

For Publication

Vision Derbyshire – Transfer of host authority and programme resource arrangements (LC000)

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| Meeting: | Council |
| Date: | 22 February 2023 |
| Cabinet portfolio: | Leader |
| Directorate: | Corporate |

1.0 Purpose of the report

- 1.1 To seek approval for the transfer of the Vision Derbyshire Joint Committee host authority and programme resource arrangements from Chesterfield Borough Council to Derbyshire County Council from the 1 April 2023.

2.0 Recommendations

- 2.1 Note the work undertaken by Chesterfield Borough Council as host Authority in standing up and servicing the Vision Derbyshire Joint Committee, driving forward associated Vision Derbyshire agenda and activities during 2022.
- 2.2 Note the changing context regarding Vision Derbyshire and potential position of the programme to support the future implementation of the proposed East Midlands Devolution deal should this be formally approved.
- 2.3 Approve proposals to transfer the Vision Derbyshire hosting and programme resource arrangements from Chesterfield Borough Council to Derbyshire County Council.

3.0 Reasons for recommendations

- 3.1 Establishing the programme resource is critical in supporting the implementation of Vision Derbyshire Phase 4 and county deal proposals. Without the programme resource there is limited capacity to progress delivery and further develop identified programme activity.

4.0 Report details

- 4.1 The Vision Derbyshire Joint Committee was established and held its first meeting on 4 April 2022. Prior to the first meeting, constituent authorities had formally agreed that Chesterfield Borough Council would be designated as the interim host authority, with agreement that interim arrangements would be reviewed after the arrival of the Levelling Up White Paper and the potential for the development of a Devolution/County Deal for Derbyshire.
- 4.2 The host authority was designated responsibility for the following functions:
- Administering meetings of the Vision Derbyshire Joint Committee, holding funding on behalf of the Joint Committee and providing statutory officer support for the Joint Committee
 - Establishing a programme resource including a new joint Vision Derbyshire programme team, tasked with accelerating and supporting the implementation of delivery plans and proposals is a critical element of Phase 4 proposals
- 4.3 To support and adequately resource Phase 4 ambitions and plans, a range of resources were deemed vital to the success of the programme and were subsequently agreed by the current full member authorities - Chesterfield Borough Council, Derbyshire County Council, Derbyshire Dales District Council and High Peak Borough Council - on 4 April 2022. These include the:
- Creation of a programme team comprising a combination of seven team members to facilitate delivery
 - Establishment of a programme budget with funding to support the buy in of specialist expertise and support and support the operation of the Joint Committee and other associated costs
 - Creation of a small communications budget with dedicated funding to support potential branding, design, campaigns, social media activity etc
 - Establishment of a small equipment, travel and subsistence budget to support the activities of the programme team
 - Provision of accommodation for Joint Committee meetings and to host staff to be resourced from in-kind support from host agency/agencies.
- 4.4 The Vision Derbyshire Joint Committee successfully convened four times in 2022, with Chesterfield Borough Council and its officer's instrumental in supporting the Joint Committee in driving forward Vision Derbyshire agenda and Derbyshire County Council providing strategic support, programme management and associated activity to support the overall delivery of the approach over that period. The Vision Derbyshire Joint Committee and related structures such as the Vision Derbyshire Chief Executives Group and the Vision Derbyshire Leaders and Chief Executives Group have played a crucial role in driving forward collaborative priorities linked to the Vision Derbyshire delivery programme.

- 4.5 It is clear the work undertaken on Vision Derbyshire has also been a fundamental driver and uniquely positioned Derbyshire and Derby, as one of the first pathfinder areas to progress devolution proposals alongside Nottinghamshire and Nottingham. The subsequent East Midlands Devolution Deal, signed and published on 30 August 2022, is therefore testament to the work, dedication and collaborative efforts of participating and non-participating councils in Derbyshire to the Vision Derbyshire approach.
- 4.6 Whilst significant progress has been made on the development of the Vision Derbyshire approach to date, the lack of capacity however, particularly at a project and programme delivery level has limited the ability to accelerate the wider delivery programme.
- 4.7 Since April 2022, work to stand up the programme resource and recruit into the programme team has been undertaken by Chesterfield Borough Council, as the temporary host authority with support from Derbyshire County Council. This has been challenging, with the one year programme roles proving difficult to fill.
- 4.8 The Vision Derbyshire Steering Group explored a number of options, for example offering roles on a longer-term basis, however the current temporary nature of funding on offer from the majority of participating councils has meant that this option has not been possible to implement.
- 4.9 Given the nature of hosting arrangements, in place and subject to review after a six-month period and the development of the East Midlands Devolution Deal, it was agreed at the 5 October 2022 Joint Committee that further discussions take place to revisit current arrangements. The availability of additional programme resource to drive forward and implement agreed activity is essential and was agreed that following a review of existing arrangements, a further report setting out a revised approach be brought back to the Joint Committee for consideration at its next meeting (18.01.23).
- 4.10 The review of hosting arrangements forms part of a wider light touch review, also agreed at the 5 October 2022 Joint Committee, to ensure that the Vision Derbyshire approach is fit for purpose for the future. This review, undertaken by East Midlands Councils, is gathering Councils views on current arrangements, challenges and opportunities and ambitions for the future.
- 4.11 Whilst the Devolution Deal is subject to consultation, local agreement and legislative change, it will be important to ensure that the Vision Derbyshire approach continues to evolve to meet new demands and is prepared for changes in local context. This will be critical in ensuring that Derbyshire remains well positioned to maximise the benefits from the Deal, if it is agreed it should move into implementation.

