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14 October 2020

To: All Councillors

As a Member or Substitute of the **Governance & Resources Committee**, please treat this as your summons to attend a **Special meeting on Thursday, 22 October 2020 at 6.00pm** via the Zoom application. (Joining details will be provided separately).

**Under Regulations made under the Coronavirus Act 2020, the meeting will be held virtually. As a member of the public you can view the virtual meeting via the District Council’s website at [www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk) or via our YouTube channel.**

Yours sincerely

A handwritten signature in blue ink, appearing to read 'James McLaughlin', written over a light blue horizontal line.

James McLaughlin  
Director of Corporate Services and Customer Services

## AGENDA

### 1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or e-mail [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence and substitute arrangements.

### 2. PUBLIC PARTICIPATION

As the Council cannot hold meetings at the Town Hall, Public Participation can only take place using the Zoom application or by written representations. Members of the public are able to comment or ask questions on the items listed in the agenda and must give notice before 12 noon on the day preceding the meeting by:

**Web-form:** [Make your submission here](#)

**Email:** [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

**Post:** Democratic Services, Derbyshire Dales District Council, Town Hall, Matlock DE4 3NN

The Committee Team will assist any member of the public without access to electronic means by capturing their concerns over the telephone.

**Phone:** 01629 761133 (working days only 9am – 5pm)

Written representations, received by the deadline will be read out at the meeting, verbal contributors will be given instructions on how to join the meeting after giving notice.

All meeting proceedings open to the public will be streamed live on our YouTube channel when all non-exempt items are being considered. Recordings of the meeting will also be available after the event on the District Council's website.

### **3. INTERESTS**

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

**Page No.**

### **4. FUTURE TELECOMMUNICATIONS**

**04 - 11**

To note a report on the current state of the telecommunications system used by the District Council, seeking approval for the business case to replace the telephony system as detailed in the report.

### **5. ADOPTION OF PROCEDURE FOR STANDARDS HEARINGS INTO ALLEGED BREACHES OF THE MEMBER CODE OF CONDUCT**

**12 - 17**

To consider a report seeking approval for a new Standards Sub-Committee Hearing Procedure.

### **6. PERFORMANCE MANAGEMENT – KEY & CORPORATE PERFORMANCE INDICATORS OUTTURN 2019/20 (Referred Item 22 from Council on 08/10/2020)**

**18 - 25**

To note the outturn performance against Corporate Plan targets and Key Performance indicators for 2019/20 and approve the Key Performance indicator target for 20/21. Also to note the Bi Annual reports brought to Council to highlight progress, demonstrate good performance and address areas for improvement.

### **7. VISION DERBYSHIRE AND LOCAL GOVERNMENT REFORM (Referred Item 23 from Council on 08/10/2020)**

**26 - 33**

To consider an update report on the 'Vision Derbyshire' project and consider sign-off of the Vision Derbyshire case for change and also note the imminent publication of the Government's Devolution and Local Recovery White Paper and the potential implications in relation to potential local government reform. Also to consider that authority be delegated to the Chief Executive to participate in discussions with authorities across Derbyshire in regard to any alternative propositions for local government reform that may emerge and present an updating report to Council as appropriate.

Members of the Committee - Councillors Jacqueline Allison, Robert Archer, Sue Bull (Chair), Neil Buttle, David Chapman (Vice Chair), Paul Cruise, Tom Donnelly, Graham Elliott, Steve Flitter, Alyson Hill, Susan Hobson, Michele Morley, Garry Purdy, Mike Ratcliffe, Claire Raw, Peter Slack and Alasdair Sutton

Substitutes – Councillors Jason Atkin, Richard Bright, Mathew Buckler, Richard FitzHerbert, Helen Froggatt, Chris Furness, David Hughes, Peter O'Brien, Joyce Pawley, , and Steve Wain.

**GOVERNANCE AND RESOURCES COMMITTEE**

22 October 2020

Report of the Director of Corporate and Customer Services

**FUTURE TELECOMMUNICATIONS**

**PURPOSE OF THE REPORT**

This report provides members with details of the current state of telecommunications across the District Council, the difficulties that have arisen from this during the COVID-19 crisis and proposals to replace the platform.

**RECOMMENDATION**

That the report is noted and the business case for a replacement telephony system is approved.

**WARDS AFFECTED**

All

**STRATEGIC LINK**

Enabling the customer to enquire of, and transact with the District Council, in the most efficient manner, is at the heart of the District Council's objectives. This project will reflect the One Team, One Council, One Purpose approach by enhancing communication and collaboration across the authority. The resilience and flexibility it creates should aid residents by improving the services we provide. Additionally it links to the Council's aim of providing excellent services.

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**1. BACKGROUND**

- 1.1 The Council currently has facilities with associated telecoms systems at the Town Hall in Matlock, the Agricultural Business Centre in Bakewell and Northwood Depot at Darley Dale.
- 1.2 The Siemens Realitis HiPath DX PBX exchange at the Town Hall, Matlock was installed on the 4th Sep 2000. The Council currently pays to reserve the DDI (direct dial in) range from 01629 761100 to 01629 761399, a total of 299 potential DDIs with around 145 DDI lines currently assigned to individual members of staff, a large proportion of the remainder being allocated to departmental hunt/distribution groups, service specific ACD queues etc.
- 1.3 At the Agricultural Business Centre there is a small PBX running around 8 different extensions and at Northwood Depot there are a number of PSTN lines and around 6 VoIP connections to the main Town Hall Siemens PBX.

- 1.4 The authority also has around 110 mobile connections (smartphones and tablets) procured from EE via direct award on the Crown Commercial Service RM1045 Lot 6 framework. These devices are Android OS and are managed via MobileIron Cloud MDM. Experience of moving to smart phones over the last 6 years has shown that any planned future state should take into account the requirement to investigate fixed line – mobile convergence/call routing and other unified communications features.

## **2. ISSUES WITH THE CURRENT SYSTEM**

- 2.1 Whilst our telephone first point of contact continues to perform well it is also an area which is in need of fundamental change. The Covid-19 crisis has highlighted that our current systems are neither dynamic, nor integrated enough to facilitate the flexible/remote working outcomes we really need at a time of transformative change in public services.
- 2.2 With regard the Siemens PBX at the Town Hall, as of the 1st April 2017, the manufacturer has ceased all development of software and manufacture of replacement hardware. The current “*best endeavours*” maintenance agreement for the system will end in July 2021. Additionally, the system connects to the PSTN (public switched telephony network) by means of ISDN30e lines which are due to be withdrawn from service entirely by 2025.
- 2.3 The COVID-19 crisis has forced more colleagues than ever to work in new and more flexible ways. It has brought to the fore the inadequacy of our current remote/home working facilities. Our limited capacity to offer remote/home working has a particular negative impact on team members and colleagues at first point of contact and others who currently have no means of working from home as their calls cannot currently be transferred offsite.
- 2.4 As the bulk of the District Council’s lines and extensions are tied to the physical hardware located at the Town Hall this leaves us vulnerable in an emergency situation that renders that site inaccessible in some way. The COVID-19 crisis has served to highlight this, and reinforced our urgent need for enhanced disaster recovery capabilities.
- 2.5 As all three sites (Town Hall, Depot and ABC) are operating individual systems there are necessarily three sets of expenditure for calls/lines and maintenance, replacement hardware etc. Additionally, because the three individual systems are not integrated there are costs incurred when calls are made between these sites.
- 2.5 Going forward, once the current crisis is over it is likely to leave us with a lasting cultural change in the workplace. Colleagues will expect to be able to continue to work in new and more flexible ways that our current communications platforms cannot support. We need to see what can be done to meet these new expectations and deliver for all teams across the authority, whilst maintaining or enhancing the quality of service that is provided to those who need to contact the District Council via this means.

### 3. CURRENT AND PROJECTED EXPENDITURE

3.1 Since 2015 and the formation of the Business Support Team, responsibility for telecoms and associated expenditure has been centralised and consolidated. We have taken an extremely active approach to contracts and reviewing of costs, driving down expenditure from being routinely in excess of £100k per annum to just under £30k per annum:

Financial Year	Total Expenditure
2008/9	£106,593.47
2009/10	£110,609.48
2010/11	£105,760.39
2011/12	£128,921.15
2012/13	£116,301.41
2013/14	£126,547.25
2014/15	£98,987.48
2015/16	£85,561.66
2016/17	£61,533.68
2017/18	£32,125.29
2018/19	£28,403.56
2019/20	£28,595.90
2020/21 (projected)	£36,095.90

3.2 The projected costs for 2020/21 are significantly higher than anticipated due to increased outgoing call costs. These are being incurred by the mechanism the Siemens PBX uses to transfer incoming calls to other locations for home/flexible working. The only way this can currently be facilitated is by effectively making an additional outgoing call to the chosen divert location.

