

Time began: 4.00pm
Time ended: 5.05pm

COUNCIL CABINET

9 June 2021

Present Councillor Poulter (Chair)
 Councillors M Holmes, McCristal, Pearce, Smale, Webb and
 Williams

In attendance Councillor AW Graves, Repton, Shanker and Skelton
 Paul Simpson – Chief Executive
 Rachel North – Strategic Director of Communities and Place
 Simon Riley – Strategic Director of Corporate Resources
 Emily Feenan – Director of Legal, Procurement and
 Democratic Services
 Pauline Anderson – Director of Learning, Inclusion and Skills
 Kara MacFadyen – Communications Officer

This record of decisions was published on 11 June 2021. 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.

10/21 Apologies

Apologies for absence were received from Councillors Barker and Roulstone

11/21 Late Items

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late item on the grounds that it should be considered as a matter of urgency

- **Implementation of the Holiday Activity and Food Programme**
The funding had only just become available and the programme needed to be implemented immediately, to allow the programme to be in place for the summer school holiday.

12/21 Receipt of Petitions

There were no petitions

13/21 Identification of Urgent Items to which Call In will not apply

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

Late item – Implementation of the Holiday Activity and Food Programme (Minute no 17/21)

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

14/21 Declarations of Interest

There were no declarations of interest.

15/21 Minutes of the meeting held on 27 May 2021

The minutes of the meeting held on 27 May 2021 were agreed as a correct record.

Matters Referred

16/21 Recommendations from the Executive Scrutiny Board

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

Decision

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

Key Decisions

17/21 Implementation of the Holiday Activity and Food Programme

The Council Cabinet considered a report which stated that in January 2021 Council Cabinet agreed to implement a support package to ensure access to food support for children at risk of food poverty. The Department for Education Holiday Activity and Food (HAF) programme was at the centre of the approach, with the design of the programme ensuring that a meal a day was provided for children eligible for free school meals and who attended provision on designated days over the Easter, summer and Christmas school holidays.

The first element of the HAF programme was delivered over Easter 2021 which was a combination of virtual and direct activities and was deemed to be a great success. Planning was now underway for the summer programme and the Council was

notified on 2 June 2021 of an additional £1.195m allocated for 2021/22. Approval was now required for the Council to accept this funding.

There had been a multi-agency steering group in the design and implementation of the HAF programme, and the plan was to use Community Action Derby (CAD) to administer, fund and liaise with delivery partners to ensure access to holiday activities and food support for children who were eligible for free school meals across the summer holidays. Approval was now required to allow the Council to award a grant of up to £0.700m of HAF monies to CAD.

The Executive Scrutiny Board whilst welcoming the holiday activity and food programme were concerned that it would only reach those children attending activity and therefore recommended to Council Cabinet that it implements in full the previously agreed Council motion to supply free meals throughout the whole of this year's holidays.

Options Considered

The Council could run the administration of the HAF programme itself, running a grant competition to allocate funding to partners and to schools. However, this was not considered a viable option given the timescales available; it was considered that CAD were better placed to ensure the distribution of HAF monies to partners in time for the school summer holidays. Furthermore, the Council considered working with schools to deliver the HAF programme but schools did not currently have the capacity to deliver this additional programme.

Decision

1. To accept a Department for Education (DFE) grant of £1.195m for the Holiday Activities and Food Programme Grant 2021 for the Summer Programme.
2. To delegate to the Strategic Director of People following consultation with the Cabinet Member for Children and Young People the award of a Grant of up to £0.700 million to Community Action Derby to administer and commission with delivery partners a programme of holiday activities, family support and food support for children eligible for free school meals.
- 3. To reject the recommendation from the Executive Scrutiny Board.**

Reasons

School holidays could be pressure points for some families because of increased costs (such as food and childcare) and reduced incomes. For some children that could lead to a holiday experience gap - with children from disadvantaged families less likely to access organised out-of-school activities; more likely to experience 'unhealthy holidays' in terms of nutrition and physical health; and more likely to experience social isolation. We know that returning to school in poor physical and mental condition could have a detrimental impact on children's mental and physical wellbeing, as well as their educational attainment.

18/21 The National Bus Strategy – Commitment to Derby Enhanced Partnership

The Council Cabinet considered a report which stated that the Government published a new National Bus Strategy in March 2021. This required all local authorities to commit to developing an Enhanced Partnership with local bus service operators by the end of June 2021.

