

Time began: 4.00pm  
Adjourned: 4.03pm  
Reconvened: 4.05pm  
Time ended: 5.16pm

## **COUNCIL CABINET**

### **3 August 2022**

Present	Councillor Poulter (Chair) Councillors Barker, Eyre, Hassall, J Pearce and Smale
In attendance	Councillors AW Graves, Repton, Shanker and Skelton Paul Simpson – Chief Executive Emily Feenan – Director of Legal, Procurement and Democratic Services Alison Parkin – Director of Financial Services Duncan Cowie – Head of Parks and Active Living John Sadler – Strategic Asset Manager Ian Fullagar – Head of Strategic Housing Tim Bagshaw – Head of Economic Growth Vickie Brandom – Communications & Marketing Manager Jo Smith – Derbyshire Wildlife Trust

This record of decisions was published on 4 August 2022. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

### **48/22 Apologies**

Apologies for absence were received from Councillor Williams, Rachel North, Omar Aslam – Youth Mayor and Gloria Osei-Bonsu – Deputy Youth Mayor.

### **49/22 Late Items**

There were no late items.

### **50/22 Receipt of Petitions**

There were no petitions.

### **51/22 Identification of Urgent Items to which Call In will not apply**

The following item needed to be implemented immediately and therefore been exempted from call-in on the grounds of urgency.

### **Item 11 – Derby Nuclear Skills Academy, Infinity Park (minute no 58/22)**

The reason for urgency was that there were some agreements which needed to be signed on 4 August 2022 to allow the works to commence on 8 August 2022.

The Chair of the Executive Scrutiny Board had agreed the matter could be treated as an urgent item and therefore not subject to call-in.

## **52/22      Declarations of Interest**

Councillor Shanker declared an interest in item 11 – Derby Nuclear Skills Academy, Infinity Park because he was an employee of Rolls Royce.

## **53/22      Minutes of the meeting held on 5 and 13 July 2022**

The minutes of the meeting held on 5 and 13 July 2022 were agreed as a correct record.

## **Matters Referred**

### **54/22      Recommendations from the Executive Scrutiny Board**

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The Executive Scrutiny Board met and discussed items contained within the Council Cabinet Agenda. The report enabled the views and recommendations resulting from these discussions to be formally shared with Council Cabinet. These were submitted to Council Cabinet as Appendix 1, prior to commencement of the meeting.

### **Decision**

To receive the report and consider the recommendations alongside the relevant report.

## **Key Decisions**

### **55/22      Allestree Park Rewilding Project**

The Council Cabinet considered a report which set out the outcomes of the Allestree Rewilding consultation.

The Executive Scrutiny Board resolved to note the report.

### **Options Considered**

1. To do nothing other than to continue with the current maintenance programme for the park. This would not maximise the opportunities of this important asset.

2. To progress one of the alternative options from the consultation exercise, opposed to proceeding with the preferred option to progress plans for the community rewilding of Allestree Park.

## **Decision**

1. To accept the outcomes of the Allestree Park Rewilding consultation exercise, as summarised in section 4.4 of the report and detailed fully in the Consultation Report at Appendix 1.
2. To adopt the “Vision for Community Rewilding Allestree Park” in Appendix 2 of the report, subject to ongoing consultation and assessment of financial issues.

## **Reasons**

1. In 2019, Derby City Council declared a Climate Change Emergency, recognising the magnitude of the climate crisis in Derby and committing to play its part in preventing the most devastating impacts of climate change. Rewilding Allestree Park would place Derby as a leader in nature’s recovery in an urban setting and demonstrate the commitment of the Council to taking urgent and direct action to address the Climate Crisis.
2. Climate change was driving nature’s decline, and the loss of wild places left us ill-equipped to reduce carbon emissions and adapt to change. Responding to the climate crisis was not possible without creating more space for nature. The report proposed a community rewilding approach at Allestree Park to help tackle these problems synergistically.
3. Allestree Park was the largest open space in Derby. It offered the perfect opportunity to kickstart the development of a wider, more connected Derby that was equipped to tackle the Climate Change Emergency in support of the Council’s Climate Change Action Plan that was agreed by Council Cabinet on 15 June 2022.
4. Community Rewilding of Allestree Park would help to:
  - Drive nature recovery in Derby, providing more space for nature-rich habitats and potentially reintroducing new species.
  - Inspire people in and around Derby to notice and care about nature and mobilise people and communities to deliver pro-environmental actions.
  - Increase Derby city’s carbon storage and sequestering capacity.

