

Time began: 9.00am
Time ended: 9.14am

COUNCIL CABINET
12 June 2024

Present Councillor Shanker (Chair)
 Councillors Dhindsa, Hezelgrave, Martin, Peatfield, Swan and
 Whitby

In attendance Sam Dennis – Strategic Director of Place
 Emily Feenan - Director of Corporate Governance, Property
 and Procurement and Monitoring Officer
 Toni Nash – Head of Finance
 Gurmail Nizzer – Director of Commissioning and Delivery
 Matthew Frost - Communications and Marketing

This record of decisions was published on 14 June 2024. 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.

01/24 Apologies

Apologies for absence were received from Councillor S Khan, Paul Simpson - Chief Executive, Andy Smith - Strategic Director of People.

02/24 Late Items

There were no late items.

03/24 Receipt of Petitions

There were no petitions.

**04/24 Identification of Urgent Items to which Call In will not
 apply**

There were none.

05/24 Declarations of Interest

There were no declarations on interest.

06/24 Minutes of the meeting held on 16 May 2024

The minutes of the meeting held on 16 May 2024 were agreed as a correct record.

Matters Referred

07/24 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.

Decision

To receive the report and note that no recommendations had been put forward by the Executive Scrutiny Board.

Key Decisions

08/24 Early Years Sufficiency Strategy – Expanded Childcare Offer (ECO) Proposals to Change the Age Range of Three Council Maintained Nursery Schools

The Council Cabinet considered a report which stated that the Government had recently announced national investment in childcare, including the expansion of funded childcare support for working parents to include children from nine months old up to school age. The changes, that started to roll out from April 2024, would mean that by September 2025 households where all parents worked, with children over the age of nine months old, would be entitled to 30 hours of funded childcare per week / term time or 1140 hours stretched over a year.

Nationally, additional childcare support was being introduced gradually to give childcare providers time to prepare for the changes. Derby City Council had been working together closely with the early years sector to plan for the Expanded Childcare Offer (ECO) and had developed proposals in partnership with three maintained nursery schools. These were set out in paragraph 1.2 of the report.

Initial consultation had now been carried out on the proposals to change the age ranges and sizes of the nursery schools, in readiness for the ECO. Consultation was carried out over a four-week period between 22 April 2024 to 20 May 2024, with the Consultation Document circulated widely, including to all key stakeholders and interested parties. The Consultation Document and response form were also made available online on Let's Talk Derby. A copy of the Consultation Document was attached as Appendix 1 to the report.

By the close of the consultation, the Council had received a total of 119 responses, with 103 being in support of the proposals (11 respondents did not support the proposals, 4 were undecided and 1 did not select a response). A summary of the

consultation responses received was outlined in Appendix 2 of the report. Following consultation and the need to prepare for the Expanded Childcare Offer, the report sought approval to progress to the next stage of the process. This included the publication of a statutory notice setting out details on the proposals, with a further four-week consultation period, as required under the School Organisation Regulations 2013. It was anticipated that a final decision would be taken on the proposals in July / August 2024.

Options Considered

1. There was an option not to change the age ranges and sizes of the nursery schools. However, this could result in a shortfall of early years funded early education entitlement places, as the Government's ECO was rolled out. The nursery schools included in the proposals were fully supportive of the changes.
2. The proposals were in keeping with national policy and the extension of the funded childcare offer for eligible families.

Decision

1. To authorise the publication of a statutory notice, with a further four-week formal consultation period, on the proposals to change the age ranges and sizes of the nursery schools outlined in paragraph 1.2 of the report, in readiness for the Expanded Childcare Offer.
2. To delegate authority to determine the proposals to change the age ranges of three Council maintained nursery schools to the Strategic Director of People Services, following consultation with the Cabinet Member for Children's Social Care, Learning and Skills, and Section 151 Officer if no objections were received and, if objections were received, to bring a further report to Council Cabinet for a decision.

Reasons

1. The proposed additional nursery school places for children aged 0-3 would contribute towards meeting increased demand for childcare places, as a result of the Government's ECO. The places would also provide really positive opportunities for families in the localities by:
 - Increasing the childcare options available for parents/carers.
 - Ensuring continuity of care, reducing transition for children aged 0-3.
 - Providing greater flexibility to access places for 0-3 year olds within the locality.
 - Helping children to learn, play, make new friends, experience new activities and get ready for school.
2. The headteachers and governing bodies of the three maintained nursery schools outlined in this report were fully supportive of the proposals.

Contract and Financial Procedure Matters

09/24 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.