3.3 Given the risks arising from the cessation of hardware manufacture and software development, costs for the current system are likely to continue to rise in future.

### 4. PROPOSAL FOR THE FUTURE

4.1 Given the issues above our proposal is to tender to appoint a supplier to provide a single integrated telephony system that will replace our three disparate current systems including a full migration of all the authority's current DDI number/range's into the new solution.

4.2 Whilst we identified the majority of the issues prior to or early in the COVID-19 lockdown, key resources were being allocated to other high priority projects such as the CRM implementation, Garden Waste Subscription service, Discretionary Grants Fund and others. This necessitated a cautious approach but, despite this, we began a dialogue with other authorities who had undertaken similar projects and engaged with some suppliers. In May/June 2020 we advertised a tender for a consultant to help drive this project forward and help bring in a viable solution faster than our resources at that time would allow. There were no responses.

4.3 Whilst our preference would be to use a hosted ("Cloud") service as many other authorities have done (including recently, Chesterfield Borough and the PDNPA), thereby reducing the amount of physical equipment located at Council offices, onsite solutions may still be considered. These will need to show significant advantages if this architecture is to be chosen over a cloud/hosted or self-hosted solution.

- 4.4 A move to a cloud based contact centre setup would be a robust and secure way for us to keep or enhance all of our onsite features and to maintain the security of both the end users and our team members. A cloud based contact centre operative can operate easily from the office or home with no difference to their capabilities or the service they provide.
- 4.5 The most significant difference between a “Cloud” solution and a more traditional on-site installation is the shift from high capital costs to increased revenue expenditure. We estimate that revenue costs for a hosted “Cloud” solution are likely to be between £35k and £45k per annum (based on our current number of users).
- 4.6 Whilst an on-site PBX replacement would have lower revenue costs, the capital costs will be much higher (estimated as being between £65k and £85k).
- 4.7 An estimated cost comparison over 1, 5 and 7 years can be seen in Appendix 1.
- 4.8 In conclusion, we hope that members will approve of this approach and that we can move quickly forward on this project.

## **5. RISK ASSESSMENT**

### **5.1 Legal**

There are no legal considerations at this stage in the process.

### **5.2 Financial**

There are no financial risks arising from this report. Any cost implications will be reported to a future committee meeting when the outcome of the procurement process is known.

## **6. OTHER CONSIDERATIONS**

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equality of opportunity, environmental, health, legal and human rights, financial, personnel and property considerations.

## **7. CONTACT INFORMATION**

7.1 James McLaughlin, Director of Corporate and Customer Services,  
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7.2 Caroline Leatherday, Business Support Manager,  
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Email [caroline.leatherday@derbyshiredales.gov.uk](mailto:caroline.leatherday@derbyshiredales.gov.uk)

7.3 Ian Brailsford, Transformation Project Officer,  
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## **8. BACKGROUND INFORMATION**

None

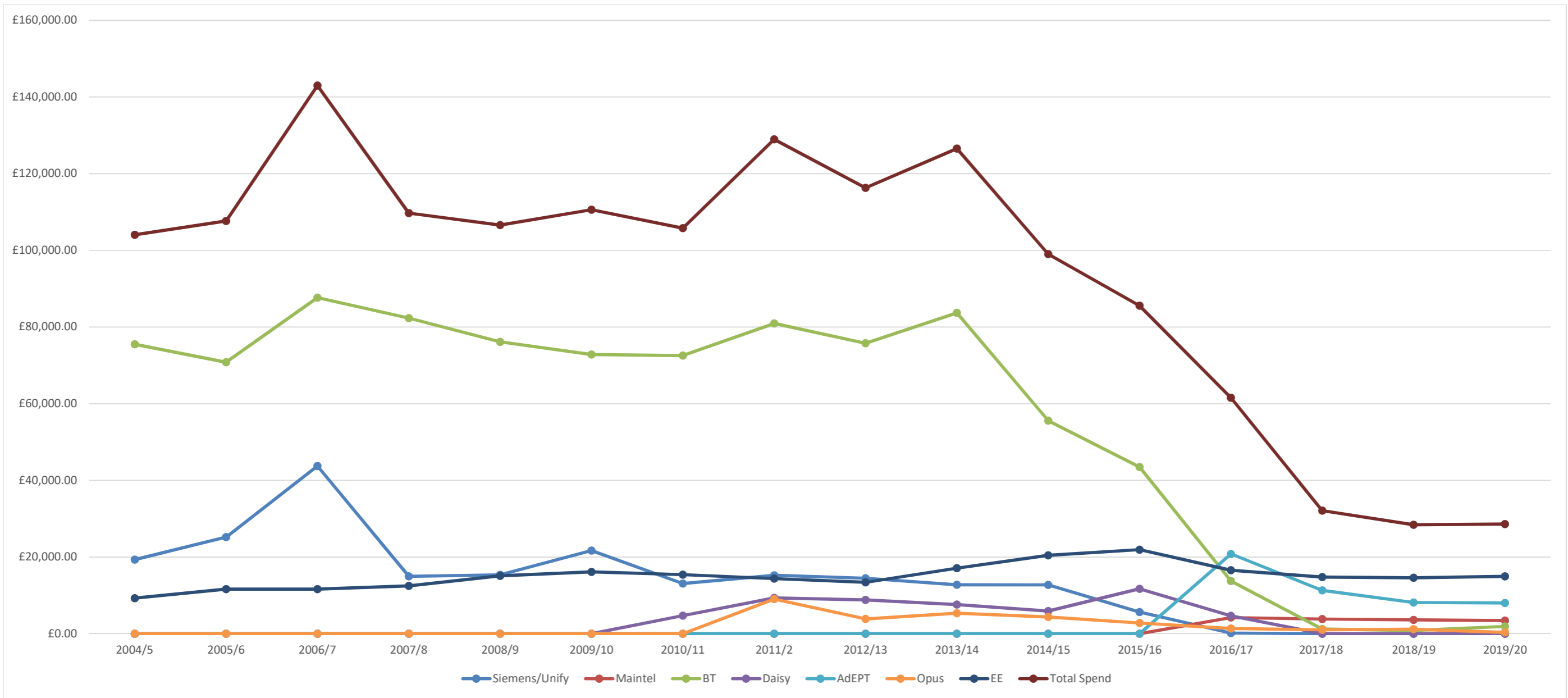
**9. APPENDICES**

9.1 Appendix 1 – Revenue and Capital Comparison

9.2 Appendix 2 – Telecoms expenditure 2004



Onsite PBX			Cloud PBX (Lowest Quote)			Cloud PBX (Highest Quote)		
	Monthly	Annual		Monthly	Annual		Monthly	Annual
Lines/Calls	£450.00	£5,400.00	25 Contact Centre	£800.00	£9,600.00	30 Contact Centre	£1,000.00	£12,000.00
Maint		£3,500.00	120 standard users	£1,440.00	£17,280.00	120 standard users	£2,040.00	£24,480.00
Software		£450.00	Hardware/One off costs		£7,500.00	Hardware/One off costs		£10,000.00
Hardware		£250.00						
		<b>£9,600.00</b>			<b>£34,380.00</b>			<b>£46,480.00</b>
5 Year Costs			5 Year Costs			5 Year Costs		
Lines/Calls		£27,000.00	Cloud licences		£141,900.00	Cloud licences		£192,400.00
Maint		£17,500.00						
Software		£2,250.00						
Hardware		£1,250.00						
New on-site PBX		£60,000.00						
New Hardware		£27,600.00						
Enhanced maint		£57,500.00						
		<b>£193,100.00</b>			<b>£141,900.00</b>			<b>£192,400.00</b>
7 Year Costs			7 Year Costs			7 Year Costs		
Lines/Calls		£37,800.00	Cloud licences		£195,660.00	Cloud licences		£265,360.00
Maint		£24,500.00						
Software		£3,150.00						
Hardware		£1,750.00						
New on-site PBX		£60,000.00						
New Hardware		£27,600.00						
Enhanced maint		£80,500.00						
		<b>£235,300.00</b>			<b>£195,660.00</b>			<b>£265,360.00</b>