56/22      Extension of Delegation to Approve Affordable Housing Schemes

The Council Cabinet considered a report which sought to extend the existing delegated approval, granted by Council Cabinet in August 2021, for the approval of affordable housing schemes to the Strategic Director of Communities and Place following consultation with the Strategic Director of Corporate Resources and S151 Officer and Cabinet Member for Adults, Health and Housing for a further 3 years.

The Executive Scrutiny Board resolved to note the report.

### **Options Considered**

The Council could revert to working under the previous approval limits. However, this would not maximise the opportunity to deliver much needed affordable housing within the city at pace.

### **Decision**

1. To delegate authority to the Strategic Director of Communities and Place following consultation with the Strategic Director of Corporate Resources and S151 Officer and Cabinet Member for Adults, Health and Housing for a period of 3 years to
  - approve expenditure on each affordable housing acquisition or development up to a total cost of £2.5m providing that they could be contained within the existing approved capital programme and meet all necessary financial parameters and procurement regulations where applicable.
  - approve the changes to the HRA capital programme as required for the addition of these schemes.
  - enter into all necessary agreements required to deliver the affordable housing acquisitions or developments.
2. To agree to the developments and acquisitions that were the subject of these delegations being incorporated within the Councils housing stock to be managed by Derby Homes.
3. To report back to Council Cabinet following a review of the delegation before the expiry of the 3 year period.
4. To approve the HRA Boards Terms of Reference.

### **Reasons**

1. Delegation would offer more dynamic opportunities for the Council to secure affordable housing developments and acquisitions that currently may be missed due to the length of time it takes to secure a Council Cabinet decision.

2. Delegated approval would only be sought after the scheme had been presented to the HRA Capital Board and on the recommendation of the HRA Capital Board, who would ensure that the scheme met the necessary financial assessment and parameters.
3. Delegated approval would allow the for greater scale and pace on smaller new build developments.
4. To ensure that the delegation was on going and continued to meet the opportunities to deliver affordable housing.
5. In the interests of effective and efficient programme management, it was appropriate to approve further delegations as outlined in the HRA Board Terms of Reference.

## 57/22      Property Transactions

The Council Cabinet considered a report which sought approval to declaring several property assets surplus to requirements and their subsequent disposal.

The Executive Scrutiny Board resolved to note the report.

### **Options Considered**

Not to proceed with the disposal of the identified assets would result in the Council incurring costs and risks associated with the holding and management of vacant buildings.

### **Decision**

1. To approve the following assets as surplus to operational need: -
  - a) The Rycote Centre as shown in Appendix 1 of the report.
  - b) The land at Bridge Street as shown in Appendix 3 of the report.
2. To approve the disposal of the following assets: -
  - a) The Rycote Centre as shown in Appendix 1 of the report.
  - b) The land at Bridge Street as shown in Appendix 3 of the report.
3. To delegate authority to the Strategic Director of Corporate Resources following consultation with Cabinet Member of Finance, Digital and Culture to agree the detailed terms of the disposal of the properties listed in paragraph 2.2 of the report and in respect of the Rycote Centre the terms relating to the relocation of Derby Deaf Club.

### **Reasons**

1. To accelerate the disposal programme to support the Council's MTFP through the generation of capital receipts and minimise costs whilst ensuring that property assets had the relevant authority to be released as efficiently as possible in line with the principles of the Council's Corporate Asset Management Plan.
2. To ensure that the capital receipts were generated for the Council and that associated costs and liabilities from holding properties (including vacant properties) were extinguished as soon as possible.
3. To provide a balance between the need to dispose of properties as quickly as possible against the need to seek Council Cabinet's approval to individual property sales.
4. To allow the timings of sales to be varied to enable the Council to react promptly to changing market conditions and to deal effectively with complexities that might arise with some of the properties.

## 58/22      Derby Nuclear Skills Academy, Infinity Park

The Council Cabinet considered a report which gave an update on the Project to repurpose the iHub building to be the location of the Derby Nuclear Skills Academy, through a partnership of Rolls Royce, University of Derby, Nuclear AMRC and National College for Nuclear, providing 2000 new apprenticeships to support the nuclear industry in the next ten years.

The report set out the financial and legal implications and conditions associated with the Project and the proposed iHub change of use.