- Addition of budget of £0.231m to an existing scheme in the 2024/25 capital programme (Replacement of Refuse Collection Vehicles) and the associated borrowing approvals - making the total scheme budget £0.924m.
- To procure a new contract for the supply of water, wastewater and ancillary services which consists of the supply of water and sewerage services to the Council's corporate estate at a value of £2.8m.
- Addition of a new scheme to the 2024/25 Property capital programme of £0.354m for Welfare Upgrades and Enhancements at the Stores Road Depot.
- Amendment to the split of Council Tax between the Adult Social Care and core Council Tax elements of the charge for 2024/25.
- Addition of a new scheme to the 2024/25 Property capital programme of £0.120m for the purchase of equipment at Libraries in the City.
- Delegated approval to tender and award a contract for ChargePoint's using LEVI (local electrical vehicle infrastructure) funding at a value of £1.758m.

Options considered

1. **Refuse Collection Vehicles** - Consideration was given to allow NCC to purchase the vehicle and charge the cost through to the partnership. However, when this was explored it was not the most appropriate thing for DCC. NCC would own the asset and there would be a requirement to transfer the asset to Derby should the partnership end.

The Council would be looking to replace an existing refuse collection vehicle; the replacement would be in line with the rest of our fleet. There were electric refuse collection vehicles available on the market, however the cost was £0.500m and Stores Road depot was currently at maximum electrical capacity. Given this we were unable to charge the vehicle without significant infrastructure investment and then there was also the additional finance for the upfront vehicle purchase cost.

2. **Water and Wastewater procurement** - Do nothing – this was not an option as the Council would be in breach of its statutory duties.

If this procurement was not approved one of the following would occur:

- either the water supply would continue to be provided, in which case the Council would breach the Public Contract Regulations 2015, or
 - the water supply would be cut off, in which case the Council would be in breach of its statutory duties across its property portfolio under the Health and Safety at Work Act 1974, and the Workplace (Health, Safety and Welfare) Regulations 1992.
3. **Welfare Upgrades** - Temporary welfare facilities were explored, however due to them being required on an on-going basis it was not deemed suitable or value for money.
Do nothing – This was not an option as the council had a statutory duty to provide welfare facilities that were fit for purpose and meet the needs of its employees.
4. **Library Equipment** - Rather than investing in replacement PCs there was the option to reduce access to IT at library sites. Customers who struggled to get access to IT would have to find alternatives, which could be a challenge.

The Council was keen to promote the library sites as community hubs and part of that required us to maximise space, building in flexibility. Removing fixed shelving and providing seating was part of that process. There remained the option of not investing in the equipment.

5. **LEVI – Tender and award, ChargePoint's** - The LEVI Fund would build on the Councils existing programme of EV ChargePoint installations under the D2N2 Contract Agreement, which had enabled the authority to install over 50 ChargePoint's.

Through the FTZ (Future Transport Zones) Fund schemes the Council aimed to pilot several EV ChargePoint's in both on and off-street locations. This included an area where there was a growth in EV take up, but the residents did not have off street parking.

Decision

1. To approve the addition to an existing scheme of £0.231m in the 2024/25 Capital Programme for the Replacement of Refuse Collection Vehicles outlined in section 4.1 of the report.
2. To recommend Council to approve the updated borrowing requirement of £0.231m for the Replacement of Refuse Collection Vehicles outlined in section 4.1.2 of the report.
3. To approve the start of a procurement exercise to select a provider for the supply of water, wastewater, and ancillary services and to contract with the provider to secure those services for £2.8m, equating to £0.7m per year for a maximum of 4 years as outlined in section 4.2 of the report.

4. To approve the addition of a new scheme to the 2024/25 Property capital programme of £0.354m for Welfare Upgrades and Enhancements at the Stores Road Depot outlined in section 4.3 of the report.
5. To approve the use of the Futures Investment Pot of £0.354m in 2024/25 for the Welfare Upgrades and Enhancements at the Stores Road Depot outlined in section 4.3 of the report.
6. To recommend Council to approve the correct split of Council Tax between the Adult Social Care and core Council Tax elements of the charge for 2024/25 outlined in section 4.4 of the report.
7. To approve the addition of a new scheme to the 2024/25 Property capital programme of £0.120m for equipment at Libraries in the City outlined in section 4.5 of the report.
8. To delegate approval to tender and award a contract following a successful invitation to tender for the contract value of £1.758m (LEVI Fund provision) to the Strategic Director for Communities and Place, following consultation with the Section 151 Officer and the Cabinet Member for Climate Change, Transport and Sustainability as outlined in section 4.6 of the report.

Reasons

To comply with the Council's Financial and Contract Procedure Rules.

MINUTES END