	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/2	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Siemens/Unify	£19,300.67	£25,207.18	£43,727.10	£14,954.11	£15,378.04	£21,693.58	£13,097.12	£15,225.31	£14,473.77	£12,783.62	£12,735.75	£5,663.03	£165.00	£0.00	£0.00	£0.00
Maintel	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£4,200.00	£3,840.00	£3,600.00	£3,420.00
BT	£75,480.16	£70,817.10	£87,646.16	£82,294.42	£76,132.50	£72,821.34	£72,534.64	£80,942.74	£75,736.17	£83,692.44	£55,591.05	£43,441.75	£13,737.19	£1,222.07	£855.06	£1,891.48
Daisy	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£4,715.43	£9,348.16	£8,823.45	£7,625.97	£5,897.05	£11,722.15	£4,679.94	£0.00	£0.00	£0.00
AdEPT	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£20,810.84	£11,292.23	£8,144.74	£7,991.14
Opus	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£9,039.97	£3,869.52	£5,348.22	£4,335.57	£2,816.25	£1,383.77	£1,010.28	£1,204.68	£329.98
EE	£9,277.22	£11,618.33	£11,595.34	£12,464.13	£15,082.93	£16,094.56	£15,413.20	£14,364.97	£13,398.50	£17,097.00	£20,428.06	£21,918.48	£16,556.94	£14,760.71	£14,599.08	£14,963.30
Total Spend	£104,058.05	£107,642.61	£142,968.60	£109,712.66	£106,593.47	£110,609.48	£105,760.39	£128,921.15	£116,301.41	£126,547.25	£98,987.48	£85,561.66	£61,533.68	£32,125.29	£28,403.56	£28,595.90

**Excluding VAT (17.50% until 4th Jan 2011, 20% thereafter)**

	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/2	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Siemens/Unify	£16,426.10	£21,452.92	£37,214.55	£12,726.90	£13,087.69	£18,462.62	£11,146.49	£12,687.76	£12,061.48	£10,653.02	£10,613.13	£4,719.19	£137.50	£0.00	£0.00	£0.00
Maintel	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£3,500.00	£3,200.00	£3,000.00	£2,850.00
BT	£64,238.43	£60,269.87	£74,592.48	£70,037.80	£64,793.62	£61,975.61	£61,731.61	£67,452.28	£63,113.48	£69,743.70	£46,325.88	£36,201.46	£11,447.66	£1,018.39	£712.55	£1,576.23
Daisy	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£4,013.13	£7,790.13	£7,352.88	£6,354.98	£4,914.21	£9,768.46	£3,899.95	£0.00	£0.00	£0.00
AdEPT	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£17,342.37	£9,410.19	£6,787.28	£6,659.28
Opus	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£7,533.31	£3,224.60	£4,456.85	£3,612.98	£2,346.88	£1,153.14	£841.90	£1,003.90	£274.98
EE	£7,895.51	£9,887.94	£11,595.34	£12,464.13	£12,836.54	£13,697.50	£13,117.62	£11,970.81	£11,165.42	£14,247.50	£17,023.38	£18,265.40	£13,797.45	£12,300.59	£12,165.90	£12,469.42
Total Spend	£88,560.04	£91,610.73	£123,402.37	£95,228.84	£90,717.85	£94,135.73	£90,008.84	£107,434.29	£96,917.84	£105,456.04	£82,489.57	£71,301.38	£51,278.07	£26,771.08	£23,669.63	£23,829.92
Difference on Previous Year	N/A	3050.689362	31791.63787	-28173.5334	-4510.989574	3417.880851	-4126.885106	17425.44911	-10516.45	8538.2	-22966.475	-11188.18333	-20023.31667	-24506.99167	-3101.441667	160.2833333

Governance and Resources Committee  
22 October 2020

Report of Director of Corporate and Customer Services

## **ADOPTION OF PROCEDURES FOR STANDARDS HEARINGS TO CONSIDER COMPLAINTS UNDER THE MEMBER CODE OF CONDUCT**

### **PURPOSE OF REPORT**

To consider the adoption of a procedure to enable Hearings Sub-Committees to discharge the standards functions of the Council and town/parish councils in the district where informal resolution cannot be achieved or where a Councillor is unwilling to undertake any proposed remedial action from the Monitoring Officer and Independent Person.

### **RECOMMENDATION**

That the Hearings Sub-Committee Procedure be approved.

### **WARDS AFFECTED**

District-wide

### **STRATEGIC LINK**

Public confidence and trust in the actions of District, Town and Parish Councillors is an important pillar of local democracy, as well as ensuring that the Council is delivering an efficient service to local citizens and thus contributing to the delivery of the Council's strategic priorities as a whole.

## **1 BACKGROUND**

- 1.1 Under Section 28(6) and (7) of the Localism Act 2011, the District Council must have in place "Arrangements" under which allegations that a member or co-opted member of the District Council (or of a parish council within the Derbyshire Dales), or of a Committee or Panel of the District Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.
- 1.2 The District Council has complied with this requirement in 2012 when it adopted the relevant provisions of the Localism Act 2011 and put in place arrangements for the Monitoring Officer to discharge their functions and to appoint the Independent Person. The statutory role of the Independent Person arises where the Council has received an allegation that one of its Members has breached the Council's Code of Conduct for Members. In those circumstances:

- (a) if the Council decides to investigate the allegation, the Council must consult the Independent Person, and take their views into account, before making a decision on that allegation; and
- (b) the Council may seek the views of the Independent Person about any other aspect of the allegation, whether or not it decides to investigate; and
- (c) the member of the Council who is the subject of the allegation may also seek the views of the Independent Person at any time.

## **2 REPORT**

- 2.1 This report proposes that the Committee formally adopts a hearings procedure for Sub-Committees to consider matters referred by the Monitoring Officer for determination. Such a procedure is required to be adopted before hearings can be held.
- 2.2 The proposed procedure is based on good practice established at other authorities since 2012 and will ensure that all parties have a clear understanding of the way in which the Council will deal with complaints made.
- 2.3 There are complaints which are currently on hold pending the approval of a hearings procedure. If approved, the new hearings procedure will be effective immediately.

## **3 RISK ASSESSMENT**

### **3.1 Legal**

The Council is required by section 28(6) of the Localism Act 2011 to have arrangements in place for the investigation of allegations of breaches of the Code of Conduct and arrangements in place for making decisions on allegations.

### **3.2 Financial**

There are no financial implications arising from this report as the cost of the standards system is met within existing resources and the proposed changes are not expected to increase demand.

## **4 OTHER CONSIDERATIONS**

- 4.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## **5 CONTACT INFORMATION**

- 5.1 James McLaughlin, Director of Corporate and Customer Services  
Tel: 01629 761281  
Email: [james.mclaughlin@derbyshiredales.gov.uk](mailto:james.mclaughlin@derbyshiredales.gov.uk)

## **6 BACKGROUND PAPERS**

- 6.1 Localism Act 2011
- 6.2 Minute 330/11 – Standards and Audit Committee 16/01/2012

## **7 ATTACHMENTS**

### 7.1 Appendix 1 – Proposed Hearings Procedure

## Derbyshire Dales District Council Authority – Standards Committee Determinations

### Procedures for Hearings

#### **Interpretation**

- 1 'Member' means the Member of the Authority who is the subject of the allegation being considered by the Hearings Sub-Committee (Hearing Panel) ("the Hearing Panel") unless stated otherwise. It also includes the Member's nominated representative.
- 2 'Investigator' means the Monitoring Officer and includes their nominated representative.
- 3 'Hearing Panel' means the Hearings Sub-Committee, a sub-committee of Members appointed from the Governance and Resources Committee.
- 4 'Legal Advisor' means the officer responsible for providing advice to the Hearing Panel. This may be the Monitoring Officer, another officer of the Authority, or someone appointed for this purpose from outside the Authority.

#### **The Hearing**

- 5 The Authority's Standing Orders "Council Procedure Rules" and the Public Participation Scheme set out within the Council Procedure Rules do not apply to hearings.
- 6 Every effort will be made to ensure that the hearing will be held on a date and at a venue that is acceptable to all parties. If the Member chooses not to go to the hearing, the Hearings Panel may make a decision in their absence

#### **Representation**

- 7 The Member may be represented or accompanied during the hearing by a solicitor, counsel or, any other person who is not a lawyer, with the permission of the Hearing Panel, however, such permission may be refused if the representative is directly involved in the matter being determined.

#### **Legal advice**

- 8 The Hearing Panel may take legal advice, in private if necessary, from its Legal Advisor at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Hearing Panel should be shared with the Member and the Investigator if present.

