

Time began: 6.00pm  
Time ended: 6.54pm

## **COUNCIL CABINET**

### **8 February 2017**

Present                      Councillor Rawson (Chair - part) Banwait (Chair - part)  
                                    Councillors Afzal, Hussain, Repton, Russell and Shanker

In attendance              Councillors Ingall, M Holmes and Skelton  
                                    Philip Hutchinson – Youth Mayor  
                                    Paul Robinson – Chief Executive  
                                    Christine Durrant – Strategic Director of Communities and  
                                    Place  
                                    Andy Smith – Strategic Director of People  
                                    Janie Berry – Monitoring Officer  
                                    Martyn Marples – Director of Finance  
                                    Heather Greenan – Head of Performance and Intelligence  
                                    Ian Fullagar – Head of Strategic Housing  
                                    Yvonne Wilkinson – Head of Communications and Consultation

This record of decisions was published on 10 February 2017. 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.

### **137/16      Apologies**

Apologies for absence were received from Councillors Bolton, Eldret and Graves.

### **138/16      Late Items**

There were no late items. The Chair reported that there was an addendum to the Contract and Financial Procedure Matters report.

### **139/16      Receipt of Petitions**

There were no petitions received.

### **140/16      Identification of Urgent Items to which Call In will not                     Apply**

There were no items.

### **141/16      Declarations of Interest**

There were no declarations on interest.

## 142/16 Minutes of the Meeting Held on 18 January 2017

The minutes of the meetings held on 18 January 2017 were agreed as a correct record and signed by the Chair.

### Matters Referred

#### 143/16 Recommendations from Corporate Scrutiny and Governance Board

The Council Cabinet considered a report on Recommendations from Corporate Scrutiny and Governance Board. The Corporate Scrutiny and Governance 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 2, prior to commencement of the meeting.

#### Decision

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

### Key Decisions

#### 144/16 Determined School Admission Arrangements for Derby City Maintained and Voluntary Controlled Schools 2018 - 2019

The Council Cabinet considered a report which stated that the Council was the Admissions Authority for all maintained and voluntary controlled schools within Derby City, therefore must comply with the statutory duty to consult on any changes to its admission arrangements on behalf of those schools before they are determined and published in the year proceeding admission.

The School Admissions Code 2014 required that consultation on admission arrangements for the academic year 2017-2018 must last for a minimum 6 weeks and must take place between 01 October 2015 and 31 January 2016. All admission arrangements must then be determined (set) by the statutory deadline date of 28 February 2017.

No objections or comments relating to the proposed admission arrangements had been received.

The proposal was for the admission arrangements for the 2018-2019 academic year which was set out in Appendix 2 to the report.

The Corporate Scrutiny and Governance Board noted the report.

## **Options Considered**

None.

## **Decision**

1. To approve the proposed admission arrangements for Community and Voluntary Controlled infant, junior, primary and secondary schools as set out in Appendix 2 of the report as the determined (set) admission arrangements for the 2018-2019 academic year.
2. To approve the published admission numbers as set out in Appendix 3 of the report.

## **Reasons**

To ensure that fairness, equity and transparency was retained and that Derby City was fully compliant with the mandatory requirements of the School Admissions Code 2014, School Admission Appeals Code 2012, relevant legislation and regulations.

## **145/16 Home to School Transport Assistance policy Consultation**

The Council Cabinet considered a report which stated that the Council has a legal responsibility to ensure that every child in the City has access to a school place; for some children the Council has a legal duty to provide free home to school or college transport.

The Council currently outlined the statutory and discretionary home to school transport assistance within the Home to School Transport Assistance Policy and the Post 16 Transport Policy Statement.

The report included the updated Council's Home to School Transport Assistance Policy attached as Appendix 2 to the report, with minor changes, together with a detailed Consultation Document as Appendix 3 of the report outlining the rational and proposals to consult on changes to discretionary Post 16 Special Educational Needs and Disabilities transport (Post 16 SEND).

