

Time ended: 4.40pm

11 January 2023

Present Councillor Poulter (Chair)
Councillors Barker, Eyre, Hassall, J Pearce, Smale, Webb and
Williams

In attendance Councillors Shanker and Skelton
Rachel North – Strategic Director Communities and Place
Simon Riley – Strategic Director of Corporate Resources
Olu Idowu – Head of Legal Services
Mazar Hussain – HRA Business Manager
Omar Aslam – Youth Mayor

This record of decisions was published on 13 January 2023. 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.

143/22 Apologies

Apologies for absence were received from Paul Simpson, Andy Smith and Emily Feenan.

144/22 Late Items

There were no late items.

145/22 Receipt of Petitions

There were no petitions.

146/22 Identification of Urgent Items to which Call In will not apply

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

Item 8 - Council Tax Base 2023/24 (Minute no 150/22)

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

147/22 Declarations of Interest

There were no declarations.

148/22 Minutes of the meeting held on 21 December 2022

The minutes of the meeting held on 21 December 2022 were agreed as a correct record.

Matters Referred

149/22 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.

Decision

To receive the report and to note that no recommendations had been put forward by the Executive Scrutiny Board.

Key Decisions

150/22 Council Tax Base 2023/24

The Council Cabinet considered a report which stated that the Council has a legal requirement to calculate a Council Tax base for each financial year and to notify its Council Tax base to both The Police and Crime Commissioner for Derbyshire and Derbyshire Fire & Rescue Authority. The Council Tax base must be calculated between 1 December and 31 January in the preceding financial year and notified to The Police and Crime Commissioner for Derbyshire and Derbyshire Fire & Rescue Authority by 31 January of the preceding financial year.

The Council Tax base was an estimated figure of the number of domestic properties expressed in terms of 'band D' equivalents in the Council's area during the financial year concerned. It was used to determine a headline charge for band D properties in the city. Charges for other bands were calculated as defined fractions of the headline charge.

The proposed Council Tax base for 2023/24 was 71,038.69 band D equivalent properties compared with the 2022/23 Council Tax base of 70,030.60.

The Executive Scrutiny Board noted the report.

Options considered

1. The Council has a statutory duty to set a Council Tax base.

2. The Council could choose to change the amount of Council Tax charged on those categories of empty properties set out in section 4.7.3 of the report. However, this was not recommended as it would act as a disincentive to bringing long term empty properties back into use.

Decision

1. To approve the Council Tax base for the year 2023/24 as 71,038.69 band D equivalent properties, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012/2914).
2. That in accordance with the methodology and estimates shown at Appendix 1 of the report, to recommend Council to approve this calculation, at the Council meeting on 18 January 2023.
3. To approve the council tax charges for certain empty properties as set out in paragraph 4.7.3 of the report.

Reasons

1. Agreeing the Council Tax base was the first step in the process of setting the Council Tax to be collected in 2023/24 and was an essential part of establishing the 2023/24 budget.
2. Charging premiums on certain long term empty properties and the removal of discounts would encourage the owners of empty properties to bring them back into use aligning to the Council's current Empty Homes Strategy. Further having more homes occupied within the city would help to reduce the incidence of anti-social behaviour associated with empty properties.

Budget and Policy Framework

151/22 Housing Revenue Account Business Plan 2023 to 2052

The Council Cabinet considered a report which sought approval for the updated Housing Revenue Account (HRA) Business Plan, its associated rent increases and capital programme. The HRA Business Plan set out the 30-year investment strategy for the management and maintenance of the Council's housing stock together with investment proposals for additional homes.

Increasing pressures resulting from inflation levels, the cost-of-living crisis and the government's decision to cap social rents at 7% to avoid further pressures to social tenants, had meant that the HRA had had to make some incisive decisions in terms of creating a sustainable strategy for the 30 year business plan. In order to meet the management and maintenance requirements of the Council's housing stock, together with the investment ambitions for additional homes, some reductions and changes as per paragraph 4.11.4 of the report had had to be made.

The Executive Scrutiny Board noted the report.

Options Considered

None, the Council was required to set a 30 year HRA business plan. The proposed plan had been the subject of rigorous scrutiny and options appraisal and was recommended as the most sustainable way forward.