- 4.12 A series of discussions have taken place between Chesterfield Borough Council and Derbyshire County Council on future hosting arrangements. Whilst the hosting considerations are clearly interrelated with the wider review of the whole approach, promptly establishing the programme team to ensure that any new approach is adequately resourced is of vital importance.
- 4.13 Derbyshire County Council will prepare for the transition of host arrangements, from the 1 April 2023, with the following actions planned over the coming period in preparation:
- Transfer of roles and responsibilities of host support and administration
 - Review and reprofile of programme team roles against Derbyshire County Council person profiles and grading structures
 - Commence the recruitment of programme team with support from Chesterfield Borough Council officers
 - Transfer the allocated programme funding from Chesterfield Borough Council to Derbyshire County Council
 - Take forward reports at constituent member decision making committees to formally approve revised arrangements

5.0 Alternative options

- 5.1 None – the arrangements for establishing the programme resource have been formally agreed by full member Vision Derbyshire councils and are now being implemented. This report considers hosting arrangements only.

6.0 Implications for consideration – Financial and value for money

- 6.1 The total cost of taking forward proposed activity per annum stands at £383,804 and it was agreed these would be shared across full member Councils as follows:

| Council | £ |
|-------------------------------|------------------------------------|
| County Council | 174,499 |
| District and Borough Councils | 52,350 per council x four councils |
| Total | 383,899 |

This funded was previously agreed at Full Council in October 2021. No additional funding is being sought at this time.

- 6.2 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the Joint Committee, that authority may cease its membership with effect from the date of its

decision. However, authorities will remain liable for any previously agreed financial contributions to fund Vision Derbyshire until the end of the financial year for which those contributions have been agreed regardless of any decision to cease membership.

- 6.3 Where long-term liabilities, such as any Pension Fund shortfall, exists they will be calculated at the point membership ceases and any council exiting the arrangement will pay Derbyshire County Council as the interim host authority an amount to cover their share of that liability.

7.0 Implications for consideration – Legal

- 7.1 Section 101(5) of the Local Government Act 1972 (LGA 1972) permits councils to make arrangements for two or more authorities to discharge any of their functions jointly and arrange for the discharge of those functions by a Joint Committee.
- 7.2 Under the legislation, all members would have the right to participate and vote on any matters at the Joint Committee. However, voting rights can be restricted in the Terms of Reference to members of those authorities who have delegated to it so that authorities would not be able to vote in respect of functions they have not delegated to the Joint Committee. This is the approach developed for the Vision Derbyshire Joint Committee.
- 7.3 Within the articles of the Joint Committee, agreed at the 4 April 2022 Vision Derbyshire Joint Committee, 'Section C' under 'functions and responsibilities', oversight of the Vision Derbyshire Delivery Programme is delegated to the Joint Committee. Establishing this programme resources therefore falls under the decision making remit of the Joint Committee.

8.0 Implications for consideration – Human resources

- 8.1 The host organisation will be responsible for the recruitment and hosting of the seven Programme Team posts, and this will be in line with standard recruitment and remuneration policies.
- 8.2 The Programme Team will now report to their dedicated Accountability/Line Manager within Derbyshire County Council on both matters relating to their employment and operational matters relating to the delivery of the Vision Derbyshire Joint Committee work programme. Lead officers across future delivery programmes will work closely with the programme team and will also be responsible for holding team members to account by working with the Host Authority to monitor their effectiveness and flag any issues of inadequate performance, non-compliance or substandard conduct.
- 8.3 It is proposed that all posts will be created on a permanent basis, and as such, will be subject to the Host council's redundancy and redeployment policies and procedures. Full Vision Derbyshire members will also

recognise an obligation to the postholders, through offering redeployment opportunities as appropriate, should this become necessary.

9.0 Implications for consideration – Council Plan

9.1 Vision Derbyshire activity compliments and enhances Council Pan activity and has been considered during the development of the new Council Plan 2023 – 2027.

10.0 Implications for consideration – Climate Change

10.1 The host authority changes do not have a direct impact on climate change, however Climate change activity forms part of delivery proposals and it is expected that the programme budget and team will support the delivery of associated programmes of work and projects as they develop and are brought forward.

11.0 Implications for consideration – Equality and diversity

11.1 Equality Impact Assessments (EIA’s) in relation to specific project and programme activities will form a key part of Vision Derbyshire Joint Committee considerations to ensure that appropriate mitigations are developed for potential negative impacts on people with protected characteristics, and positive impacts maximised. An EIA for this particular decision is not needed as the report relates to an administrative decision rather than an issue of policy.

12.0 Implications for consideration – Risk management

| Description of the Risk | Impact | Likelihood | Mitigating Action | Impact | Likelihood |
|---|--------|------------|---|--------|------------|
| Inability to recruit to programme team roles | High | Medium | Work will take place to identify the appropriate recruitment opportunities to secure appointments across the team | Medium | Low |
| Insufficient programme budget to support project delivery | Medium | Medium | Should additional resources be required this would be the subject of a full business case to the Vision Derbyshire Joint Committee with agreement on the approach to adequately resource identified activity. | Medium | Low |

Decision information

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| Key decision number | 1159 |
| Wards affected | All |

Document information

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| Report author | |
| Chief Executive Service Director – Corporate | |
| Background documents | |
| These are unpublished works which have been relied on to a material extent when the report was prepared. | |
| None | |
| Appendices to the report | |
| None | |