in accordance with the Treasury Management in the Public Services: Code of Practice and Cross-Sectorial Guidance Notes 2017.

6/22

AN UPDATE ON THE IMPLEMENTATION OF THE SCRUTINY ACTION PLAN

Cabinet was updated on the implementation of the Scrutiny Action Plan and asked to consider the merits of moving to a Select Committee approach.

Following a Member-led review of the Council's Scrutiny function, the Scrutiny Review Steering Group produced an action plan, which was approved by Cabinet on 8 October 2020 and Council on 2 December 2020 – the Plan was attached at Appendix 2. Excellent progress had been made and the majority of actions had been completed.

The Scrutiny Improvement Review report of the Centre for Governance and Scrutiny recommended that the Council move to a modern 'select committee' style of scrutiny. The Steering Group considered the benefits of such a move and compared them to the current member-led approach. It concluded that the powers of the national Select Committees were similar to the Council's I&S Committees, with the exception of the power to require individuals to give evidence or appoint special advisers. It was also concerned that the Select Committee approach could be adversarial and may be seen as too critical or aggressive. It was concluded to continue with the current enhanced, member-led approach and for Cabinet to consider these views of the Steering Group.

The Action Plan recommended that an Executive-Scrutiny Protocol be adopted (referenced in the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities). This was being developed with the Steering Group and would be presented to Cabinet at a future meeting for approval.

RESOLVED – to (1) note the progress made in relation to the implementation of the Scrutiny Action Plan; and (2) support the conclusions of the Scrutiny Steering Group and agrees to maintain the current enhanced member-led approach to scrutiny rather than move to the select style of scrutiny.

7/22

FORWARD PLAN

Cabinet was presented with the Executive's Forward Plan for the period 1 February – 31 May 2022 and to take the opportunity to

comment on future decisions for inclusion in the forthcoming Plan. A copy of the Plan was attached at Appendix 2 and would be published on 12 January 2022.

RESOLVED – to note the contents of the Forward Plan attached at Appendix 2.

8/22

HOUSEHOLD SUPPORT FUND GRANT

Cabinet was asked to note the urgent officer decisions taken by:

- i. the Managing Executive Director on 11 November 2021 to approve spending plans for Derbyshire County Council's allocation of the Household Support Fund grant and approve delegation of authority to the executive directors of Children's Services, Adult Social Care and Health, and the Managing Executive Director Commissioning, Communities and Policy to approve amendments and changes to plans for distributing the Household Support Fund in line with the overall scheme eligibility requirements (Appendix 2); and
- ii. the Strategic Director of Children's services on 21 December 2021 to approve the use of a non-DCC Framework - the Crown Commercial Service (CCS) RM6255 Voucher Framework - to appoint a supplier to provide food vouchers to fulfil the spending plans to utilise the Derbyshire County Council allocation of Household Support Fund (Appendix 3).

On 30 September 2021, the government announced a package of extra targeted financial support for vulnerable households most in need over the winter period. Notification of Derbyshire's allocation of funds and clarifying guidance was not received from the DWP until 6 October 2021. Council was required to provide an indicative plan by 29 October 2021 indicating how it would distribute the grant. Normal decision-making protocols were therefore not possible. The grant covered the period 6 October 2021 to 31 March 2022.

The Household Support Fund was issued by the Department for Work and Pensions (DWP) to provide support to households who would otherwise struggle to buy food or pay essential utility bills or meet other essential living costs. Derbyshire County Council's allocation was £5,404,080.90.

RESOLVED – to note the decisions made under urgent delegated powers.

9/22

NEW GRANT FUNDING PROSPECTUS AND FRAMEWORK 2022-2023

Cabinet was presented with proposals to establish a new strategic one council grants funding approach, approval was sought for the new grant funding Prospectus and Framework 2022-23 and to launch the first new grants programme from January 2022.

Work had taken place to develop a coordinated one council strategic grants approach and programme to deliver positive change that was built around people and the places where they lived and worked. This would lead to a fundamental change in the way the Council delivered grant funding, putting in place transparent and consistent processes and procedures whilst aligning grant funding to the Council's ambitions and priorities.