#### **Evidence**

- 9 The Hearing Panel may receive evidence orally or in writing. The Hearing Panel controls the procedure and evidence presented at a hearing, including the number of witnesses and the way witnesses are questioned. In many cases, the Hearing Panel may not need to consider any evidence other than the investigation report and any other supporting documents.

#### **Opening the proceedings**

- 10 The Chair will open the proceedings by introducing everyone and then explaining how the Hearing Panel will run the hearing.
- 12 The Hearing Panel will decide at the start of the proceedings whether or not to hold the hearing in public and which of the relevant papers will be available for public inspection. In reaching these decisions the Hearing Panel will consider whether there are good reasons to exclude the public from the hearing and access to papers in line with the relevant access to information, data protection and human rights legislation.

#### **Preliminary procedural issues**

- 13 The Hearing Panel will resolve any issues or disagreements about how the hearing should

continue, which have not been resolved during the pre-hearing process.

### **Making findings of fact**

- 14 After dealing with any preliminary issues, the Hearing Panel will consider whether or not there are any significant disagreements about the facts contained in the Investigator's report.
- 15 If there is no disagreement about the facts, the Hearing Panel will proceed to the next stage of the hearing (Paragraph 24).
- 16 If there is a disagreement, the Investigator, if present, will be invited to make any necessary representations to support the relevant findings of fact in the report. With the Hearing Panel's permission, the Investigator may call any necessary supporting witnesses to give evidence. The Hearing Panel may give the Member an opportunity to challenge any evidence put forward by any witness called by the Investigator.
- 17 The Member will then have the opportunity to make representations to support their version of the facts and, with the Hearing Panel's permission, to call any necessary witnesses to give evidence.
- 18 At any time, the Hearing Panel may question the Investigator, the Member or any of the witnesses, and may allow the Investigator to challenge any evidence put forward by witnesses called by the Member.
- 19 If the Member disagrees with most of the facts, the Investigator will start by making representations on all the relevant facts, instead of discussing each fact individually.
- 20 If the Member disagrees with any relevant fact in the Investigator's report, without having given prior notice of the disagreement, they must give good reasons for not mentioning it before the hearing. If the Investigator is not present, the Hearing Panel will consider whether or not it would be in the public interest to continue in his or her absence. :
- 21 After considering the Member's explanation for not raising the issue at an earlier stage, the Hearing Panel may then:
- continue with the hearing, relying on the information in the Investigator's report;
  - allow the Member to make representations about the issue, and invite the Investigator to respond and call any witnesses, as necessary;
  - postpone the hearing to arrange for appropriate witnesses to be present, or for the Investigator to be present if he or she is not already.
- 22 The hearing will then be adjourned so that the Hearing Panel, in consultation with the Independent Person, can consider the representations and evidence in private.
- 23 On the re-opening of the hearing, the Chair will announce the Hearing Panel's findings of fact.

### **Consideration of a failure to follow the Code of Conduct**

- 24 The Hearing Panel will then consider whether or not, based on the facts, it has found that the Member has failed to follow the Code of Conduct.
- 25 The Member will be invited to give relevant reasons why the Hearing Panel should decide that they have not failed to follow the Code.
- 26 The Hearing Panel will then consider any verbal or written representations from the Investigator.
- 27 The Hearing Panel may at any time question anyone on any point they raise in their representations to the hearing.



- 28 The Member will be invited to make any final relevant points.
- 29 The hearing will then be adjourned so that the Hearing Panel, in consultation with the Independent Person who will attend such hearings, can consider the representations in private and reach a decision as to whether there has been a breach of the Code of Conduct.
- 30 On the re-opening of the hearing, the Chair will announce the Hearing Panel's decision as to whether or not the Member has failed to follow the Code of Conduct.

#### **Finding that the Member has not failed to follow the Code of Conduct**

- 31 If the Hearing Panel decides that the Member has not failed to follow the Code of Conduct, the Hearing Panel will consider whether it should make any recommendations to the Authority with a view to promoting high standards of conduct among Members.

#### **Finding that the Member has failed to follow the Code of Conduct**

- 32 If the Hearing Panel decides that the Member has failed to follow the Code of Conduct, it will consider any verbal or written representations from the Investigator and the Member as to:
- whether the Hearing Panel should apply a sanction;
  - what form any sanction should take.

- 33 The Hearing Panel may question the Investigator and the Member and take advice to make sure they have the information they need in order to make an informed decision.

- 34 The hearing will then be adjourned so that the Hearing Panel can consider in private whether or not to impose a sanction on the Member and if so what sanction should be imposed. Such consideration will be in consultation with the Independent Person whose views should be taken into account.

- 35 On the re-opening of the hearing, the Chair will announce the Hearing Panel's decision.

#### **Recommendations to the Authority**

- 36 The Hearing Panel will consider whether it should make any recommendations to the Authority with a view to promoting high standards of conduct among Members.

The written decision

- 37 The Hearing Panel will issue a full written decision within 10 working days of the hearing and supply a copy to the Member, the complainant, and any other authorities concerned.

- 38 The Hearing Panel will arrange for a summary of its decision and the reasons for it to be published on the Authority's website and sent to the Member's appointing authority and where relevant to their Parish Council or Parish Meeting. If the Hearing Panel finds that the Member did not fail to follow the Code the Member can request the Hearing Panel to have this information published on its website.

Appeals

- 39 There is no right of appeal against any decision of the Hearing Panel which shall be final and binding.

Variation of Arrangements

- 40 The Monitoring Officer has delegated power in consultation with the Independent Person and the Chair of the Governance and Resources Committee to approve a departure from these arrangements when he/she considers it is expedient to do so to secure the effective and fair consideration of any matter.

GOVERNANCE & RESOURCES COMMITTEE  
22 OCTOBER 2020

Report of the Director of Regeneration and Policy

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## PERFORMANCE MANAGEMENT – KEY & CORPORATE PERFORMANCE INDICATORS OUTTURN 2019/20

### PURPOSE OF REPORT

This report summarises the outturn performance against the District Council's Key & Corporate Performance Indicators for the full year 2019/20, which is the last year of the previous Corporate Plan. The report highlights where services have performed strongly and where improvements can be made.

### RECOMMENDATION

1. The outturn performance against Corporate Plan targets for 2019/20 be noted.
2. The outturn performance against the Key Performance Indicators for 2019/20 be noted.
3. Bi-annual reports continue to be brought to Council to highlight progress, demonstrate good performance, and address areas for improvement.

### WARDS AFFECTED

All

### STRATEGIC LINK

The Corporate Plan (2105-19) set out the District Council's priorities and areas for improvement, and identifies targets to be achieved. Service Plans, policies and strategies supplement the Corporate Plan. Within individual Service Plans there are a small number of Key Performance Indicators, which set out the targets for more routine operational achievement within those service areas. The District Council's Performance Management scheme monitors progress against these Key and Corporate Performance Indicators and identifies improvements.

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## 1 BACKGROUND

- 1.1 The Corporate Plan (adopted by Council in November 2015) set out the District Council's priorities and areas for improvement in the period to 2020. It identified a number of priority targets to be achieved each year. These targets set out the District Council's main actions as to what it wished to achieve to help meet its top priorities.
- 1.2 For 2019/20 there were **15 Corporate Plan targets** set by Council in March 2019. These covered the three priority areas of:

(1) Business Growth and Job Creation;

- (2) Affordable Housing; and
- (3) Market Towns.

These priority areas were to be achieved whilst also maintaining a clean and safe District and continuing to seek efficiencies and innovative working practices.

- 1.3 In addition, within individual Service Plans there are a small number of key targets for achievement within those service areas. These **12 Key Performance Indicators** measure how well the District Council is doing at maintaining basic service standards. They cover services such as determining planning applications in good time, paying bills on time, collecting Council Tax efficiently, and paying benefits claims promptly.
- 1.5 A mid-year report on both the Corporate Plan targets and Key Performance Indicators was provided to Council on 21 November 2019. A report on the Council's Corporate and Service Plans was taken to Council on 5 March 2020 which set out the performance targets for the new Corporate Plan and the 2020/21 year.

## **2 PERFORMANCE MANAGEMENT**

- 2.1 The District Council's Performance Management scheme is the means by which we understand how well our services are performing. It demonstrates whether or not we are on target to meet Service Plan Requirements, and highlights good performance. Where improvements are required, it helps achieve this by setting out and monitoring actions required. Performance management is good management.
- 2.2 By doing so, the District Council demonstrates that it knows:
  - what its priorities are
  - what it is aiming for
  - what it must do to achieve these aims
  - how it measures progress, and
  - when it is appropriate to take remedial action to address underperformance.
- 2.3 The District Council's Performance Management Handbook<sup>1</sup> sets out the performance management process that uses the following classification at outturn:
  - Green** = has fully achieved the year's target on time
  - Amber** = has partially achieved the target and is on track to fully achieve the year's target albeit later than planned
  - Red** = has not achieved year's target and is unlikely to do so.

