

COUNCIL CABINET
13 March 2024



Report sponsors:

Councillor Baggy Shanker Leader of the Council
and Cabinet Member for Strategy, Governance
and Finance

ITEM 13

Alison Parkin, Director of Financial Services

Report author: Toni Nash, Head of Finance

Compliance with Contract and Financial Procedure Rules

Purpose

- 1.1
 - Addition of a new scheme to the 2023/24 & 2024/25 capital programme for the Safer Streets Phase 5 – SSR5, City Centre CCTV scheme
 - Acceptance of a grant from the Department for Levelling Up, Housing and Communities – DLUHC of up to £0.615m for Domestic Abuse and Safe Accommodation
 - A procurement exercise For Domestic Abuse and Safe Accommodation for up to a maximum of £2.4m equating to £0.600m a year, for a maximum of four years, subject to funding, to contract for providers, for victims of domestic abuse and their families in refuge and other safe accommodation.
 - Bid for and acceptance of £0.348m of funding from National Trading Standards

Recommendations

- 2.1 To approve the addition of a new scheme for City Centre CCTV to the 2023/24 and 2024/25 capital programme of £0.135m, of which £0.084m is profiled in 2023/24 and £0.051m is profiled in 2024/25 as outlined in section 4.1.
- 2.2 To approve acceptance of funding from DLUHC for Domestic Abuse and Safe Accommodation of £0.615m to commission support to victims of domestic abuse and their children in safe accommodation and to meet the administrative new burdens cost of delivering the functions under the duty as outlined in section 4.2.
- 2.3 To approve procurement of services up to a maximum of £2.4m equating to £0.600m a year, for a maximum of four years, subject to funding, to contract providers for victims of domestic abuse and their children in safe accommodation as outlined in section 4.2.
- 2.4 To approve delegated authority to the Strategic Director of Communities and Place in consultation with the Section 151 Officer and the Cabinet Members for Communities & Streetpride, Housing, Property and Regulatory Services to authorise entering a contract for the provision of services to victims of domestic abuse and their children in safe accommodation as outlined in section 4.2.
- 2.5 To approve a bid to National Trading Standards for funding for the amount of £0.348m for the financial year 2024/25, to support the ongoing costs associated with bringing a complex fraud investigation before the courts as outlined in section 4.3.

- 2.6 To approve to accept funding for the amount of £0.348m, for the financial year 2024/25, should it be awarded by National Trading Standards.
- 2.7 To delegate authority to the Strategic Director of Place, in consultation with the Cabinet Member for Cabinet Member for Housing, Property and Regulatory Services, and the Director of Finance ,following the grant award to apply the funds received in accordance with the grant terms.

Reason

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

Supporting information

4.1 Addition of a New Scheme – City Centre CCTV of £0.135m

This report outlines the request add a new scheme of City Centre CCTV to the capital programme using capital funds received through the SSR5 fund. Delegated approval has been given by the Cabinet Member for Communities & Streetpride, Chief executive and S.151 Officer to bid for and accept SSFR5 in line with the grant purpose.

- 4.1.1 The Police and Crime Commissioner has awarded £0.084m to the Council for the 2023/2024 financial year and £.051m for the 2024/25 financial year.
- 4.1.2 The Government's strategic approach to cutting crime and anti-social behaviour (ASB), reducing the number of victims of crime, and making the country safer is set out in the Beating Crime Plan and the Anti-social Behaviour Action Plan. The Beating Crime plan shows how the Government will focus efforts on 'hotspot' areas where crimes are disproportionately concentrated; the Safer Streets Fund forms a key part of this approach in supporting local areas.
- 4.1.3 The key objectives of the SSFR5 are to:
- Reduce neighbourhood crimes (domestic burglary, robbery, theft from person, vehicle crime).
 - Reduce ASB incidents.
 - Change perceptions, attitudes, and behaviours towards VAWG and ASB in public places, with the long-term goal of reducing VAWG crimes and disorder in public. However, for VAWG and ASB, it should be noted that increased reporting could be seen as a positive outcome.
 - Improve feelings of safety for everyone within the community, in particular women and girls' feelings of safety in public spaces and the Night-Time Economy (NTE).
 - Make local areas safer and reduce demand on the police, local authorities, and other local agencies.
 - Increase local area trust in policing and their activities within the community.
 - Build the evidence base for what works on reducing neighbourhood crimes and ASB and for changing attitudes and behaviours in relation to VAWG in the public domain
- 4.1.4 Delivery of interventions must be in a defined geographic area, disproportionately impacted by the crime or issue type/s they are targeting with the proposal.