The new approach would see the Council distribute grants using an outcomes-based model, supporting innovative and creative activity, projects, and programmes to secure improved outcomes which meet the ambitions set out in the Council Plan 2021-25.

The approach would be underpinned by two fundamental documents – a Funding Prospectus (which would set out the Council's strategic grant funding priorities on an annual basis, a flexible and agile document which would be refreshed regularly to reflect the Council's funding priorities at any given time) (Appendix 2) and a Funding Framework (which would set out the technical grant funding requirements, enabling the Council to provide clarity and transparency to funding recipients whilst also moving towards a greater degree of consistency across the Council) (Appendix 3). Both documents were described further in the report.

The proposed Prospectus and Framework would develop and become embedded to accommodate all Council grant funded activity and deliver a consistent grant funding approach across the authority. Further reports on the development of the approach as the scope widened would be brought to Cabinet in due course.

RESOLVED – to (1) approve proposals to establish a new one council strategic grants programme for the Council as outlined in the report; (2) approve the Derbyshire Grant Funding Prospectus 2022-2023; (3) allocate an initial sum of £1,650,000 to support the launch of the new Grant Funding Prospectus and Grants Funding Programme in January 2022; (4) approve proposals to establish the Derbyshire Grant Funding Framework 2022-2025 as set out in the report; (5) approve proposals to allocate ten percent of the total funding for coordination of the programme and associated administrative costs; and (6) receive reports on progress of the approach at a future meeting and further proposals for the broadening, development and refresh of the Prospectus as

additional grant funding activity from across the Council is aligned to the new approach.

10/22

ANCHOR INSTITUTIONS IN DERBYSHIRE AND DERBY

Cabinet was updated on local work regarding Anchor Institutions in Derbyshire and were asked to agree that Derbyshire County Council be a signatory to the Anchor Charter (Appendix 2). By signing up to the Derbyshire and Derby Anchor Charter Mission Statement the Authority would commit to long-term collaboration with the other Anchor Institutions in the Derbyshire and Derby Anchor Partnership, support community wealth building goals to improve collective wellbeing and create a strong, resilient, and inclusive local economy.

RESOLVED – to agree that Derbyshire County Council becomes a signatory to the Derby/Derbyshire Anchor Charter.

11/22

STAVELEY WATERSIDE DEVELOPMENT

Approval was sought to accept a grant offer from the Staveley Town Deal Fund and to develop and operate Phase 1 of The Staveley Waterside project comprising infrastructure and a two storey 12,000ft² development to create new business growth units.

Staveley Basin was located on the edge of Staveley town centre and formed part of the Markham Vale estate. The Council had previously secured grant funding to support construction of the basin and to create development land; the resulting Masterplan was attached at Appendix 3. If fully developed in accordance with the Masterplan, an estimated £18m of investment would be attracted to the site.

The Staveley Town Deal was awarded £25.2m in March 2021. The first phase of the Staveley Waterside proposal would deliver a new, high-quality 12,000ft² waterside building, offering flexible office and workshop units for small businesses; flexible ground floor units offering a high-quality food and beverage opportunities with indoor/dedicated outdoor dining space; or other retail use. The proposal also included provision of an access road and enabling utilities which were key to open a further 5 acres of the wider site for future development and investment. Appendix 4 of the report considered the financial viability of the proposals and identified the economic benefits the proposals would bring to the area. A business case for the development was attached at Appendix 5.

Completion of the first phase of the development did not commit the Council to starting nor completing any future phases: these would

be the subject of further reports to Cabinet. Subject to securing all necessary funding and planning approvals, construction of the Staveley Waterside Phase 1 development was likely to commence on site September 2022 and be completed by end of 2023.

