

PUBLIC

MINUTES of a meeting of **CABINET** held on Thursday, 27 July 2023 at Committee Room 1, County Hall, Matlock.

PRESENT

Councillor B Lewis (in the Chair)

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

Officers present: Emma Alexander (Managing Director), Helen Barrington (Director of Legal and Democratic Services), Alec Dubberley (Head of Democratic and Registration Services), Mark Kenyon (Director of Finance and ICT), Ellie Houlston (Director Of Public Health), Joe O'Sullivan (Executive Director - Corporate Services and Transformation), Alison Noble (Director - Early Help & Safeguarding) and Julian Gould (Director - Highways).

107/23 TO RECEIVE DECLARATIONS OF INTEREST (IF ANY)

None received.

108/23 TO CONSIDER MINORITY GROUP LEADER QUESTIONS (IF ANY)

None received.

109/23 TO APPROVE, AS A CORRECT RECORD, THE NON-EXEMPT MINUTES OF THE MEETING HELD ON 10 JULY 2023

RESOLVED:

To approve, as a correct record, the minutes of the meeting held on 10 July 2023.

110/23 CHILDREN'S SERVICES CAPITAL PROGRAMME 2023-24

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, that sought approval for the Children's Services Capital Programme 2023-24 allocations.

RESOLVED to:

- 1) Note the allocations made under delegated powers by the Executive Director for Children's Services and the Children's Services Head of Development as detailed in Appendix 2 to the

report;

- 2) Note the new DfE capital allocations and receipt of the funds received/returned to the Children's Services Capital Budget as detailed in Appendix 3 to the report;
- 3) Approve the allocation of £1,122,771 Section 106 funding to the 3 classroom project at Eureka Primary School as detailed in Appendix 4 to the report; and
- 4) Approve the Capital Programme 2023-24 and allocations totalling £953,150 from 2023-24 Basic Need and £5,169,528 from 2023-24 School Condition Allocation to the projects as detailed in Appendix 4 to the report.

111/23 APPROVAL TO IMPLEMENT ALL CORPORATE PROPERTY STRATEGIES AND APPEND TO THE CORPORATE PROPERTY ASSET MANAGEMENT STRATEGY

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval to implement all Corporate Property Strategies and Append to the Corporate Property Asset Management Strategy.

RESOLVED:

To approve the implementation of the Property Maintenance, Estate Management and Facilities Management Strategies and the Disposal and Acquisition Protocol.

112/23 FIRE MITIGATION PROGRAMME 2023-24

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval for the allocation and procurement of the Fire Mitigation Programme (FMP) of works within the Derbyshire County Council's property portfolio.

RESOLVED to:

- 1) Approve the Fire Mitigation Programme 2023-2024;
- 2) Approve all goods, works and services required to undertake the identified projects within the Fire Mitigation Programme 2023-2024 which will be procured and awarded in accordance with the Council's Financial Regulations;

- 3) Approve the procurement of the projects identified in Appendix 2 of the report, which are included in the Council's Forward Plan in line with the Council's Financial Regulations; and
- 4) Note that some contracts award will be approved in accordance with the Council's Departmental Scheme of Delegation.

113/23 PERFORMANCE MONITORING AND REVENUE OUTTURN 2022-23

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that gave an update on Council Plan performance monitoring and the final revenue outturn position for 2022-23.

RESOLVED to:

- 1) Note and agree the Council Plan performance and the revenue outturn position for 2022-23;
- 2) Note the position on General and Earmarked Reserves;
- 3) Approve the allocation of underspend amounts and commitments to Portfolios as set out in paragraphs 4.40 and 4.41 of the report;
- 4) Approve the release of the sums of £3.750m from the Business Development and Economic Recovery earmarked reserve, £1.000m from the Business Rates Pool earmarked reserve, £6.407m from the Covid Emergency Grant earmarked reserve and £1.227m from the Inflation Risks earmarked reserve as set out in paragraph 4.42 of the report;
- 5) Approve the allocation of £15.924m to the Budget Management earmarked reserve, from the available underspend and reserves releases detailed in paragraph 4.42 of the report;
- 6) Approve contributions to earmarked reserves of £6.358m from the underspend on the Bus Service Improvement Plan grant, £0.801m from the underspend on the Domestic Abuse Capacity Building Fund grant, £0.792m from the underspend on the Syrian Refugee Resettlement grant and £0.069m from the underspend on the Afghan Relocations and Assistance Policy grant, as detailed in paragraphs 4.32 and 4.35 of the report, to fund future expenditure consistent with the purpose of each respective grant;
- 7) Approve that any underspends arising in future financial years on the Bus Service Improvement Plan grant, the Domestic Abuse