- 4.1.5 Only Police and Crime Commissioners (PCC's) are eligible to apply for SSFR5; however, as a condition for funding, PCCs were required to consult the relevant local authority and/or Community Safety Partnership and at least two local or national organisations with relevant expertise for the crime or issue type/s they wish to address to be eligible for funding.
- 4.1.6 Following consultation and a review of proposed interventions, the PCC agreed to support a joint proposal from the Violence Against Women and Girls (VAWG) and Neighbourhood Crime and ASB (NCAB) Thematic Boards to target two Derby City Centre Night-Time Economy areas through CCTV interventions.
- 4.1.7 Analysis commissioned for the NCAB Night-Time Economy Subgroup showed that 29.5% of Night-Time Economy (NTE) related crimes also have a VAWG marker (Derbyshire NTE Sub-Group Report, July 2023, Safer Derbyshire Research, and Information Team).
- 4.1.8 Derby City had some of the highest number of VAWG flagged NTE offences - 20.1% of NTE related crime had a VAWG flag (406 NTE related crimes). NTE related offences, include Violence with and without injury, criminal damage, and public disorder.
- 4.1.9 This concerning correlation of VAWG and NTE related offences has led to further analysis of VAWG related offences within the proposed areas. In the last year there were:
- 394 VAWG related offences, including
 - 17 rapes
 - 139 violence with injury
 - 50 stalking and harassment
 - 75 other sexual offences and
 - 113 public disorder related offences.
- 4.1.10 It is anticipated that by increasing the sense of safety within the NTE through proactively addressing VAWG related offences we will see reductions in related ASB and Neighbourhood Crime incidents; by encouraging a broader range of our community to feel safe we will increase the natural security of these areas.
- 4.1.11 This funding will help to improve the city's CCTV infrastructure, enforcement, and prosecution capabilities, to be able to recognise and respond quickly to VAWG and ASB related incidents within the NTE.
- 4.1.12 The specific CCTV expenditure in 2023/2024 is the purchase of five deployable CCTV cameras to be installed in the city centre and surface car parks at a costs of £0.084m. Installation of columns, fibre upgrades and removal of old columns will be agreed for 2024/2025 totalling £0.051m.
- 4.1.13 It is recommended to approve the addition of a new scheme for City Centre CCTV to the 2023/24 and 2024/25 capital programme of £0.135m of which £0.084m is profiled in 2023/24 and £0.051m is profiled in 2024/25.

4.2 Acceptance of Funding – DLUHC – Domestic Abuse and Safe Accommodation of up to £0.615m and associated procurement approval of

£2.4m for four years

The Domestic Abuse Act 2021 placed new duties on local authorities across England to ensure that victims of domestic abuse and their children can access the right support in safe accommodation when they need it. The Department for Levelling Up, Housing and Communities – DLUHC - has confirmed a Grant determination to the Council for 2023/2023 of £0.615m.

4.2.1 The following two elements have been assessed by DLUHC to determine the Grant funding:

1. Support in safe accommodation: cost of the commissioned services, based on an estimate of support unit costs and the level of unmet need for safe accommodation.
2. Administrative new burdens: cost of delivering the new functions under the duty.

The Council have an assurance that this statutory duty will continue to be funded in future years but not confirmation.

4.2.2 Safe accommodation is defined as that which is:

“...solely dedicated to providing a safe place to stay for victims of domestic abuse, including expert support...”

Safe accommodation includes Refuge accommodation; Specialist safe accommodation; Dispersed accommodation; Sanctuary Schemes; Second stage, step-down or move-on accommodation; Other forms of domestic abuse emergency accommodation.

4.2.3 Domestic abuse support is defined as meaning support, in relation to domestic abuse, for victims and their children who live in “relevant accommodation.”

Such support may include:

- Overall management of services within safe accommodation
- Support with the day-to-day running of the service
- Advocacy support
- Domestic abuse-prevention advice
- Specialist support for victims with protected characteristics and / or complex needs
- Children’s support
- Housing-related support
- Counselling and therapy for both adults and children.