The eligibility for discretionary Post 16 SEND transport to a school or college was currently based on a student having a Statement of Special Educational Need, or an Education Health and Care Plan; the student being unable to travel on public transport (evidenced by a letter from a medical professional); the course of study was over 16 hours per week and the placement must be the nearest designated setting. Students could remain eligible until the end of the school term they reach 25 years old.

As an important Council priority to support vulnerable families of children and young people in Derby to provide home to school transport assistance, the Council sets an annual budget of around £3,200,000 to help and support vulnerable families with children and young people.

A significant proportion of this transport budget funds children and young people with SEND who were eligible for free transport. In addition, the Council also provided discretionary free transport to Post 16 students with SEND.

In relation to the overall £3,200,000 transport budget, this included £610,089 (20%) of discretionary transport assistance to support 153 Post 16 students with SEND to schools and colleges. As background, it was important to note that the Council was unable to provide transport assistance to support any other Post 16 students, for example, students from families with low incomes.

In view of the budget pressures and savings the Council was required to make, it was necessary to now consult on making changes to the SEND Post 16 discretionary transport costs. The report outlined the proposal to start an eight week consultation period from 20 February 2017 until 17 April 2017; consulting for longer than eight weeks would negatively impact on the Council's ability to meet the requirements set out in the Council's Medium Term Financial Plan (MTFP), but was unlikely to impact negatively on service users. Further information on MFTP requirements were detailed in paragraph 4.5 of the report.

The consultation document proposed developing a point based system for SEND Post 16 transport that would be co-produced with parents to determine eligibility and the level of transport assistance required on an individual basis, ensuring that the most vulnerable young people received the most appropriate level of assistance.

The Council would welcome any comments and views during the consultation period, and would also work closely with young people, parents and carers, support groups, Post 16 institutions, including schools, colleges and other service providers, and transport operators before any changes on how transport was provided were considered or developed.

Following the end of the consultation period on 17 April 2017, a report would be presented to Council Cabinet summarising the outcome of the consultation, and for members to consider a decision in relation to changes to SEND Post 16 discretionary transport.

An Equalities Impact Assessment (EIA) would be undertaken as Children and Young Peoples' educational needs and disabilities would be affected. The EIA and its outcome would be ready, and made available for consideration by Council Cabinet as part of the report inviting Council Cabinet to approve a final Home to School Transport Assistance Policy.

The Corporate Scrutiny and Governance Board noted the report.

## **Options Considered**

Accept on-going pressures for the Council's Home to School Transport budget and increase the budget in line with forecast costs.

### **Decision**

1. To note the general update to the Home to School Transport Assistance Policy.
2. To approve an eight week consultation period on proposed changes to SEND Post 16 discretionary transport.
3. To note a detailed Equalities Impact Assessment will be undertaken as part of the consultation process.

### **Reasons**

1. The current Home to School Transport Assistance required updating to ensure information included was timely and accurate.
2. Significant work had been underway to reduce Home to School Transport Assistance costs over recent years. Unfortunately, the overall budget indications for 2016/17 currently forecasted an overspend of £200,000.
3. In relation to SEND Post 16 transport consultation, a point based system would be co-produced to determine eligibility and the level of transport assistance required on an individual basis, ensuring that the most vulnerable young people receive the most appropriate level of assistance.

At this point Councillor Banwait arrived and took the Chair.

## **146/16     Housing Benefit Overpayment Recovery Policy**

The Council Cabinet considered a report which stated that on 7 December 2016 Council Cabinet approved the Council's Collection Strategy which was a set of overarching principles for our approach to the collection of debt.

The report introduced the Council's Housing Benefit (HB) Overpayment Recovery Policy. This sat below the overarching Collection Strategy and provided details as to the recovery options open to the Council, the general order in which the Council would take recovery action and any local limitations that would apply.

The Policy aimed to ensure that recovery action was consistent, transparent and proportional and that collection was maximised at minimum cost. Further, the Policy aimed to ensure that a distinction was made between those that had the means to pay, but would not, from those that genuinely found themselves in a position where they could not pay. The Policy was at Appendix 2 of the report.

An Equalities Impact Assessment (EIA) had been completed for the Policy, and was attached at Appendix 3 of the report. The content of the EIA was taken into account as part of considering the proposed Policy.