Capacity Building Fund, the Community Safety Resettlement, the Syrian Refugee Resettlement and the Afghan Relocations and Assistance Policy grants may be contributed to earmarked reserves to fund future expenditure consistent with the purpose of each respective grant;

8) Approve the contribution of £0.946m from an unspent service pressure as detailed in paragraph 4.36 of the report to an earmarked reserve to fund expenditure associated with the purchase, conversion and refurbishment of Childrens Homes; and

9) Approve the transfer of £4.000m for the Carbon Reduction in Maintained Derbyshire Schools from an invest to save scheme to a borrowing scheme as outlined in paragraphs 4.73 and 4.74 of the report.

114/23 PORTFOLIO MANAGEMENT AND TRANSFORMATION FUNCTION – BUDGET VIREMENT TO FACILITATE DELIVERY OF ITS FULL OPERATING MODEL

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that gave an update in relation to the delivery of the full operating model for the Portfolio Management and Transformation function, and sought approval for the required transfer of budget.

RESOLVED:

To approve the transfer of £0.405m (Children’s Services £0.073m and Adult Social Care and Health £0.332m) budget into Corporate Services and Transformation Directorate, to facilitate the Portfolio Management and Transformation function achieving its full operating model.

115/23 MENOPAUSE POLICY

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval to adopt and publish a Menopause Policy as part of the implementation of the Wellbeing Strategy, aligned to the Council’s People Strategy.

RESOLVED to:

1) Approve the Menopause Policy for adoption and publication on 7th August 2023 as part of the implementation of the Wellbeing Strategy, aligned to the Council’s People Strategy; and

- 2) Note that the Council will sign up to the Menopause Friendly Accreditation scheme as approved by CMT.

116/23 OUTCOME OF CONSULTATION ON ELIGIBILITY CRITERIA FOR COMMUNITY ALARM ONLY CLIENTS

Councillor N Hoy introduced a report, which had been circulated in advance of the meeting, that gave an update in relation to the outcome of consultation on eligibility criteria for community alarm only clients.

RESOLVED to:

- 1) Note the outcomes of the full report on the consultation responses received and the detailed analysis of the feedback in Appendix 2 of the report, and the Equality Impact Analysis (EIA) in Appendix 3 of the report; and
- 2) Approve the implementation of new eligibility criteria for the provision of Derbyshire County Council community alarm only clients, to focus on supporting adults with an identified health and social care need in accordance with the duties of sections 2 and 18 of the Care Act 2014, as set out in sections 4.16 of the report.

117/23 SOUTH DERBY GROWTH ZONE REGENERATION PIPELINE PROGRAMME

Councillor C Renwick introduced a report, which had been circulated in advance of the meeting, that outlined next steps in relation to ensuring the timely delivery of the South Derbyshire Growth Zone project and sought Cabinet approval to implement the associated actions.

RESOLVED to approve to:

- 1) Proceed to deliver enabling infrastructure within the South Derby Growth Zone (“the Scheme”);
- 2) Enter into Delegation Agreements with Derby City Council and National Highways;
- 3) The making of the Side Roads Order (“the SRO”) followed by the Compulsory Purchase Order (“the CPO”);
- 4) The publication and notice of the CPO and SRO being given to landowners and members of the public in accordance with statutory procedures;

- 5) The submission of the CPO and SRO to the Secretary of State for Transport for confirmation and the taking of such steps as may be required to achieve confirmation;
- 6) Authorise the Executive Director – Place, in consultation with the Director of Legal and Democratic Services and Portfolio Holder for Infrastructure and Environment, to make any necessary changes to the draft CPO, SRO and/or Statement of Reasons arising from further legal advice, design work, negotiation with landowners or affected parties or for any connected reasons in order to enable delivery of the Scheme;
- 7) Authorise the Director of Legal and Democratic Services in consultation with the Executive Director – Place, to take all necessary steps in connection with the conduct and, if appropriate, settlement of such proceedings, in the event that any question of compensation is referred to the Upper Tribunal (Lands Chamber);
- 8) Authorise the Director of Legal and Democratic Services to appoint suitable counsel to advise and represent the Council at any Public Inquiry held in respect of the SRO and CPO;
- 9) Authorise the Executive Director – Place to negotiate with objectors to the CPO and SRO and other landholders impacted by the Scheme to resolve objections to the Scheme, including without limitation, agreeing accommodation works and the acquisition of interests in land to enable the Scheme to proceed and for the Director of Legal and Democratic Services to draw up and execute any such documents as are necessary to withdraw any objections raised;
- 10) Take ownership of land pursuant to the CPO to deliver the Scheme and authorise the Director of Legal and Democratic Services to draw up and execute any such documents as are necessary to the completion of such acquisitions;
- 11) Authorise the Executive Director – Place to negotiate the compensation and payment of the same to affected landowners in accordance with the Compensation Code; and
- 12) Authorise the Executive Director – Place to approve payment of relevant and reasonable professional fees incurred by landowners and others with compensatable interests in taking professional advice in connection with the acquisitions of their interests required for the Scheme and related compensation

