

PUBLIC

MINUTES of a meeting of **CABINET** held on Thursday, 19 October 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.

Apologies for absence were submitted for Councillor .

Officers present: Emma Alexander (Managing Director), Helen Barrington (Director of Legal and Democratic Services), Neill Bennett (Assistant Director Highways Commissioning), Andrea Bond (Democratic Services Manager), Carol Cammiss (Executive Director - Children's Services), Alec Dubberley (Head of Democratic and Registration Services), Ellie Houlston (Director Of Public Health), Mark Kenyon (Director of Finance and ICT) and Simon Stevens (Executive Director - Adult Social Care and Health).

146/23 TO RECEIVE DECLARATIONS OF INTEREST (IF ANY)

None received.

147/23 TO CONSIDER MINORITY GROUP LEADER QUESTIONS (IF ANY)

None received.

148/23 TO APPROVE, AS A CORRECT RECORD, THE NON-EXEMPT MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2023

RESOLVED:

To approve, as a correct record, the minutes of the meeting held on 21 September 2023.

149/23 ROLL OUT OF ELECTRONIC DEVICES FOR LEARNING UPDATE

Councillor A Dale introduced a report, which had been circulated in advance of the meeting, that provided an update on the roll out of electronic devices for learning in Derbyshire.

RESOLVED:

To note the progress made to support children and young people to achieve their educational potential, enabling access to electronic devices and the range of schemes still available to support children and young people who are digitally disadvantaged in Derbyshire, including that:

- a) 562 Children and young people were supported with free internet access during Covid;
- b) 11,147 Laptops are now in circulation in schools and with individual children since 2020; and
- c) On average Derbyshire schemes provide children and young people with 180 devices a year.

150/23 TREASURY MANAGEMENT ANNUAL REPORT 2022-23

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that presented details of the Treasury Management Annual Report for 2022-23 and confirmed the Council's compliance with specified prudential indicators set by the Council.

RESOLVED:

To note the report on Treasury Management activities during 2022-23 and the Council's compliance with the prudential indicators set by the Council at its meeting on 2 February 2022, in accordance with the Chartered Institute of Public Finance and Accountancy's Code.

151/23 ANNUAL REVIEW LETTER OF THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) 2022-23

RESOLVED:

To note the Annual Review letter of the Local Government and Social Care Ombudsman for the year ending 31 March 2023.

152/23 EAST MIDLANDS FREEPORT, PROPOSALS TO ACCEPT AMENDMENTS TO ARTICLES OF ASSOCIATION AND MEMBERS' AGREEMENT

Councillor B Lewis introduced a report which had been circulated in advance of the meeting, that sought approval for the amended Articles of Association and Members' Agreement of the East Midlands Freeport Company and to change the nominated Director to the Company and representative of the Council to act in the role as a member of the Company.

RESOLVED:

That Cabinet, subject to:-

- The resolution of outstanding subsidy control issues through Government guidance or by way of acceptable legal advice; and
- South Derbyshire District Council, Goodman EMIP (UK) Limited and Etwall Land Limited also confirming its approval to become a member of the Freeport and agreeing the revised Articles of Association and Members' Agreement:
 - 1) Approves the Council becoming a member of the East Midlands Freeport Company;
 - 2) Agrees the revised Articles of Association and Members' Agreement for the East Midlands Freeport Company as set out in the exempt Appendices 4 and 5 of the report;
 - 3) Authorises the Director of Legal and Democratic Services, in consultation with the Leader, to agree amendments to the Articles of Association and Members' Agreement;
 - 4) Authorises the Director of Legal and Democratic Services, in consultation with the Executive Director for Place, to complete any documentation necessary to facilitate incorporation of the Company, following confirmation of 3) above;
 - 5) Agrees to amend the previous approval to nominate the Council Leader as Company Director and instead nominate the Cabinet Member for Clean Growth and Regeneration as the East Midlands Freeport Company Director on behalf of Derbyshire County Council;
 - 6) Notes that the Council's Cabinet Member for Clean Growth and Regeneration, as a Director, will have the power under the Articles of Association to appoint an alternate to attend a Board meeting in their absence;
 - 7) Reaffirms the decision to authorise the Managing Director (or authorised representative) to cast a vote as a Member of the Company, in relation to decisions reserved to members of the Company whether at a member meeting or by written resolution, when necessary, having taken legal, technical and financial advice as appropriate; and