The Corporate Scrutiny and Governance Board requested an update on the policy and performance at the December 2017 or January 2018 meeting of the Board.

### **Options Considered**

Do not have a HB Overpayment Recovery Policy. This was discounted because it would mean the Council missed an opportunity to improve its revenue collection, reduce the costs associated with revenue collection and improve its reputation for governance and transparency.

### **Decision**

1. To approve the Housing Benefit Overpayment Recovery Policy.
2. To delegate any future operational amendments to the Policy, including consequential amendments arising from changes to statutory or case law, to the Chief Executive following consultation with the Director of Finance and the Director of Governance.
3. To note that the Corporate Scrutiny and Governance Board would receive an update on the policy and performance at the December 2017 or January 2018 meeting of the Board.

### **Reasons**

1. To ensure that the Council had a proper framework in place for the collection and recovery of HB overpayment debts.
2. To ensure that the Council's ability to collect debt was maximised and at minimum cost.
3. To minimise the possibility of any claims made against the Council for maladministration or judicial review being successful and therefore protecting the Council's reputation and financial position.

## **147/16 Housing Related Support Programme**

The Council Cabinet considered a report which stated that the report followed the recommendation of Council Cabinet of 9 November 2016 to consult on the proposals for the future of Housing Related Support Services (HRS).

The consultation ran from 23 November 2016 to the 18 January 2017 and consisted of a self completion survey, open public meeting, workshop with Voices in Action VIA and an Equalities Impact Assessment EIA. A total of 218 responses were received to the consultation.

Findings from the consultation indicated strong support for four of the proposals (Refuge, Single Point of Entry, Centenary House and Milestone House). Issues were raised about the decommissioning of the high risk offenders service and the capacity

and funding of Children's services to absorb the extra demand created by ceasing the young peoples' Housing Related Support programme.

Negotiations with the Office of the Police and Crime Commissioner PCC had now secured funding for the High Risk Offender programme from March 2017, with the PCC funding the programme and taking the lead commissioner role for a combined City / County service.

The Corporate Scrutiny and Governance Board recommended Council Cabinet to ensure that there was an adequate and consistent level of support and care provided to the young people affected by the changes to the HRS.

### **Options Considered**

Retaining on-going Council funding for all existing Housing Related Support services had not been put forward as an option, given the position the Council faced in trying to set a balanced budget for 2017/18. The proposals which were consulted upon represented the best scenario whereby five of the seven services were able to be funded via an alternative mechanism.

### **Decision**

1. To note and consider the findings of the consultation process.
2. To approve the proposals for the future delivery of Housing Related Support services from April 2017. These proposals were as follows:
  - On the Council's behalf, Derby Homes would continue to support the delivery of the service provided by Refuge, and the support services at Milestone House and the Single Point of Entry. This would be as part of their Housing Options offer.
  - That Public Health to take over the commissioning and funding of Centenary House, the service being more focused on supporting people with complex alcohol and mental health issues.
  - The Office of the Police and Crime Commissioner to fund the High Risk Offender programme. Also to take on the lead commissioner role for a combined City / County service.
  - By April 2017, the Council would cease to fund the Young People Housing Related Support programme.
3. To accept the recommendation of the Corporate Scrutiny and Governance Board to ensure that there is an adequate and consistent level of support and care provided to the young people affected by the changes to the HRS.

### **Reasons**

1. Cuts to the Housing Related Support budget (formerly the Supporting People Grant) were originally proposed in the budget setting exercise during Autumn

2011 and again in 2013. The cuts were proposed as measures to enable the Council to deliver a balanced budget and were built into the Council's financial plans from 2012/13 – 2015/16.

2. Given the pressures on Council resources, further savings from the Housing Related Support expenditure were proposed in the MTFP from 2017/18.

## **148/16     Appropriate Adult Service**

The Council Cabinet considered a report which stated that all councils with children social care responsibilities had a duty to provide an appropriate adult service. The service was called off by the Police when they interviewed a child where no family member was available to act as an appropriate adult.

The People Directorate currently commissioned this service for the Council as a standalone arrangement.