claims and related claims in advancing the development or implementation of the Scheme.

118/23 **OPERATION AND MANAGEMENT OF HOUSEHOLD WASTE RECYCLING CENTRES**

Councillor C Renwick introduced a report, which had been circulated in advance of the meeting, that gave an update in relation to the operations and management of Household Waste Recycling Centres (“HWRC”), sought approval for spending from the current Resources and Waste reserve and to conduct a public consultation in relation to changes to the service provision.

RESOLVED to:

- 1) Approve a spend of up to £20,000 from the current Resources and Waste reserve and up to £180,000 from an existing waste capital project (subject to approval of the next quarterly capital monitoring report) to install Automatic Number Plate Recognition systems, back-office integrations and customer facing web portal and the addition of this project to the 2022/23 Capital Programme; and
- 2) Agree to conduct a public consultation in relation to the implementation of the existing budget saving and budget saving options put forward as part of the 2023-24 budget setting process. Namely: charging for usage of HWRC’s by non-residents, limiting the materials accepted on-site and reducing the opening hours of HWRCs.

119/23 **VIREMENT APPROVAL**

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval for the permanent virement of £460,000 from the Children’s Services budget to the Legal and Democratic Services budget to meet the cost of external barristers and solicitors used to support the conduct of care proceedings.

RESOLVED:

To approve the virement of £460,000 from the Children’s Services Budget to the Legal and Democratic Services budget.

120/23 **EXCLUSION OF THE PUBLIC**

RESOLVED:

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

121/23 TO APPROVE, AS A CORRECT RECORD, THE EXEMPT MINUTES OF THE MEETING HELD ON 10 JULY 2023

RESOLVED:

To approve, as a correct record, the exempt minutes of the meeting held on 10 July 2023.

122/23 DOMESTIC ABUSE SUPPORT SERVICES - INCREASE TO CONTRACT VALUE

Councillor C Hart introduced a report, which had been circulated in advance of the meeting, that sought approval to increase the contract value in respect of the Domestic Abuse Support Services.

RESOLVED:

To approve the recommendations as detailed in the not for publication report.

123/23 PUBLIC HEALTH SERVICE LEVEL AGREEMENT WITH EARLY HELP 2023-24 AND MITIGATING THE IMPACT OF COST PRESSURES WITHIN COMMISSIONED PUBLIC HEALTH SERVICES

Councillor C Hart introduced a report, which had been circulated in advance of the meeting in relation to the Public Health Service Level Agreement with Early Help 2023-24 and mitigating the impact of cost pressures within commissioned public health services delivered by Derbyshire Community Health Services.

RESOLVED:

To approve the recommendations as detailed in the not for publication report.

124/23 TO APPROVE THE AWARD OF THE HIGHWAYS, TRANSPORT AND ENVIRONMENTAL PROFESSIONAL CONSULTANCY SERVICES PARTNERSHIP CONTRACT

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that sought approval to award the Highways, Transport and Environmental professional consultancy services partnership contract.

RESOLVED:

To approve the recommendations as detailed in the not for publication report.

125/23 APPROVAL TO UPGRADE THE ELECTRONIC DOCUMENT RECORDS MANAGEMENT SYSTEM

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that sought approval to award the Upgrade of the Electronic Document Records Management (EDRM) system contract.

RESOLVED:

To approve the recommendation as detailed in the not for publication report.

126/23 REVIEW OF MAINTENANCE AND CONSTRUCTION

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that gave an update in relation to the outcome of a review of the Property Maintenance and Construction activities.

RESOLVED:

To approve the recommendation as detailed in the not for publication report.

The meeting finished at 2.52 pm