## **3 COUNCIL PERFORMANCE – OUTTURN 2019/20**

- 3.1 Overall, of the 27 performance indicators for the financial year 2019/20 for which data is available, 22 (81%) were fully or partially achieved, as Table 1 shows:

<sup>1</sup> [https://www.derbyshiredales.gov.uk/images/P/Perfomance\\_Management\\_Handbook\\_for\\_2020-21.pdf](https://www.derbyshiredales.gov.uk/images/P/Perfomance_Management_Handbook_for_2020-21.pdf)

	No. of Targets	Green	Amber	Red
Corporate Plan targets	15	11	3	1
Key Performance Indicators	12	11	0	1
<b>TOTAL</b>	<b>27</b>	<b>22</b>	<b>3</b>	<b>2</b>

Table 1 - Summary of Performance Indicator Outcomes

- 3.2 A slightly lower proportion of Corporate Plan targets were fully achieved (11 out of 15, or 73%) as compared to Key Performance Indicator targets (11 out of 12, or 92%). Corporate Plan targets tend to be project based and involve a range of partners; they are therefore more complex, long term and subject to factors outside the Council's direct control, which often means the timescales for delivery become extended.
- 3.3 Table 2 below divides indicators by service related and Corporate Plan priority area. Strong performance is evident from the Revenues & Benefits, Planning and Housing service areas; weaker performance is in the corporate plan target area of Business Growth & Job Creation:

Service Area	No. of Targets	Green	Amber	Red
Organisational Health	3	3		
Housing	1	1		
Planning	4	3		1
Revenues & Benefits	4	4		
<b>Corporate Plan Priority Area</b>				
Other	1		1	
Business Growth & Job Creation	5	3	1	1
Market Towns	4	4		
Affordable Housing	5	4	1	
<b>TOTAL</b>	<b>27</b>	<b>22</b>	<b>3</b>	<b>2</b>

Table 2 - Performance Target Outturn by Service & Corporate Priority

- 3.4 The detailed outturn position for each of the key performance indicators for 2019/20 is set out in **Appendix 1**.
- 3.5 Performance **highlights** from 2019/20 are considerable, and include:
- 99.7% of undisputed invoices paid on time, this is the highest annual result in the last eight years, beating the 99.65% achieved in 2016/17. There were only 11 payments made all year in greater than 20 days. On average in 2019/20 we paid our suppliers in 6.33 days from receipt of invoice. In fact, 81.67% of invoices were paid with 10 days.
  - 61.9% of household waste has been sent for reuse, recycling, composting or anaerobic digestion. The target has been exceeded and the percentage of waste recycled has increased gradually and steadily by 6.74% over the past 5 years (from 55.16% in 2015/16 to 61.9% in 2019/20).
  - Average no. working days lost due to sickness absence per FTE employee was 8.36, which was better than target and is at the third lowest level in eight years.

- 90.6% of minor planning applications were determined in 8 weeks, which is the highest proportion of minor planning applications determined within this timescale over the last eight years.
- The speed of processing new benefits claims was 12.85 days, which has been the quickest turnaround of processing new claims in 8 years and almost a day quicker than last year. Performance has steadily improved since 2014/15.
- The speed of processing notifications of changes in circumstances for benefits was 2.97 days, which is the quickest processing of changes in circumstances in 8 years and 2.84 days faster than the average over this period.
- 89 affordable homes were completed against a target of 51.
- 381 vulnerable households were assisted with £261,326 financial gains in welfare support and £754,565 of debt affected.
- 92 adaptations provided to homes of disabled people. The target was exceeded by 35 and this is the largest number of adaptations completed in the past 7 years.
- 5 funding bids were submitted for Hurst Farm.

3.6 The four targets that were **not achieved** are described below; of these two had already been flagged as uncertain of achievement at or prior to the Q2 reporting stage:

1. The percentage of appeals allowed against District Council decisions to refuse planning applications missed the target by 4.4% (at 30% allowed). This continues a trend seen over the past eight years where the proportion of appeals allowed *against* the LA's decision has been increasing gradually but steadily.
2. Develop a business case for the District Council to more directly intervene in the creation of employment units/ business workspace in the central area of the district by September 2019. This project experienced two delays: the first due to waiting for a decision from Historic England on the area of a Scheduled Monument site - which would have impacted on the scheme – and the second due to the need for further site investigations and discussions with landowner which were delayed due to COVID-19. This action carries forward to 2020/21 as it is a long term project.
3. Review the effect of increase in Council Tax Premium in September 2019 and prepare a case for other measures to bring empty homes back into use. It was decided after a review of data available in September 2019, to allow a full year of data to be generated before preparing a business case; this action therefore carries forward to 2020/21.
4. The target of a continued programme to identify efficiency savings and/or additional income of £400,000 by 2020/21 has not been met due to the deferment of the savings requirement following temporarily increased Government funding for 2019/20 and 2020/21 and subsequent deferral of the Government's Review of Local Authority Needs and Resources.

3.7 It is proposed to continue reporting performance for the new Corporate Plan and key performance indicators to Members at Council meetings twice a year. This will highlight progress, demonstrate good performance where it occurs, and focus on areas for improvement that emerge during the year.

## 4 RISK ASSESSMENT

### 4.1 Legal

The Corporate Plan, and relevant Service Plans are compliant with all relevant legislation. The legal risk is assessed as being low.

## 4.2 Financial

There are no financial considerations arising from the performance management report. Where Corporate Plan targets or Service Plans actions have resource implications, these have been accounted for in existing budgets.

## 4.3 Corporate

There is a risk that new Corporate Plan targets or Key Performance Indicators may not be achieved, particularly given the re-prioritisation of service delivery in the wake of the ongoing COVID-19 pandemic. This would have possible service and reputational consequences for the District Council. To mitigate this, progress is monitored quarterly by Service Managers and by the Corporate Leadership Team.

## 5 OTHER CONSIDERATIONS

- 5.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

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## 6 CONTACT INFORMATION

- 6.1 Mike Hase, Policy Manager  
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## 7 BACKGROUND PAPERS