Until recently the Council also commissioned an appropriate adults service for vulnerable adults too. i.e. people with mental ill health or learning disabilities who needed to be interviewed by the Police.

There was an opportunity to consider a jointly commissioned service with the County Council through the Office of the Police and Crime Commissioner.

It was envisaged that this approach would provide economies of scale and continuity of service across the whole of Derbyshire.

The Corporate Scrutiny and Governance Board requested Council Cabinet to monitor the service to ensure appropriate scrutiny is in place and that the Council receives value for money.

### **Options Considered**

To commission the children service independently as a standalone service.

### **Decision**

1. To approve the joint procurement with Derbyshire County Council, through the Office of the Police and Crime Commissioner, of a Derbyshire wide adults and children appropriate adult service.
2. To approve in principal the transfer of funding associated with the above as detailed in appendix 1 of the report.
3. To delegate oversight of the procurement process and transfer of funding to the Strategic Director for People services.
4. To accept the recommendation of the Corporate Scrutiny and Governance Board that Council Cabinet monitor the service to ensure appropriate scrutiny is in place and that the Council receives value for money.



## **Reasons**

1. The Council must have a children appropriate adult service in place in the local area.
2. A joint service with the County Council would produce economies of scale and continuity, for Derbyshire Police in particular.
3. The joint arrangement would provide a stable adults and children appropriate adult service in city.

## **149/16 Adult Social Care Fees and Charges 2017/18**

The Council Cabinet considered a report which stated that engagement and consultation with “independent sector” care home and home care providers operating under the Council’s standard (rather than specialist) terms and conditions had been undertaken in recent months with the aim of informing the Council’s decision-making about setting 2017/18 standard fees. The report summarised the reported cost pressures and the consultation feedback from providers. This included the impact of ongoing changes to the National Living Wage from April 2017. The report set out details of the funding model itself and the proposed rates for 2017/18.

The report also set out the proposed charges for Council-provided residential and community care services for 2017/18, which was the annual review set out in Council’s Adult Social Care Charging Policy.

The proposed Council Budget in 2017/18 included inflationary increases of 3.0% for income arising from Residential and Nursing placements, 3.0% for income arising from Homecare services and 3.0% for income arising from all other fees and charges. It must be noted that the full cost was only paid by around a fifth of customers, the majority were means tested. The report set out the proposed charges for 2017/18 after applying these increases for the Council’s own care services.

A review of the Shared Lives service was underway which would consider potential changes to the charging structure for the service. The outcome of that review would be reported separately.

A review of the Carelink service was underway which would consider potential changes to the charging structure for the service. The outcome of that review would also be reported separately.

The Corporate Scrutiny and Governance Board noted the report.

## **Options Considered**

1. The Council could determine not to award any inflationary increase to the fees it paid for in-house and independent sector care. This was not being recommended as having a sustainable and viable social care market was vital to ensuring that the Council could discharge its statutory duties in relation to

vulnerable adults.

2. The Council could decide not to increase the charges it levied for in-house and independent sector care. This was not being recommended as it would create an unmanageable pressure in the adult social care budget.
3. The Council could decide not to exercise the powers granted in the Care Act 2014 to levy administrative charges for certain activities. This was not being recommended as it would create an unmanageable pressure in the adult social care budget.

## **Decision**

1. To approve a 3.41% fee increase for independent sector standard residential care, dementia residential and nursing care weekly fee rates (net of the Registered Nursing Care Contribution) from April 2017.
2. To approve a 3.3% fee increase for standard independent sector homecare services.
3. To approve increases to the charging rates for 2017/18 of 3.0% for residential and nursing placements, 3.0% for homecare services and 3.0% for all other fees and charges.
4. To approve that all the new rates will apply from 10 April 2017 (in line with the date of the rise in state benefits for 2017).

## **Reasons**

1. The Council's fee rate model for residential care homes and home care, as set out in Appendix 4 and 5 of the report, built on the methodology previously used by the Council. General information and consultation feedback from independent sector care providers had been focused on specific inflationary and cost pressures affecting their businesses.
2. Maintaining the directorate's income was crucial to the management of the overall budget for the Council.
3. The proposed start date aligned with the date that the Department of Work and Pensions (DWP) benefit rates change.