RESOLVED – to (1) note the actions taken to date to secure the provisional grant offer of £2.664m from the Staveley Town Deal Board and subject to securing a detailed offer accepts the grant towards the costs of designing and building Phase 1 of the Staveley Waterside project; (2) approve the funding package for Phase 1 of the Staveley Waterside Development as set out in the report; and (3) subject to securing the full grant offer from the Staveley Town Deal Board, approve the placing of orders to commence the detailed design stage of the Phase 1 Waterside Development and to invite tenders for the construction design and build phase.

12/22

FUNDING PROFILE AND PROPOSED UNDERWRITING OF COMMUNITY RENEWAL FUND TO SUPPORT PROJECT DELIVERY

Agreement was sought for the Council's forward funding profile to ensure the CRF projects could be paid in a timely manner from the Council's reserves, with financial reconciliation taking place at the end of the CRF programme delivery.

The Derbyshire Dales and High Peak local authority areas were confirmed as priority places for UK CRF funding. The County Council was confirmed as the 'lead authority' for processing the CRF and invited project proposals from a range of local applicants, carried out project appraisal and produce a shortlist of proposals up to a maximum of £3 million. Two of the Council's shortlisted projects had been successful in being allocated CRF monies – Appendix 2 gave full details.

An urgent decision by the Executive Director – Place was taken to accept the grant funding and commence the process for implementing the necessary management processes. The payment of the CRF monies to the Council would be in two payments. The Council was required to 'forward fund' the projects once the initial payment (£1,249,473) had been made and in advance of the second payment (£749,684). Appropriate monitoring and evaluation processes had been set up to check project progress and ensure outputs were being achieved.

RESOLVED - to agree to the Council underwriting the second half of the Government grant (£749,684) and making payments to projects in line with agreed profiles, from the Council's own resources with reconciliation taking place on receipt of the second

Community Renewal Fund payment from Government.

13/22

DERBY AND DERBYSHIRE 2020 ANNUAL CASUALTY REPORT

To bring to the Cabinet's attention the Derby and Derbyshire Annual Casualty Report 2020 (attached to the report) and to seek approval for the wider publication of the report.

The Casualty Report was an annual publication that ensured information on road traffic collision trends was publicly available. It showed road traffic casualty data within the areas covered by the Derby and Derbyshire Road Safety Partnership (DDRSP), Derbyshire County Council and Derby City Council, as well as detailed analysis of casualty trends for each road user group. The Report would be used to guide casualty reduction work.

National and local trends had been impacted by the national restrictions implemented from March 2020 onwards following the coronavirus (COVID-19) pandemic.

RESOLVED – to approve the Derby and Derbyshire Casualty Report 2020 and its wider publication.

14/22

2022-2023 HIGHWAYS CAPITAL DELIVERY PROGRAMME

Approval was sought for the delivery of the Highways Capital Programme for the year 2022-23.

The Council received central Government funding annually via a number of different grants for highways and transport improvement and maintenance schemes. The availability and value of these funds varied each year depending on central Government priorities. Some were allocated via the application of a formula, using road length and highway asset numbers.

Funding had been allocated to meet asset needs, elected members' suggestions and the strict criteria of the different funds; allocation criteria was outlined in the report.

RESOLVED – to (1) approve the delivery of the 2022-2023 Highways Capital Delivery programme; (2) agree to accept a grant offer of £0.500m from the Department for Transport for the design of traffic signal equipment for Urban Traffic Control (UTC) Upgrades; and (3) delegate to the Executive Director for Place, in agreement with the Cabinet Member for Highways, Assets and Transport, the authorisation to approve any changes to the programme, (within the tolerance of the overall budget).

**HIGHWAYS, TRANSPORT AND ENVIRONMENTAL
PROFESSIONAL CONSULTANCY SERVICES PARTNERSHIP
CONTRACT**

Approval was sought to appoint a Project Team to commence a procurement exercise and develop a detailed business case to commission a Highways, Transport and Environmental Professional Consultancy Services Partnership contract to support the delivery of a wide variety and volume of highway, transport and other works in the Council's capital programme.

Over the past few years, the Council had seen a significant increase in Government funding for the highways capital programme and major projects. Simultaneously, it had experienced shortages in staff leading to a backlog in delivery of the programme.