None

## 8 ATTACHMENTS

- 8.1 Appendix 1 - Key Performance Indicators Outturn Data 2019/20

Key Performance Indicators Outturn Data 2019/20

Service Area / CMT Lead	Description	2019/20 Target	2019/20 Q1	2019/20 Q2	2019/20 Q3	2019/20 Q4	2019/20 OUTTURN	2019/20 Target achieved	Year end commentary 2019/20	Annual Improvement Trend	2020/21 Target	Strategic Risk 2019/20
Organisational Health	% of undisputed invoices paid on time	99.00%	99.62%	99.75%	99.83%	99.90%	99.77%	✓	This is the highest annual result in the last eight years, beating the 99.65% achieved in 2016/17. There were only 11 late payments made all year.	↑	99.00%	3
	% of household waste which has been sent for reuse, recycling, composting or anaerobic digestion	58.5%	65.4%	66.5%	59.3%	54.80%	61.90%	✓	The composting and recycling tonnage increased and landfilled tonnage decreased which has led to the overall recycling/composting percentage increasing from last year and the target has been exceeded. The percentage of waste recycled has increased gradually and steadily by 6.74% over the past 5 years (from 55.16% in 2015/16 to 61.9% in 2019/20).	↑	58.6%	8
	Average no. working days lost due to sickness absence per FTE employee-quarterly*	9	1.28	2.5	2.58	2.00	8.36	✓	The target to realise a figure of less than 9 average working days lost due to sickness absence, per FTE employee has been exceeded. It is at the third lowest level in 8 years.	↑	9	12
Housing	The percentage of homeless households seeking assistance from the Council for whom this intervention helped resolve their situation	75%	82%	84%	96%	95.0%	90.0%	✓	The Homelessness Team and partner agencies continue to provide support to resolve housing issues for residents. 186 cases of homeless households were helped in 2019/20, the proportion is the same as when this indicator was first introduced, last year.	-	80%	8
Planning	% of Major planning applications determined in 13 weeks	>75%	N/A	100%	100%	100%	100%	✓	The second year running that major planning applications (9 in total) have been determined in the normal 13 week timeframe and that this target has been exceeded (please note a further 14 major applications were subject to agreed extensions of time).	-	>75%	TBC
	% of Minor planning applications determined in 8 weeks	>77%	85.7%	84.8%	100%	95.7%	90.6%	✓	The highest proportion of minor planning applications determined within the 8 week timescale over the last eight years.	↑	>77%	TBC
	% of Other planning applications determined in 8 weeks	>90%	81.8%	89.7%	97.2%	97.3%	91.0%	✓	The temporary reduction in team staffing at the start of the year impacted on performance, but a concerted effort by the team turned the performance around and the target was exceeded. However this is the second lowest performance in the last eight years, over which period the level has ranged between 90.1% and a 95.2% high last year.	↓	>90%	6
	% of appeals allowed against LA's decision to refuse planning application	<30%	43.0%	22.2%	37.5%	25.0%	34.4%	✗	Over the past eight years the proportion of appeals allowed against the LAs decision has been increasing gradually but steadily. If the 2 member overturns which were lost on appeal are excluded, then based on officer recommendations, performance comes out at exactly 30%.	↓	<30%	12
Revenues & Benefits	% of Council Tax collected within the year	98.40%	33.2%	N/A	N/A	N/A	98.5%	✓	Although with a performance in the top 4 of the past 8 years, this is the second year of a decline in council tax collection rates since a high in 2017/18.	↓	98.4%	6
	% of Non Domestic rates collected within the year	97.30%	28.0%	N/A	N/A	N/A	97.6%	✓	Performance has decreased against an 8 year high last year but meets the average in collection of NNDR over this 8 year period.	↓	97.3%	6
	Speed of processing new claims (days)	24 days	12.92 days	15.21 days	10.73 days	12.77 days	12.85 days	✓	The quickest turn around of processing new claims in 8 years and almost a day quicker than last year, performance continues to steadily improve since 2014/15. Looking forward, Universal Credit will cause a deterioration in performance but this hasn't been a factor this year.	↑	24 days	9
	Speed of processing: notifications of changes in circumstances (days)	8 days	3.31 days	3.53 days	2.34 days	1.67 days	2.97 days	✓	The quickest processing of changes in circumstances in 8 years and 2.84 days faster than the average over this period. Sustained performance despite gradual Universal Credit take up.	↑	8 days	12
Business Growth & Job Creation	No. of new business start-ups enabled by Derbyshire Dales Business Advice	10	4	0	3	3	10	✓	The target was achieved although this is the lowest number of new business start-ups enabled in 8 years.	↓	Target removed for 2020/21	

Service Area / CMT Lead	Description	2019/20 Target	2019/20 Q1	2019/20 Q2	2019/20 Q3	2019/20 Q4	2019/20 OUTTURN	2019/20 Target achieved	Year end commentary 2019/20	Annual Improvement Trend	2020/21 Target	Strategic Risk 2019/20
	No. of established businesses assisted by Derbyshire Dales Business Advice, enabling the creation of local jobs	75	22	14	23	24	83	✓	The target was exceeded by 8 businesses, this is a small increase on the previous two years. Beyond the outturn figure reported, a further seven clients have been supported during the year (either < 2hrs support or supported previously).	↑	75	
	No. of businesses supported to access grants or loans from Government and Local Enterprise Partnerships	9	0	7	2	4	13	✓	The target has been exceeded and the total amount of grant aid offered has been £204,598. The number of businesses supported to access grants / loans has fluctuated over the past 8 years between 0 and 22, this year the number is slightly down (by 3) on last year's total however one business was supported to access 2 grants.	↓	9	
	Assist private sector partners to secure funding and commence work on a new access road at Ashbourne Airfield Industrial Estate, opening up 8 ha of new employment land	Assist private sector partners to commence work on a new link road at Ashbourne Airfield Industrial Estate, opening up 8 ha of new employment land	Planning application for new A52 roundabout approved.	Work continuing on full Stage 2 Business Case required by D2N2 LEP November 2019.	Stage 2 Business Case approved by D2N2 LEP	D2N2 offer letter accepted by DCC (project sponsor)	External grant funding secured and hybrid planning application inc. first building approved. Landowner commenced site clearance and orders for service diversions placed. Legal agreements drafted. However, construction put on hold due to COVID-19	?	Project has did not reach initial construction stages prior to lockdown restrictions imposed by Covid-19	N/A	Work with public & private sector partners to complete infrastructure improvements at Ashbourne Airfield Industrial Estate, opening up 8 ha of new employment land by December 2020	
	Develop a business case for the District Council to more directly intervene in the creation of employment units/ business workspace in the central area of the district by September 2019	Develop a business case for the District Council to more directly intervene in the creation of employment units/ business workspace in the central area of the district by September 2019	Project paused - see comment	Project re-started, feasibility in progress	Feasibility study in progress	Project paused	Options assessment completed and financial modelling prepared but feasibility study awaiting completion	✘	This project experienced two delays, the first due to a decision from Historic England on the area of a Scheduled Monument site which would have impacted on the scheme, the second due to the need for further site investigations and discussions with landowner which were delayed due to COVID-19.	N/A	Pursue funding opportunities to unlock employment land and support initial phase of workspace development at Middleton Road, Wirksworth by March 2021	
Affordable Housing	No. of affordable homes completed	51	25 (12 previously reported)	7	12	38	89	✓	Historically the number of affordable houses fluctuates year on year as it is dependent on many external factors, so although this year fewer homes were provided than last year, 2019/20 was one of the 3 most successful years of the last 8, with additional external investment secured in Ashbourne. Covid19 will affect performance in the early part of 2020/21.	↓	80	12
	Complete a review of alternative delivery options in order to continue the delivery of affordable housing	Complete a review of alternative delivery options in order to continue the delivery of affordable housing	Work ongoing	Almost complete - moving into delivery phase	The review has been completed and further approval will be sought in February to commence delivery	Cmte received the report on 19 February which was referred to full Council	Review complete	✓	This project carries forward in to 2020/21 though with some delay due to Covid-19.	N/A	Council housing: procure a Development Agent and Managing Agent, register with Homes England and the Regulator of Social Housing, to help enable a programme of new Council Housing by August 2020 (CORP16)	8



Service Area / CMT Lead	Description	2019/20 Target	2019/20 Q1	2019/20 Q2	2019/20 Q3	2019/20 Q4	2019/20 OUTTURN	2019/20 Target achieved	Year end commentary 2019/20	Annual Improvement Trend	2020/21 Target	Strategic Risk 2019/20
	Provide debt and welfare advice to vulnerable households	300	113	CAB= 35 Adullam= 11 Age UK= 42 Total = 88	CAB=28 Adullam=10 Age UK=45 Total = 83	97	381	✓	2019/20 was again a successful year with the 3 agencies each maintaining a high level of customer support to exceed the target, although slightly less people were helped than last year (71 less).  Total financial gains for 2019/20 was £261,326 comprising: £144,768 (AHA) £10,042 (CAB) £106,516 (Age UK)  Total debt affected for 2019/20 was £754,565, comprising £749,565 (CAB) £5000 (AHA)	↓	350	3
	No. of adaptations provided to the homes of disabled people	57	24	13	19	35	92	✓	The target was exceeded by 35 and this is the largest number of adaptations completed in the past 7 years.	↑	50	6
	Review the effect of increase in Council Tax Premium in September 2019 and prepare a case for other measures to bring empty homes back into use	Review the effect of increase in Council Tax Premium in September 2019 and prepare a case for other measures to bring empty homes back into use	N/A	The review has started, a paper will be drafted for CLT to consider in December.	Review produced for CLT in November. Full review of the year of data due to take place in May 2020.		Review produced for CLT in November. Full review of the year of data due to take place in May 2020 after the scheme has been in place a year.	⚪	A report produced by Action on Empty Homes for 2018/19 showed that for the 9 Derbyshire authorities, 6 had a rise in long term empty homes while 3 had a reduction: Chesterfield (9), Derbyshire Dales (90) South Derbyshire (2)  Derbyshire Dales is the only council in Derbyshire to have adopted the empty homes premium. The impact of the premium would therefore appear to be significant.	N/A	Undertake a further review the effect of increase in Council Tax Premium in May 2020.  Explore further policy options to reduce the number of empty homes by December 2020.	3
<b>Market Towns</b>	Encourage 2 more themed and farmers markets within existing District Council stall markets	2	1	1	1	0	3	✓	Antiques Fairs took place in May, August and December	↑	2	2
	Develop 3 funding bids to implement the Estate Management Master Plan for Hurst Farm	Develop 3 funding bids to implement the Estate Management Master Plan for Hurst Farm	1 HLF bid submitted June 2019	2 Power for change Reaching communities	2	0	5	✓	5 bids submitted in the year including 3 principle bids; Power for Change, Reaching Communities, Sport England. Work continues supporting the application process for the Reaching Communities fund given delays in assessment due to Covid-19.	N/A	Complete Phase 1 survey and projects for the Heritage Lottery Fund – Hurst Farm Regeneration Project by March 2021	6
	Prepare re-development proposals for Bakewell Road site, Matlock by November 2019	Prepare re-development proposals for Bakewell Road site, Matlock by December 2019	Site visits held by cinema operators and building surveys undertaken	Indicative layout and draft Development brief prepared	Formal Expressions of Interest in site received December 2019	Expressions of interest received in Dec 2019 evaluated and preferred submission - cinema identified	Operator invited to submit detailed proposal for re-developing Bakewell Road site, Matlock into a cinema	✓	Following on from the generation of a feasibility study for Bakewell Road, Matlock last year. This year the Council generated a development brief and a preferred use and operator have been selected to provide a detailed re-development proposal for the site.	N/A	Secure investment to enable development of the Bakewell Road town centre site, Matlock by March 2021	
	250 or fewer requests for 'litter picks' or 'sweeps'	<250	35	18	73	81	230	✓	This is a new indicator and was exceeded this year.	N/A	<250	8
<b>Other target</b>	Continue a programme to identify efficiency savings and/or additional income of £400,000 by 2020/21	Continue a programme to identify efficiency savings and/or additional income of £400,000 by 2020/21	N/A reported in Q4	N/A reported in Q4	N/A reported in Q4	N/A savings requirement deferred	Not calculated	✘	Savings requirement deferred following increased government funding for 2019/20 and 2020/21 and subsequent deferral of the government's Review of Local Authority Needs and Resources.	N/A	Continue to explore opportunities to deliver £250,000 efficiency savings and/or additional income by 2023/24	20