## **150/16 Purchase of Residential Scheme to Provide Affordable Housing Funded Through the HRA**

The Council Cabinet considered a report which sought approval to purchase two housing schemes to be funded from the Housing Revenue Account (HRA) capital programme.

The Council had been offered the opportunity to purchase 14 apartments on a scheme off the Burton Road and 4 bungalows on a scheme in Chaddesden.

These dwellings would form part of the Council's HRA affordable housing stock and would be managed by Derby Homes.

The Corporate Scrutiny and Governance Board recommended to Council Cabinet that these new acquisitions be ring fenced for disabled occupants if the demand is there when the properties become available.

### **Options Considered**

An option would be not to proceed with the purchases. However not doing so would compromise the Council's ability to meet its affordable development targets, absorb its Right to Buy receipts and provide much needed affordable housing.

### **Decision**

1. To agree the principle of acquiring the scheme off Burton Road detailed in the report funded through the HRA capital programme at the price not exceeding the formal (RICS approved) valuation.
2. To agree the principle of acquiring the scheme in Chaddesden detailed in the report funded through the HRA capital programme at the price not exceeding the formal (RICS approved) valuation.
3. To delegate authority to the Strategic Director for Communities and Place to enter into all necessary agreements required to secure the acquisition of the properties.
4. To accept the recommendation of the Corporate Scrutiny and Governance Board to ring fence these new acquisitions for disabled occupants if the demand is there when the properties become available.

### **Reasons**

The acquisitions would provide new affordable dwellings which would meet the needs of households on the waiting list.

## **Budget and Policy Framework**

### **151/16     Housing Revenue Account Business Plan 2017/47**

The Council Cabinet considered a report which set out the 30 year updated Housing Revenue Account Business Plan for the management and maintenance of the Council's housing stock.

The Housing Revenue Account (HRA) remained in a relatively strong position. It could meet the immediate and longer term management and maintenance requirements of the Council's housing stock, as well as meeting the required debt repayments following the self-funding settlement in 2012. That said, the report recommended a review of existing assumptions to ensure the plan moving forward was based upon robust and up to date assumptions.

The Corporate Scrutiny and Governance Board noted the report.

### **Decision**

1. To approve the 2017/18 update of the rolling 30 year HRA Business Plan, as set out within the report.
2. To approve the 2017/18 management and maintenance fee paid to Derby Homes and the monies set aside to meet pension liabilities as set out in paragraph 4.10 of the report.
3. To approve the capital programme for the years 2017/18 to 2019/20 in paragraph 4.11 of the report.
4. To approve the commissioning of a stock condition survey update and review depreciation allowances within the Plan.
5. To approve a review of the management and maintenance fee calculation as per paragraph 4.9 of the report.
6. To agree that the approval of the fee calculation methodology be delegated to the Strategic Director of Communities and Place following consultation with the Cabinet Member for Urban Renewal.

## **152/16 Quarter 3 Revenue Budget Monitoring 2016/17**

The Council Cabinet considered a report which provided details of the latest financial position and forecast outturn for the 2016/17 Revenue Budget as at 31 December 2016. This was in line with the agreed strategy of reporting revenue budget monitoring figures on a monthly basis to Chief Officer Group and on a quarterly basis to Council Cabinet for approval and action as necessary.

The Council was currently forecasting an underspend of (£280,000) against the budget requirement of £219,224,736.

Savings targets of £19.009m were included within the 2016/17 budget figures and the forecast achievement of these savings was included within the overall budget forecast.

As at period 9 the Council was forecasting to achieve permanent savings as planned of £18.629m (98%), with the balance and any part year one off costs being met from within overall Directorate budgets.

The Corporate Scrutiny and Governance Board noted the report.

### **Decision**

To note the financial monitoring position and the current progress of savings delivery as at 31 December 2016.

## **153/16      Quarter 3 Capital Budget Monitoring 2016/17 – 2018/19**

The Council Cabinet considered a report which provided details of the revised financial position for the 2016/17 Capital Budget for Quarter 3. This was in line with the agreed strategy of reporting capital monitoring figures on a monthly basis to Chief Officer Group and on a quarterly basis to Council Cabinet for approval and action as necessary.