The Council had initiated a new recruitment drive to address the large number of vacancies within the service and had engaged with a wide variety of alternative providers to identify the options available to increase support to the in-house service. The Council was also utilising a wider range of different national and regional frameworks which would enable the Council, in the short-term, to commission more projects to be designed from its capital programme

The Council's preferred option was for an in-house service plus "top-up" arrangements with an external long term partner that better integrated external resources in supporting the in-house service so as to make a future long-term partnership and procurement exercise successful, the form of contract chosen, needed to be as attractive as possible to prospective partners. The procurement exercise was likely to take up to 18 months with a target start date of April 2023. A Project Team and board would be appointed to develop the project, procurement process and final business case to commission the best partner for the Council.

RESOLVED – to (1) authorise the Executive Director - Place to commence the procurement exercise to commission a Highways, Transport and Environmental Professional Consultancy Services Partnership to support the Council in delivering its capital programme; (2) authorise the Executive Director - Place to approve the appointment of a Project Team to undertake the procurement exercise and develop a detailed business case to commission a Highways, Transport and Environmental Professional Consultancy Services Partnership; and (3) note that following completion of the tender process, Cabinet will be requested to approve the award of contract to the preferred bidder.

16/22

CHILDCARE SUFFICIENCY ASSESSMENT 2021 - 2022

The outcome of the Childcare Sufficiency Assessment as required by the Childcare Act 2006 and the Department for Education (DfE) 'Early Education and Childcare, Statutory Guidance for Local Authorities'(June 2018) was reported to Cabinet and approval was sought for the report to be published.

Sections 6(1) and 6(3) of the Act placed a statutory requirement for local authorities to secure, so far as was reasonably practicable, sufficient childcare to allow parents to work, access training or study; take into account the quality of provision to ensure there were 'outstanding' or 'good' Ofsted graded places available for as many children as possible and the affordability of provision to help ensure the places were accessible to parents. The main focus of the 2021-2022 assessment was the provision of the early years funded entitlements for two, three and four year olds.

RESOLVED – to approve the draft Childcare Sufficiency Assessment 2021 – 2022 for publication.

17/22

CONTRACT FOR THE PROVISION OF THE RECOVERY AND PEER SUPPORT SERVICE

Approval was sought for the extension of the contract for the provision of the Recovery and Peer Support Service for 12 months until 31 March 2023, beyond the original contract award, together with a further contract extension to temporarily expand the service.

The Recovery and Peer Support Service provided mental health opportunities and social inclusion services, including a wide range of support for people with mental ill health, to improve and maintain their mental health and overall sense of wellbeing, to improve outcomes, and to support people with mental ill health to lead a fulfilling life. The service was an essential part of mental health care provision in Derbyshire, enabling the Council to meet its Care Act 2014 duty to prevent and delay the need for care and support.

There was a need for an additional 15 members of staff within the Recovery and Peer Support Service at a total cost of £0.420m. It had not been possible to re-commission the service to meet this additional need, as the Covid pandemic delayed the prototyping that would have informed the changes as well as the re-commissioning itself.

An extension was sought, including additional funding to enable the appointment of additional staff, in accordance with Regulation 72 within the Public Contracts Regulations 2015. It would also allow for

the re-commissioning of an expanded service for April 2023, while continuing to provide a service to Derbyshire residents in the interim.

RESOLVED – to approve (1) the extension of the contract for the provision of the Recovery and Peer Support Service for 12 months until 31 March 2023, beyond the original contract award; and (2) a further contract extension to temporarily expand the service.

18/22 **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.

19/22 **URGENT OFFICER DECISION - CEMETERY ROAD, GLOSSOP:
3G ALL WEATHER PITCH CONTRACTS**

20/22 **AWARD OF CONTRACT FOR THE SUPPLY OF TOOLS AND
ANCILLARIES**

21/22 **REPORT SEEKING APPROVAL TO PROCURE PROJECTS IN
ADDITION TO LATEST DEPARTMENTAL FORWARD PLAN**