The strategy document was clear that current and future discretionary payments to local authorities from 1 July 2021, would only be available to those who had committed to enhanced partnership development. Similar provisions apply to local bus operators.

Once committed to the process, Local Authorities would need to develop a 'Bus Service Improvement Plan' in partnership with local bus operators, which would need to include cross-boundary routes. This was required by the end of October 2021.

The Enhanced Partnerships were expected to be fully functioning by April 2022.

The Executive Scrutiny Board recommend to Council Cabinet to start working to engage with bus companies, passengers and major employers now to start raising awareness of desires and needs, as consultation takes times to get up to speed and we don't have long.

Options Considered

None.

Decision

1. To submit a commitment to Government, by the end of June 2021, that the Council will develop an 'Enhanced Partnership' as required by the National Bus Strategy.
2. To approve the development of a 'Bus Service Improvement Plan' covering the Council's travel to work area.
3. To accept an initial Government grant of £100,000 capacity funding for developing local bus proposals as outlined in the National Bus Strategy.
4. **To accept the recommendation from the Executive Scrutiny Board to start working to engage with bus companies, passengers and major employers now to start raising awareness of desires and needs, as consultation takes times to get up to speed and we don't have long.**

Reasons

1. To comply with national policy and enable continued access to future national funding.
2. To enable working with bus operators and neighbouring local authorities to develop a Bus Service Improvement Plan to the required timescales.

19/21 Tenancy Strategy 2021

The Council Cabinet considered a report which sought approval for the adoption of the new Tenancy Strategy.

The Executive Scrutiny Board noted the report.

Options Considered

1. An option was to retain the current strategy, although it was scheduled to be renewed and required refreshing.
2. Critically the current Tenancy Strategy 2012 does not include the use of Flexible Fixed Term Tenancies for homeless people / rough sleepers, which was required if they were to be provided through Derby Homes' supported accommodation scheme and were a condition of Government Rough Sleeper funding streams.

Decision

To agree the adoption of the new Tenancy Strategy.

Reasons

1. Derby's current Tenancy Strategy required updating and refreshing. The draft new strategy sets out the Council's position from 2021 onwards. It provides the basis for action for the Council's housing stock and a steer to other Registered Providers (RPs). All providers of social housing must be registered with the Regulator of Social Housing.
2. In accordance with the Localism Act 2011, the Tenancy Strategy sets out the matters that RPs must 'have regard to' when drawing up their own policies relating to:
 - a) The kinds of tenancies they grant and the circumstances under which they would be granted.
 - b) The granting of flexible tenancies and the circumstances under which further tenancies were granted upon the termination of an existing tenancy.
3. The Tenancy Strategy sets out the Council's position on these matters and also our position on the use of Affordable Rents.

Contract and Financial Procedure Matters

20/21 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.

- Capital grant award agreement of £17.25m – SmartParc Spondon Ltd
- Approval of a loan of £0.025m – Ascend Scale Up
- Bid for and acceptance of funding of Section 31 revenue grant of between £0.250m and £0.400m from Public Health England (PHE) and award this grant to Derby City Mission.

The Executive Scrutiny Board noted the report.

Decision

1. To approve the entering into of capital grant award agreement(s) of up to £17.25m with SmartParc Spondon Limited as outlined in section 4.1 of the report.
2. To approve in principle that a loan of £0.025m is advanced to company x from the Ascend revenue fund, subject to the confirmation of a satisfactory due diligence outcome as outlined in section 4.7 of the report.
3. To delegate authority to agree suitable terms to make the Ascend loan advance to the company to the Strategic Director of Corporate Resources in consultation with the Strategic Director of Communities and Place as outlined in section 4.7 of the report.
4. To approve a bid submission to PHE for a grant for the Rough Sleeping Drug and Alcohol Treatment criteria of between £0.250m and £0.400m as outlined in section 4.1 of the report.
5. To delegate approval to the Director of Public Health following consultation with the Strategic Director of Corporate Resources and the Cabinet Member for Adults, Health and Housing to accept and then award the Rough Sleeping Drug and Alcohol Treatment grant, subject to the appropriate grant agreement to the Derby City Mission as outlined in section 4.1 of the report.

21/21 Exclusion of the Press and Public

Resolved that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Contract and Financial Procedure Matters

22/21 Compliance with Contract and Financial Procedure Rules

The Council Cabinet considered exempt information in relation to a capital grant award agreement of £17.25m – SmartParc Spondon Limited.

The Executive Scrutiny Board noted the report.

MINUTES END