GOVERNANCE & RESOURCES COMMITTEE  
22 OCTOBER 2020

Report of the Chief Executive

## **VISION DERBYSHIRE AND LOCAL GOVERNMENT REFORM**

### **PURPOSE OF REPORT**

This report provides an update on the 'Vision Derbyshire' project and considers sign-off of the Vision Derbyshire case for change. The report also provides an update on the imminent publication of the Government's Devolution and Recovery White Paper and approves 'Vision Derbyshire' as the Council's preferred option of local government reform in Derbyshire at the current time.

### **RECOMMENDATION**

1. That Council acknowledges the progress work that has taken place with Derbyshire Councils on the development of Vision Derbyshire.
2. That Council notes the imminent publication of the Government's Devolution and Local Recovery White Paper and the potential implications in relation to potential local government reform.
3. That Council notes the potential offered by the White Paper to secure a devolution deal for the East Midlands and the resultant benefit to the Derbyshire Dales through additional investment in the county.
4. That Council approves Vision Derbyshire as the Council's preferred option of local government reform in Derbyshire at the current time.
5. That authority be delegated to the Chief Executive to participate in discussions with authorities across Derbyshire in regard to any alternative propositions for local government reform that may emerge and present an updating report to Council as appropriate.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

The non-structural reform initiative will enable the Council to explore more collaborative forms of working across traditional boundaries in an effort to improve the outcomes for Derbyshire Dales' residents and businesses.

## **1 BACKGROUND**

- 1.1 At the meeting of Council on 16<sup>th</sup> January 2020, Members were appraised of the work commissioned by all Derbyshire Councils, to work in partnership with Price Waterhouse Coopers (PwC) to undertake a programme of work to explore the appetite for future collaborative working in Derbyshire. It was agreed that the new approach should look beyond traditional partnerships towards a new collective and ambitious

vision and model of collaboration, integration and shared leadership focused on achieving the greatest public value for local people and communities.

- 1.2 At the meeting of Council on 15th July 2020, Members were updated on Phase 2 of the project and endorsed the Council's ongoing participation in the project. The remainder of this report provides a further update on progress and recent events.

## 2 VISION DERBYSHIRE CONTEXT

- 2.1 In June 2019, the Council embarked on a programme of work with all Derbyshire Councils to explore the appetite for future collaborative working. Fuelled by a desire to secure better outcomes and achieve the greatest public value for local people and communities across Derbyshire, Councils agreed that the new approach should look beyond traditional partnerships, towards a new collective and ambitious vision and model of collaboration, integration and shared leadership.

- 2.2 Price Waterhouse Coopers (PwC), were commissioned to support the development of the approach and programme of work which has been undertaken in two phases over the last eighteen months, as follows:

**Phase 1** - All ten Councils in Derbyshire – the County Council, City Council and eight District and Borough Councils – worked together during the first phase to identify shared priorities and agree to strategically collaborate on the improvement of outcomes for people and places. This phase aimed to identify and explore the existing level of ambition and appetite of stakeholders to progress non-structural reform in Derbyshire and resulted in the development and agreement of:

- **Principles for collaboration** to guide future working such as improve outcomes, speak with one voice, better coordination, provide a visible alternative to unitarisation and deliver to be sustainable
- **Areas for future collaboration** to provide a potential focus for future working such as climate change, tourism, skills and employment, social mobility, economic prosperity etc
- **Critical success factors** to drive a step change in approach/ways of working to accelerate a truly different model of local government in Derbyshire, including working at pace and building on momentum, working as a collective in a different physical and mental space from business as usual and strengthening and role modelling collaborative and collective leadership behaviours.

- 2.3 The work undertaken as part of the first phase marked a statement to develop a fundamentally new way of working together, to deliver differently for the people of Derbyshire and following successful completion of Phase 1, Councils agreed that further work to turn the vision and ambition into a viable alternative to structural reform through a second phase, was required.

- 2.4 Derby City Council, who participated in Phase 1 of the approach, declined to participate in Phase 2, although the opportunity to work collaboratively on the further development of the approach has remained open.

- 2.5 **Phase 2** - Phase 2 of the programme, which commenced in March 2020, has subsequently resulted in the development of an ambitious approach to non-structural

reform – Vision Derbyshire - and the development of a case for change and proposition to central government focused around four key ambitions as follows:

- **Seize innovation** - pioneering skills and technologies for a sustainable future economy
- **Establish relentless ambition** - creating opportunities for everyone in Derbyshire and making these visible:
- **Build proactive communities** - harnessing the energy in Derbyshire's communities and empowering people to make change:
- **Live and work sustainably** - committing to a zero-carbon footprint in our tourism, wider economy and ways of working:

- 2.6 The case for change is a compelling, shared argument that a collective commitment to strategic collaboration across Councils which will realise significant benefits and is the most effective way to improve outcomes for Derbyshire people and places.
- 2.7 Phase 2 of the programme has coincided with the onset of the recent coronavirus pandemic which has provided even greater incentives for Councils to work collaboratively to support recovery and renewal activity across the county.
- 2.8 A number of enablers to support and embed collaboration, such as leadership, culture, technology, workforce, customers, assets have been identified as key components of the approach and these will underpin the potential organisational (£20 million to £66 million) and wider system benefits (£1.08 billion) that could be achieved if the new approach were to be taken forward.
- 2.9 A new formal governance model to support effective decision making has also been identified as being crucial in taking the approach forward. The new governance model would see the creation of a new Joint Committee for Vision Derbyshire comprising the Leaders of all participating Councils. Discussions on this scope of this are ongoing.
- 2.10 A number of asks and offers to central Government to support the realisation of ambitions have been identified. The asks request specific freedoms, flexibilities and resources to delivery identified priorities, whilst the offers outlined the role the partnership will play in delivering better, more ambitious outcomes for less resource.
- 2.11 With a shared commitment and strong governance across all Derbyshire Councils, the case for change argues that, collectively, Councils can rapidly transform the way they work together and what they offer to local people. At the heart of the case for change is the belief that strong commitment to strategic collaboration can improve outcomes and realise financial efficiencies, delivering the benefits of reorganisation without the administrative burden, financial cost, time delays and political upheaval.
- 2.12 A high-level proposition to Government has also been developed alongside the case for change as a statement of intent from Councils for Ministers and senior officers at the Ministry of Housing Communities and Local Government (MHCLG). This statement of intent, is a key step in the engagement process with Government in respect of Derbyshire Councils wish to take Vision Derbyshire forward.
- 2.13 The Vision Derbyshire case for change which is in the final stages of preparation, will be presented back to members in due course.