- 8) Agrees that periodic progress reports be brought to Cabinet or another appropriate forum by way of updates for members.

153/23 ALLOCATION OF 2024-25 LOCAL TRANSPORT PLAN HIGHWAYS CAPITAL SETTLEMENT

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that sought approval for the acceptance of the 2024-25 Local Transport Plan grant and for the delegation to the Director for Highways, to approve any changes to the programme, (within the tolerance of the overall budget).

RESOLVED to:

- 1) Approve the acceptance of the 2024-25 Local Transport Plan grant from the Department for Transport (DfT) to the Highways Capital Programme providing forward visibility to members and communities and enabling early delivery of the programme; and
- 2) Authorise delegation to the Director for Highways, to approve any changes to the programme, (within the tolerance of the overall budget).

154/23 PERMISSION TO PROCURE THE 2024-25 MICRO ASPHALTING PROGRAMME

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, that sought approval to procure the 2024-25 Micro Asphaltting Programme.

RESOLVED:

To approve to advertise an open tender to select a contractor to undertake the 2024-25 Micro Asphalt programme with the authority to approve contract award being delegated to the Executive Director for Place.

155/23 USE OF THE PROVISION OF LIBRARY STOCK TO EAST MIDLANDS AND MID ANGLIA LIBRARIES (EMMA) CONSORTIUM FRAMEWORK TO COVER THE PROVISION OF LIBRARY STOCK TO DERBYSHIRE LIBRARIES

Councillor B Lewis introduced a report, which had been circulated in advance of the meeting, that sought approval to use the East Midlands and Mid Anglia Libraries Consortium Framework for the provision of

library stock to Derbyshire libraries under Protocol 2a of the County Council's Financial Regulations along with the associated budget allocations, control measures and implications as detailed in the report.

RESOLVED to:

- 1) Approve the use of the Provision of Library Stock to East Midlands and Mid Anglia Libraries Consortium Framework Agreement for the purposes of acquiring stock to Derbyshire Libraries;
- 2) Approve the allocation of up to £432,000 per annum for the six year period of the framework, commencing in April 2024, up to a total of £2,592,000;
- 3) Agree that any planned spend on stock be reviewed and agreed on a quarterly basis with the Director for Economy and Regeneration prior to the placing of orders and purchase of stock; and
- 4) Agree that an annual review be undertaken of demand on stock as part of wider budgetary considerations and service delivery arrangements to ensure appropriate levels of spend.

156/23 FORWARD PLAN

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, that presented the Executive's Forward Plan for the period 1 October – 31 January 2024.

RESOLVED:

To note the contents of the Forward Plan.

157/23 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.

158/23 AGREEMENT BETWEEN DERBYSHIRE COUNTY COUNCIL AND

DERBY CITY COUNCIL FOR THE ADMINISTRATION OF ENGLISH NATIONAL CONCESSIONARY TRAVEL SCHEME 2023-24

Councillor C Cupit introduced a report, which had been circulated in advance of the meeting, in relation to the agreement between Derbyshire County Council and Derby City Council for the Administration of English National Concessionary Travel Scheme.

RESOLVED:

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

159/23 SAP UPGRADE IMPLEMENTATION

Councillor S Spencer introduced a report, which had been circulated in advance of the meeting, in relation to the SAP upgrade programme and the procurement of an SAP implementation partner.

RESOLVED:

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

The meeting finished at 2.40 pm