The Executive Scrutiny Board welcomed this report and the immense potential it would offer young people to enter into a highly skilled long-term career and further bolster our world leading reputation as a city that drives new technology and cutting-edge manufacturing.

### **Options Considered**

The project has been developed at pace to ensure its establishment in Derby with the benefit and opportunity that it brings.

### **Decision**

1. to approve the reconfiguration of the iHub as a Nuclear Skills Academy as detailed in section 4 of the report in time for the academy's planned operational go live date of 12th September 2022. There would be a partial take up of the building in September to accommodate the first-year intake, working towards a full lease of the building in 2023.
2. To note that the Council, Rolls Royce, University of Derby and NAMRC had agreed the terms of a non-binding Memorandum of Understanding (MoU) in

relation to the Project, details of which were set out in paragraph 4.9 of the report.

3. To note that the Council, Rolls Royce, University of Derby and NAMRC were currently engaged in detailed negotiations to finalise roles and responsibilities and financial arrangements in relation to the Project, in line with the split of responsibilities set out in the MoU and that the report detailed the main terms of the proposed arrangements.
4. To delegate authority to the Strategic Director of Communities & Place, following consultation with the Strategic Director of Corporate Resources, the Cabinet Member for Regeneration, Decarbonisation, Strategic Planning and Transport, and the Cabinet Member for Finance, Digital & Culture, to finalise the terms of the proposed arrangements and enter into all necessary legal agreements, including but not limited to:
  - a lease, licence or leases of the iHub from the Council to the University of Derby, broadly in line with the details set out in section 4 of the report.
  - a deed of variation to vary the terms of the headlease between Rolls Royce and the Council to allow an application and implementation of planning permission by the University of Derby for necessary external structural alterations and a change of use of the iHub for the implementation of the Project.
  - a licence for alterations from the Council to the University of Derby, to allow the Nuclear Skills Academy to be operational from 12 September 2022.

## **Reasons**

1. The Project provided an opportunity to strengthen Derby's credentials as a critical centre of excellence in the growing UK nuclear sector and align with the aspirations of the Government's Nuclear Sector Deal.
2. These proposals offered an exciting new opportunity for the citizens and young people of Derby to undertake apprenticeships as nuclear engineering technicians through to advanced degree qualifications.
3. These proposals when fully realised would further strengthen the economy supporting presence and capability of high-end technology skills and jobs within the city area.
4. The proposed rent for the lease from the Council to the University of Derby was anticipated to be in excess of £250,000 and therefore the grant of that lease and associated agreements was a key decision requiring Council Cabinet approval.

Having declared a personal interest in the above item, Councillor Shanker left the meeting during the discussion and voting thereon.

## 59/22      Cycle Race Tour Series

The Council Cabinet considered a report which provided information regarding the ambition for Derby to be considered as a Host City for the Cycle Race Tour Series and sought the necessary approvals to submit a bid in August 2022.

Whilst progressing the Tour Series event we had been made aware of two other major cycling events, that provided bid opportunities for Derby. They were the Women's Tour and the Tour of Britain, which were also being explored.

The Executive Scrutiny Board resolved to note the report.

### **Options Considered**

To not proceed with bids to be a Host City for either the Tour Series, Women's Tour or Tour of Britain events.

### **Decision**

1. To approve the submission of a bid from Derby City Council to be a Host City for the Cycle Race Tour Series from 2023-2025 and note the Host City responsibilities in paragraph 4.5 of the report.
2. To note the key benefits in attracting the event to Derby described in paragraph 3.3 of the report.
3. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources, the Cabinet Member for Streetpride, Leisure & Public Spaces and the Cabinet Member for Community Development, Place & Tourism to take all actions necessary to approve accepting the Tour Series bid, entering into associated contractual commitments, and the associated budget required to deliver the event from the most appropriate funding source. To note this was subject to Derby being successful in the bid process for the Tour Series, and arrangements being acceptable.
4. To approve the submissions of a bid from Derby City Council to be a Host City for the Women's Tour in 2023 and the Tour of Britain in 2024 and note the Host City responsibilities which were similar to those in paragraph 4.5 of the report.
5. To note the key benefits in attracting the Women's Tour and the Tour of Britain to Derby described in paragraph 3.6 of the report.
6. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources, the Cabinet Member for Streetpride, Leisure & Public Spaces and the Cabinet Member for Community Development, Place & Tourism to take all actions necessary to approve accepting the Women's Tour bid and/or the



Tour of Britain, entering into associated contractual commitments, and the associated budget/s required to deliver the event/s from the most appropriate funding source. To note this was subject to Derby being successful in the bid process for the Women's Tour and/or Tour of Britain and arrangements being acceptable.