4.2.4 The current provision of accommodation based support is provided by Refuge. The development of a service specification to meet the requirements will be developed in consultation with Procurement Service advice and legal support to agree terms as appropriate.

4.2.5 It is recommended to approve acceptance of funding from DLUHC for Domestic Abuse and Safe Accommodation of £0.615m to commission support to victims of domestic abuse and their children in safe accommodation and to meet the

administrative new burdens cost of delivering the functions under the duty.

- 4.2.6 It is recommended to approve procurement of services up to a maximum of £2.4m equating to £0.600m a year, for a maximum of four years, subject to funding, to contract providers for victims of domestic abuse and their children in safe accommodation.
- 4.2.7 It is recommended to approve delegated authority to the Strategic Director of Communities and Place in consultation with the Section 151 Officer and the Cabinet Members for Communities & Streetpride, Housing, Property and Regulatory Services to authorise entering a contract for the provision of services to victims of domestic abuse and their children in safe accommodation.

4.3 Bid for funding to the NTS for £0.348m

National Trading Standards have been supporting Derby Trading Standards since 2019 in an ongoing criminal investigation. To date they have funded £0.362m. Derby City Council's Trading Standards Service does not have the resources to support an investigation of this size and complexity.

- 4.3.1 This ongoing funding bid of £0.348m is to support continued costs in respect to bringing criminal matters before the court.
- 4.3.2 The Full Code Test from the Code for Crown Prosecutor's has been applied and met when considering the decision on whether to prosecute or not and involves the following:

The Evidential Stage:

- Can the evidence be used in court?
- Is the evidence reliable?
- Is the evidence credible?
- Is there any other material that might affect the sufficiency of evidence?

The Public Interest Stage:

- How serious is the offence committed?
- What is the level of culpability of the suspect?
- What are the circumstances of, and the harm caused to the victim?
- What was the subject's age and maturity at the time of the offence?
- What is the impact on the community?
- Is prosecution a proportionate response?
- Do sources of information require protecting?

More detail is available at the following link:

<https://www.cps.gov.uk/publication/code-crown-prosecutors>

- 4.3.3 There is a realistic prospect of conviction which could result in a custodial sentence. Significant resource has already been invested into investigating the alleged offending and seeking the evidence to support a prosecution.
- 4.3.4 It is recommended to approve a bid to National Trading Standards for funding for the amount of £0.348m for the financial year 2024/25, to support the ongoing costs

associated with bringing a complex fraud investigation before the courts.

- 4.3.5 It is recommended to approve to accept funding for the amount of £0.348m, for the financial year 2024/25, should it be awarded by National Trading Standards.
- 4.3.6 It is recommended to delegate authority to the Strategic Director of Place, in consultation with the Cabinet Member for Cabinet Member for Housing, Property and Regulatory Services, and the Director of Finance ,following the grant award to apply the funds received in accordance with the grant terms.

Public/stakeholder engagement

- 5.1 **CCTV** - Consultation took place in a short timescale with key stakeholders including multi-agency partners within both the Neighbourhood Crime and ASB (NCAB) Thematic Board and the VAWG Board. This included representatives from the community and voluntary sector. Partners across Derbyshire and Derby City were keen to work together on this SSR5 proposal. They were given chance to comment on the initial expression of interest form and to help shape the interventions for the final proposal as part of the consultation work. Organisations who support this proposal include Derbyshire Constabulary, Derbyshire County Council, Derby City Council, Remedi (Victim Services), Security industry Authority and the city's Business Improvement District partners.
- 5.2 **Domestic Abuse and Safe Accommodation**
Derby City Council and Derbyshire County Council has worked in partnership on the local need's assessments and collaboratively with the wider domestic abuse partnership. Statistical analysis of available and relevant local data was undertaken at the city and county level. Supported with three consultations covering Domestic Abuse service providers and public agencies, the public and the faith and voluntary sector.
- 5.3 **Bid for funding – NTS** -The funding approval process for nationally funded cases is that our bid has to go through our Regional Trading Standards Tasking Group (RTG) for discussion and approval in the first instance, as the funding amounts available are all dependent on the number of investigations being put forward. There is always an understanding that legacy cases will continue to be supported. However, the amount of funding being requested is carefully scrutinised.
- 5.3.1 **Bid for funding – NTS**- If RTG approve and agree Derby City Council's bid for funding, it then goes through a similar process with the National Tasking Group before approval is sought from the National Trading Standards Board. Again, there is an understanding that legacy cases will be supported.