The report highlighted a Capital programme of £55,873,000 for 2016/2017, after reflecting revisions to the Capital programme of (£9,255,000). The changes required were shown in table 1 of section 4 and detailed in Appendix 2 of the report. Significant changes over £200,000 were also detailed by strategy area and scheme in section 4.5 - 4.13 of the report.

A revised funding position was shown in Table 4 section 5 of the report.

The Corporate Scrutiny and Governance Board noted the report.

### **Decision**

1. To approve the changes and additions required to the 2016/17 capital programme as detailed in Appendix 2 of the report.
2. To note the revised programme for 2016/17 in table 1 of the report.
3. To note the changes to 2016/17 capital funding as detailed in Table 4 Section 5 of the report.
4. To accept the award of £200,000 from the Homes and Communities Agency as detailed in 4.11 of the report.

## **154/16      Revisions to the Discretionary Rate Relief Policy**

The Council Cabinet considered a report which stated that Discretionary Rate Relief (DRR) was a means by which Derby City Council (DCC) could use their discretionary powers to reduce the amount of business rates a business had to pay. Generally, there was a direct cost to the Council in awarding DRR and therefore expenditure had been controlled through the operation of a policy for a number of years.

The 2016 Government Budget announced business rates relief of up to £1,500 for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per property. This relief was subject to state aid limits and was available for two years from 1 April 2017.

The business rate relief set out in paragraph 1.2 of the report would be classed as discretionary rate relief and therefore it was up to individual Council's to decide which businesses received this relief and the basis upon which such determinations were made.

As a result, the Council's DRR policy had been updated and a new section, section 18, added to include treatment of office space occupied by a local newspaper. Further, the sections that previously covered retail relief and transitional relief had been removed as this relief was no longer available. The revised policy was attached at Appendix 2 to the report.

The Corporate Scrutiny and Governance Board noted the report.

### **Decision**

1. To approve the revised DRR policy attached at Appendix 2 of the report.
2. Following completion of an equality impact assessment to report back to Council Cabinet should any amendments to the policy.

## **Performance**

### **155/16 Performance monitoring 2016/17 – Quarter Three Results**

The Council Cabinet considered a report which included highlights from key performance measures included in the departmental business plans and which reflected the refreshed 2016-19 Council Plan. These priority measures formed the Council Scorecard for 2016/17 and reflected key performance / budget risks that Chief Officers and Members needed to be reviewing outcomes against on a regular basis.

At the end of quarter three (up to 31 December 2016), 66% of performance measures were forecast to meet or exceed their year end target. Results were assessed using traffic light criteria, according to their performance against improvement targets. A dashboard which summarised performance for the Council Scorecard was shown in Appendix 2 of the report.

Achievements noted at quarter three included:

- There had been 43 adoptions between April 2016 and December 2016 supporting a decline in the total number of children looked after.
- 584 jobs had been created and 15 businesses supported by the Derby Enterprise Growth Fund since April 2016.

- The volume of online transactions for existing self-service options continued to increase compared to last year.

Accountable officers had provided commentary to put performance into context and identify actions that they were taking to address poor performance (Appendix 3 of the report).

The Corporate Scrutiny and Governance Board recommended that Council Cabinet

- Closely monitor the high levels of sickness absences amongst staff at monthly or bi-monthly meetings of Council Cabinet under the Performance items section:
- Note that the Corporate Scrutiny and Governance Board have requested a performance surgery on this issue to be undertaken once data is available from Quarter 1 of the next financial year;
- Further work is done to examine the quality and quantity of performance of ECHPs through the Quality Performance Framework and develop an ECHP Quality metric.