### **3 DEVOLUTION AND LOCAL RECOVERY WHITE PAPER**

- 3.1 The Government announced its intention to publish a White Paper on Devolution and Local Recovery, as a means to 'level up' all parts of the country and reduce regional inequalities, during the final stages of the development of the Vision Derbyshire case for change. Whilst the formal content of the White Paper is not yet known, it is widely expected that the Government will set out its proposals for local government structural reform in England along with setting out the role which greater devolution will play in national recovery. It is anticipated that the White Paper will be published in early October 2020.
- 3.2 Many councils across the country are currently exploring the potential offered by the White Paper to secure a devolution deal for their areas. A devolution deal for the East Midlands is likely result in significant additional investment in infrastructure, skills, transport and housing in Derbyshire which would have potential resultant benefits to the Derbyshire Dales. In light of the continued pressure on public finances and the current and continuing impact of Covid19, such investment would be of vital importance in supporting the economy to recover from the pandemic for the benefit of local people.
- 3.3 Intelligence suggests that local government restructuring is likely to be viewed as a prerequisite to future devolution deals. It is also anticipated that the Government will invite a small number of councils to take part in the 'first tranche' of local government reform. Whilst this is an emergent process, intelligence also suggests that councils who are able to submit their case for local government reform by the Government's agreed date will be considered for inclusion in the first or early tranche of areas pursuing devolution deals
- 3.4 The imminent publication of the White Paper, has resulted in a pressing need to present the Vision Derbyshire case for change, as a viable alternative to local government structural reform, at the earliest opportunity whilst also supporting regional ambitions for a streamlined and coherent East Midlands. A letter to Government, signed by all Derbyshire Councils, requesting a meeting to discuss the approach was sent to the Secretary of State on 4<sup>th</sup> September 2020, with a meeting yet to be arranged (Appendix 1).
- 3.5 It is not yet known whether any alternatives to local government reorganisation and structural reform, including collaborative models for non-structural reform such as Vision Derbyshire will be palatable to Government or if there will be any scope for these to be accommodated in the White Paper once published.
- 3.6 However, due to the time, effort and considerable engagement that Derbyshire Councils have taken over the last 18 months to develop Vision Derbyshire, it is important that the Council remains committed to this approach. It is, therefore, recommended that Council approve Vision Derbyshire as its preferred option for local government reform at the current time.
- 3.7 Whilst the approach to Vision Derbyshire is finalised, Derbyshire County Council has in addition resolved to progress the development of a viable alternative option for local government reform in the event that Vision Derbyshire is not able to satisfy the Government's requirements for reform and a subsequent devolution deal. At a meeting on 16<sup>th</sup> September, the County Council mandated its officers to prepare an alternative route for devolution, in the form of developing a case for a single unitary model of local government in Derbyshire, on a county footprint. The County Council has also resolved

to approve the submission of a letter from the Leader to the Secretary of State for Housing, Communities and Local Government to request an invitation to submit a proposal for a single tier of local government for the county, in line with this approach and following the current legislative provisions. The County Council consider that this approach will ensure the Council remains agile and is prepared and able to move quickly if necessary, to keep pace with other areas and retain the opportunity be considered in the first tranche of devolution deals, following the publication of the criteria set out in the Local Recovery and Devolution White Paper.

- 3.8 The Leader of Derby City Council has also written to the Secretary of State to request a meeting to discuss the City Council's perspective on the potential for devolution, a new combined authority/regional elected mayor, and local government reorganisation in relation to the White Paper, referring to an opportunity to present to him the potential benefits of local government reorganisation to a wider Derby City area.
- 3.9 Whilst Derby is an existing unitary authority, the Government has stated that its preference is for new unitary authorities to serve a population of between 300,000 and 600,000, which is more than Derby's existing population. The City Council may therefore see this as an opportunity to review the local government arrangements in the City and the surrounding area and has referred to exploring all options with neighbouring councils and other stakeholders.
- 3.10 It is considered that this Council should remain committed to Vision Derbyshire but in the light of the above information it is recommended that officers should remain open to exploring other options should the conditions for Vision Derbyshire not be met or circumstances change in the interim. It is possible that alternative propositions to a single county unitary may emerge in the coming months and it is important that the interests of Derbyshire Dales are represented in such discussions. Council is therefore requested to delegate authority to the Chief Executive to participate in any such discussions and report back to Council on the details of any alternative propositions that may arise.

## **4 RISK ASSESSMENT**

### **4.1 Legal**

At present the proposals are at a consultative stage with Central Government to propose alternative to a government white papers. None of the proposals are at a legislative stage. Therefore the legal risk is low.

### **4.2 Financial**

The cost to the District Council of supporting the Vision Derbyshire project is estimated to be circa £17,000 and has already been approved by Council to be financed from the General Reserve. The financial risk at this stage is assessed as low.

## **5 OTHER CONSIDERATIONS**

- 5.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## **6 CONTACT INFORMATION**

- 6.1 Paul Wilson - Chief Executive  
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Email: [paul.wilson@derbyshiredales.gov.uk](mailto:paul.wilson@derbyshiredales.gov.uk)

## **7 BACKGROUND PAPERS**

- 7.1 Report to Council: New Vision for Derbyshire – Non Structural Reform 16<sup>th</sup> January 2020
- 7.2 Report to Council : New Vision for Derbyshire – Non Structural Reform (Phase 2) 15<sup>th</sup> July 2020

## **8 ATTACHMENTS**

- 8.1 Appendix 1: Joint Leaders letter to the Secretary of State dated 4<sup>th</sup> September 2020

Rt Hon Robert Jenrick  
Secretary of State for Housing Communities  
and Local Ministry of Housing,  
Communities and Local Government

Simon Clarke MP  
Minister for Regional Growth & Local Government

2 Marsham Street  
Westminster  
London SW1P 4D

Office: (01629) 536003  
Mobile: 07920 484 207  
Email: [barry.lewis@derbyshire.gov.uk](mailto:barry.lewis@derbyshire.gov.uk)

County Councillor for Wingerworth and  
Shirland (Conservative)

Ref: BL/LB  
4 September 2020

Dear Secretary of State/Minister

### **Vision Derbyshire – A New Model of Local Government for Derbyshire**

We are writing to you as the Leaders of Derbyshire County Council and all eight District and Borough Councils in Derbyshire. We have been working together cross party, over the last eighteen months, committing financial resources and time, to develop a new collaborative model for local government and we would welcome a meeting to talk to you about our ambitions for the future.

We are currently in the process of finalising our case for change and proposition to Government, with all nine councils working collaboratively to address the most complex challenges facing local, regional and national government at the current time. Our plans will secure better outcomes for people and place, contribute to the Government's levelling up agenda and result in substantial financial savings, for local government and the wider system, which will support economic and community recovery and growth post-Brexit and post-Covid19. Working collaboratively will not only realise social and economic gains, but will enable councils to implement opportunities at a hyper local level within a large strategic structure.

We believe that the concept we are proposing for Derbyshire provides a viable alternative to unitarisation and with additional powers, resources, freedoms and flexibilities we will be able to implement plans at speed, focussing on the outcomes we want to achieve for our residents, businesses and communities rather than costly and time-consuming structural reform. We also believe that the model we are proposing for Derbyshire will enable us to speak with one voice, support regional ambitions for a streamlined and coherent East Midlands and align to the imminent Devolution and Recovery White Paper.

We are keen to test our approach and discuss our plans with you at the earliest opportunity, not least because we feel the model is one which could be applied and adopted in other areas of the country. A meeting to discuss the concept would be of immense value and we look forward to hearing from you shortly.

Yours sincerely  
See page 2 for signatories

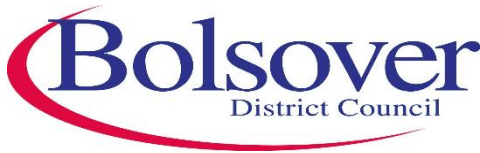




Cllr Barry Lewis  
Leader of Derbyshire County Council



Cllr Chris Emmas-Williams  
Leader of Amber Valley Borough Council



Cllr Steve Fritchley  
Leader of Bolsover District Council



Cllr Tricia Gilby  
Leader of Chesterfield Borough Council



Cllr Garry Purdy  
Leader of Derbyshire Dales District Council



Cllr Carol Hart  
Leader of Erewash Borough Council



Cllr Anthony Mckeown  
Leader of High Peak Borough Council



Cllr Alex Dale  
Leader of North East Derbyshire District Council



Cllr Martyn Ford  
Leader of South Derbyshire District Council