Other options

- 6.1 **CCTV** - Do nothing. This option has been discounted. Whilst the city centre has an extensive CCTV network, there are still a number of 'blind spots' where crimes take place. The SSR5 funding provides an opportunity to enhance our CCTV capabilities, reassurance to the public and the gathering of quality evidence
- 6.2 **Bid for funding – NTS**- Discontinue the matter and not progress the case to a prosecution.

- 6.2.1 **Bid for funding – NTS-** Derby City Council to consider funding or, part funding the case to conclusion.

Financial and value for money issues

- 7.1 **CCTV** - Non directly arising. The costs associated with the purchase and deployment of the CCTV cameras has been profiled against market rates and current costs of the CCTV system.

There is a mandatory 50% matched funding requirement. This can be monetary or 'in-kind' and this must be spent by 30 September 2025 and reported to the Home Office.

The Council will provide 'in-kind' match funding from our existing investments in the CCTV network, ongoing monitoring, and maintenance of those systems. There is sufficient revenue funding to cover the new impact.

7.2 **Domestic Abuse and Safe Accommodation**

There is no net cost to the Council of providing this support. The cost the Council incurs in providing support is funded by the DLUHC Grant determination. Government has committed funding to local authorities to make sure safe accommodation spaces, such as refuges and shelters, can provide victims with vital support services. Confirmation of the 2023/2024 grant has been received. The funding is issued as an un-ringfenced grant to local councils who will then be responsible for making decisions on how the funding is spent to benefit those in need.

- 7.2.1 In determining the value of procurement, indicative costs can be assumed from existing Domestic Abuse provision and administrative costs. The authority currently commissions:

- Refuge - provision of 25 bed spaces for victims of Domestic Abuse, appropriate support, and outreach work. The annual cost for this service is circa £0.200m.
- Action Housing – in partnership with the Police and Crime Commissioner, Derbyshire County and District Councils and the Probation Service – provision for High Risk Offenders. This provision includes dedicated accommodation for those who are also victims of domestic abuse, The annual contribution for this service is £0.066m

- Derby City Mission – in partnership with Derby Homes – Safe Space provision for homeless support. This provision includes dedicated accommodation for those who are also victims of domestic abuse. The annual contribution for this service is circa £0.024m

The Domestic Abuse Needs Assessment completed in November 2021 has identified additional provisions which will need to be procured:

- refuge spaces for male victims
- children's workers based in the refuges
- support for victims with complex needs, including mental health and substance misuse issues.
- short-term accommodation to provide a temporary place of safety, with immediate DA support
- a local DA Helpline
- support for victims with relevant protected characteristics and complex needs
- support for victims provided with sanctuary schemes and target hardening measures

A procurement value of £0.600m will allow these additional provisions to be tendered.

7.3 Bid for funding – NTS- The current cost to the Council so far has been officer time. There has been no additional contractor or legal costs associated with this investigation that the Council has had to fund.

7.3.1 Bid for funding – NTS- Any external costs associated with taking the matter to court will be covered by this funding. This includes, external legal costs, contractor costs and software applications to support disclosure.

Legal implications

8.1 CCTV - None arising directly from the report.

8.2 **Domestic Abuse and Safe Accommodation**

Part 4 of the Domestic Abuse Act 2021 places a statutory duty on Tier One authorities such as Derby City Council for the delivery of support to victims of domestic abuse and their children in safe accommodation, who need it and provides clarity over governance and accountability. Requirements are to:

- Assess need and demand for accommodation-based support to meet the needs of victims and their children, including how to incorporate the voices and needs of victims.
- Develop and publish a strategy for the provision of support to cover the local area, with regard to the needs assessment

Deliver this strategy (through funding and commissioning decisions), monitor, and evaluate local delivery and report back to central Government.