## **Decision**

1. To note the 2016/17 quarter three performance results.
2. To note the indicators highlighted in the Improvement Report at Appendix 3 of the report.
3. To note the performance measures recommended for Corporate Scrutiny and Governance Board at paragraph 4.20 of the report. To also note that Corporate Scrutiny and Governance Board reviewed performance on a regular basis and may select indicators for Performance Surgery on the basis of this report.
4. To accept the recommendation of the Corporate Scrutiny and Governance Board that Council Cabinet
  - Closely monitor the high levels of sickness absences amongst staff at monthly or bi-monthly meetings of Council Cabinet under the Performance items section:
  - Note that the Corporate Scrutiny and Governance Board have requested a performance surgery on this issue to be undertaken once data is available from Quarter 1 of the next financial year;
  - Further work is done to examine the quality and quantity of performance of ECHPs through the Quality Performance Framework and develop an ECHP Quality metric.

# Contract and Financial Procedure Matters

## 156/16 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- Contract waiver(s)
- Contract procurement (which has an estimated total value of over £75,000)
- Bid for / accepting funding
- Submission of an expression of interest to the Homes and Communities Agency.

The Corporate Scrutiny and Governance Board resolved to note the report and requested clarification on additional funding requested to deliver procurement for Education Health Care Plans.

### Decision

1. To approve waiving contract procedure rules by awarding a 12 month support and maintenance contract to Kana Software Ireland Limited, with an approximate value of £52,000, as detailed in section 4 of the report.
2. To approve the delivery of a procurement exercise and subsequent award for a contract with an estimated total value of £100,000, for the provision of approximately 1,500 Education Healthcare Plans, as detailed in section 5 of the report.
3. To approve a waiver to appoint Crowdfunder UK, with a maximum value of £45,000 over three years, as detailed in section 6 of the report.
4. To give delegated approval to the Strategic Director Communities and Place, following consultation with the Director of Finance, to bid for and subsequently accept funding from Joint Air Quality Unit (JAQU) for the additional work required in taking forward the scoping study requirements for Clean Air Zones, as detailed in section 7 of the report.
5. To approve the submission of an Expression on Interest to the Homes and Communities Agency in respect of its Accelerating Construction prospectus and to note that the submission of any funding bid and acceptance would be subject to a further report to Council Cabinet.
6. To note the Homes and Communities Agency's requirement that the Council provide

*“assurance of the authority’s commitment, both executive and political leadership to the programme in terms of identification of LA /other public*



*sector surplus sites; fast tracking planning requirements; to try innovative new approaches and work proactively with the HCA and an HCA procured developer/contractor to deliver in line with the programme delivery timetable”;*

and to provide an in principle commitment to work proactively with the HCA to deliver this programme subject always to a full report being considered by Council Cabinet when more details in relation to the scheme are known.

7. To note that the Corporate Scrutiny and Governance Board had requested clarification on additional funding requested to deliver procurement for Education Health Care Plans.

## **157/16 Exclusion of the Press and Public**

To consider a resolution to exclude the press and public during consideration of the following item

“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 items on the grounds that they involve 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”

## **Key Decisions**

### **158/16 Purchase of Residential Scheme to Provide Affordable Housing Funded Through the HRA**

The Council Cabinet considered exempt information in relation to purchase of residential scheme to provide affordable housing funded through the HRA.

The Corporate Scrutiny and Governance Board recommended to Council Cabinet that these new acquisitions be ring fenced for disabled occupants if the demand is there when the properties become available.

### **Options Considered**

An option would be not to proceed with the purchases. However not doing so would compromise the Council's ability to meet its affordable development targets, absorb its Right to Buy receipts and provide much needed affordable housing.

### **Decision**

1. To agree the principle of acquiring the scheme off Burton Road detailed in the report funded through the HRA capital programme at the price not exceeding the formal (RICS approved) valuation.

2. To agree the principle of acquiring the scheme in Chaddesden detailed in the report funded through the HRA capital programme at the price not exceeding the formal (RICS approved) valuation.
3. To delegate authority to the Strategic Director for Communities and Place to enter into all necessary agreements required to secure the acquisition of the properties.
4. To accept the recommendation of the Corporate Scrutiny and Governance Board to ring fence these new acquisitions for disabled occupants if the demand is there when the properties become available.

### **Reasons**

The acquisitions would provide new affordable dwellings which would meet the needs of households on the waiting list.

**MINUTES END**