## Reasons

1. In June 2022, after meeting with event organisers, Derby City Council submitted an expression of interest in being a Host City for the Cycle Race Tour Series for 2023-2025. We had recently been invited to submit a bid to become a Host City for the event.
2. The economic impact of the tour series had benefited host cities with attendances expected of 10,000 per event day, typically generating economic impact of £400k per event day through additional spending in hotels, pubs and cafes from visitors coming into the city to watch the racing.
3. The Cycle Race Tour Series was the largest in the country and being a Host City would create benefits such as to:
  - inspire children and adults to live healthier lifestyles.
  - promote active and sustainable transportation.
  - create a sense of community spirit amongst residents and businesses.
  - encourage people to be more environmentally friendly by having car free or ride to workdays.
  - create an engaging event for people to experience an exciting British sport and be part of a memorable day, having sampled race day action, food, drink, and entertainment and
  - attract media coverage and raise the profile of both our city and the sport.
4. This opportunity would help develop the tour series into one of the cornerstones of the sporting calendar. In April there was the London Marathon, in June there was Wimbledon and in May we could help embed the Cycle Race Tour Series into being a regular event.
5. This event would provide the opportunity to deliver a leading family friendly, free sporting event in our city as well as supporting future stars of cycling. This event would bring elite cycling champions to Derby. In previous events cyclists such as Dame Laura Kenny, Tom Pidcock, Katie Archibald and Ed Clancy as well as Dame Sarah Storey, Britain's most decorated Paralympian, had all competed.
6. We had recently been invited to submit a bid to become a Host City for the Women's Tour and the Tour of Britain.

The economic impact of the Women's Tour had benefited host cities, typically generating economic impact of £2M boost to the economy per event day through additional spending in hotels, pubs and cafes from visitors

coming into the city to watch the racing. There was media value of £1M to the area and 64% of spectators were inspired to cycle more.

The economic impact of the Tour of Britain had benefited host cities, typically generating economic impact of £4M boost to the economy per event day through additional spending in hotels, pubs and cafes from visitors coming into the city to watch the racing. There was media value of £2M to the area and 64% of spectators are inspired to cycle more.

## Contract and Financial Procedure Matters

### 60/22 Compliance with Contract and Financial Procedure Rules

The Council Cabinet considered a report which dealt with the following items which required reporting to and approval by Council Cabinet under the Contract and Financial Procedure Rules.

- Approval to accept funding up to a maximum value of £1.266m from Nottingham City Council - NCC for the joint Transforming Cities Fund -TCF- Bike Share project.
- Addition of the Bike Share project to the 2022/23 capital programme.
- Award funding as grant payment to the successful bidder for the Bike Share project, following a full tender exercise.
- Department for Education (DFE) Children's Home Capital Bid.
- Local Area SEND Capital Strategy

The Executive Scrutiny Board resolved to note the report.

### Decision

1. To approve acceptance of funding up to a maximum value of £1.266m from Nottingham City Council for the joint Transforming Cities Fund funded Bike Share project as outlined in section 4.1 of the report.
2. To approve the addition of the Bike Share project of £1.266m to the 2022/23 capital programme as outlined in section 4.1 of the report.
3. To approve the award of Transforming Cities Fund funding as a capital grant to the successful bidder for the Bike Share project following a successful tender exercise as outlined in section 4.1 of the report.
4. To approve Derby City Council being party to a bid for capital funding under the Department for Education Children's Homes Capital bid programme and

to approve the acceptance of capital funding if successful as outlined in section 4.2 of the report.

5. To approve the proposed amendments to the current 2022/23-2024/25 Capital Programme to include the below as outlined in section 4.3 of the report:
  - a. the additional Department for Education High Needs Provision capital allocations of £4.788m and £4.316m (totalling £9.104m), as outlined in the report.
  - b. the approved capital projects for Ivy House Special School (13 additional secondary places) and Kingsmead Special School (45 additional primary places), totalling £0.481m as outlined in the report.
  - c. the funding would be allocated to the school capital programme for these schemes, which would allow for the commencement of the projects.
  - d. the award of a grant agreement to The Shaw Education Trust to deliver the capital works associated with the Ivy House Special School for an additional 13 secondary places.

**MINUTES END**