- 8.2.1 This is not a requirement to provide domestic abuse victims with accommodation – and does not replace existing housing and homelessness duties.
- 8.2.2 This duty is separate to local authority housing duties under the Housing Act 1996 and Homelessness Reduction Act 2017 and does not place a requirement on authorities to provide domestic abuse victims with accommodation. However, local authorities must still comply with their duties under homelessness law in line with the Chapter 8 of the Homelessness Code of Guidance for local authorities.
- 8.3 **Bid for funding – NTS-** Advice has been sought and obtained both internally, from the in-house legal service as well as from counsel. Both have been involved in the case from the outset and are satisfied that evidentially it warrants prosecution and remains in the public interest to proceed to court. At this time, the legal advice is that there is a reasonable realistic prospect of conviction.
- 8.3.1 The risks associated with approving this request is that once information's have been laid at court, future costs are likely to be higher in order to bring the case to conclusion. Future costs (2025/26) will be dependent on what is determined during 2024/25's funding period once the case is in the court system.
- 8.3.2 There are also several risks in not accepting the funding, as without it, the 5 year investigation already conducted cannot proceed to court. This has been a long, complicated investigation, involving numerous council staff, agency workers and legal professionals, resulting in substantial costs to the public purse. To not take a case forward, when it is still in the public interest to do so, could leave us open to significant criticism.

Climate implications

- 9.1 **CCTV** - The addition of five cameras to the network will have a negligible impact.

Video surveillance energy consumption is largely attributed to the electrical power required to operate the video servers that are running the security cameras and storing recorded video data. These servers are located in the council house and support the existing network of cameras, sharing existing network infrastructure, computation, and storage.

Cameras operate video compression with H.264. H.264 is the preferred video encoding compression standard capable of providing good video quality at substantially lower bit rates than previous standards. H.264 represents a 50% reduction in bandwidth and storage over MPEG-4 and an 80% reduction over MJPEG, which reduce hardware, space, and power requirements.

Remote surveillance is an effective tool for eliminating unnecessary driving. Control room operators can provide real time direction of ground personnel and verify incidents before deploying personnel to respond.

Socio-Economic implications

- 10.1 **CCTV** - The purpose of this project is to protect members of the public from crime and to prosecute those who commit crimes.

10.2 **Domestic Abuse and Safe Accommodation**

In developing the accommodation based strategy, both the Derby Domestic Abuse Needs Assessment (2021) and the Derbyshire Domestic Abuse Needs Assessment (2021) are key to understanding the scale of the wider domestic abuse issues that exist locally and enable any gaps in domestic abuse services / provision to be identified. These will inform the development of an overarching strategy in response domestic abuse, sexual violence and violence against women and girls.

The Needs Assessment identified that:

- There is no provision in the City Council area for refuge spaces for male victims.
- There is a need to encourage victims aged 35 and older and victims from the LGBT+ communities to engage with the services.
- There is less engagement, reporting and recording of incidents for those who are from ethnic minority communities.

- 10.3 **Bid for funding – NTS-** Through the period of alleged offending there has been significant financial detriment to those affected, and often in respect of individuals from low-income households. Not to take action, could continue to leave consumers vulnerable to the same significant detriment.

Equality, diversity, and inclusion implications

11.1 **Domestic Abuse and Safe Accommodation**

Women and girls' personal safety is very much an equality issue as well as other people with protected characteristics who are survivors and victims of domestic violence and abuse, so this funding is very much needed.

- 11.1.2 There is also a clear need for accessible safe accommodation for disabled people who are affected by domestic violence and abuse and for people who are also carers of disabled children who are not always allowed in refuges depending on their gender and age.
- 11.1.3 The Council has signed up to the Deaf and Hard of Hearing People's Commitment and so it's essential that access for domestic violence and abuse support is accessible for Deaf and hard of hearing people too as well as others with protected characteristics.

Other significant implications

- 12.1 **CCTV** - None arising directly from the report.
- 12.2 **Bid for funding – NTS-** It may take the Officer in Charge of the case and a legal officer away from every day duties for a minimum period of eight weeks.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	15/02/2024
Finance	Toni Nash – Head of Finance	14/02/2024
	Janice Hadfield – Head of Finance (NTS bid)	14/02/2024
Service Director(s)	Sam Dennis – Strategic Director (NTS bid)	06/02/2024
Report sponsor	Alison Parkin – Director of Financial Services	14/02/2024
Other(s)	Ann Webster	14/02/2024
	Lead on Equality and Diversity	