Decision

1. To approve the 2023/24 update of the rolling 30 year HRA Business Plan, as set out in the body of the report.
2. To approve funding for the new homes programme as part of the Council's capital programme as set out in paragraph 4.8 and appendix 1 of the report.
3. To approve the 2023/24 management and maintenance fee of £29.500m paid to Derby Homes as set out in paragraphs 4.11.4 and 4.11.5 of the report.
4. To approve changes to rents and service charges as set out in paragraph 4.13 of the report.
5. To approve the continuation of the capital programme for the years 2023/24 to 2025/26 in appendix 1 of the report and to approve Derby Homes continuing to directly manage the schemes attributed to them.
6. To delegate authority to the Strategic Director of Communities and Place following consultation with the Strategic Director of Corporate Resources and S151 Officer and Cabinet Member for Adults, Health and Housing the adjustment to rent levels following the review of Milestone House rents.

Reasons

1. Housing was a long-term asset and it was important that a longer term view was taken around asset management. Approval was sought for the proposed 2023/24 to 2052/53 update to the rolling 30-year HRA business plan. This set a strategy to manage the HRA into the future.
2. The necessary rent and service charge changes formed key aspects of the HRA Business Plan.

Contract and Financial Procedure Matters

152/22 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.

- Acceptance of funding from the Department of Health and Social Care (DHSC) of £0.957m and associated delegated approvals to apply the funding.
- Addition of Lawn Tennis Association (LTA) Park Refurbishment scheme to the capital programme and associated funding.
- Addition of Purchase of Spin Bikes at Springwood Leisure Centre scheme to the capital programme and associated funding.
- Addition of Squash Courts Refurbishment for a Multi-use studio scheme at Springwood Leisure Centre to the capital programme and associated funding.
- Acceptance of funding of £0.286m from the Ministry of Justice to the Youth Offending Service to expand best practice in early intervention and associated delegated authority to accept funding.
- Approve submission of a bid and acceptance of funding of £1.991m for Home Upgrade Grant (HUG) 2 Scheme and award grant funding to individual homeowners.
- Addition of Home Upgrade Grant (HUG) 2 Scheme to the capital programme for 2023/24 and 2024/25 financial years.

It was noted that the reference to Allestree Recreation Ground had been removed from in paragraph 4.2.1 of the report.

The Executive Scrutiny Board noted the report.

Options Considered

1. Lawn Tennis Association Park Refurbishment scheme - By doing nothing tennis courts in Derby could not be used for their full potential.
2. Springwood Leisure Centre - By doing nothing, this could result in the S106 monies being returned to the developer and loss of opportunity to improve the Springwood Leisure Centre.
3. Turnaround – acceptance of MOJ Funding - This was a programme that had

been set by the Ministry of Justice, consultation had been held with Youth Offending Services as previously highlighted and the only options for the Local Authority were in relation to the delivery of the programme, which given the tight time scales left little options for creative approaches. However, as highlighted there were strong local arrangements between the Youth Offending Service and Early Help teams based within localities, which would be built on in order to deliver the programme.

4. Turnaround – acceptance of MOJ Funding - Given the additional workload created by this programme, there was a need to maintain/utilise staff resources for direct delivery alongside buying in additional resources based on the needs of the children and young people/families who would benefit from this programme.
5. HUG 2 Scheme - The Council could choose not to submit a bid under the HUG 2 programme. This would impact low-income homeowners and tenants who would not then benefit from lower energy bills.

Decision

1. To approve accepting funding from the Department of Health and Social Care of £0.957m, as outlined in section 4.1 of the report.
2. To delegate authority to the Strategic Director of Corporate Resources and the Strategic Director for Peoples Services, following consultation with the Cabinet Member for Adults Heath and Housing, to allocate the funding in line with the Department of Health and Social Care terms of funding, as outlined in section 4.1 of the report.
3. To delegate authority to the Strategic Director of Corporate Resources and the Strategic Director for Peoples Services, following consultation with the Cabinet Member for Adults Heath and Housing to enter into arrangements with the Integrated Care Board as necessary including to pool the funding into the Better Care Fund in accordance with the grant terms of funding, as outlined in section 4.1 of the report.
4. To approve the addition of the Park Refurbishment scheme of £0.113m and associated funding to the 2023/24 Capital Programme. The scheme would be profiled over two years, £0.058m in 2023/24 and £0.057m 2024/25, as outlined in section 4.2 of the report.
5. To approve the addition of the Spin Bikes scheme at Springwood Leisure Centre and the associated funding of £0.027m to the 2022/23 Capital Programme as outlined in section 4.3 of the report.
6. To approve the addition of the Multi – Use Studio scheme at Springwood Leisure Centre and the associated funding of £0.170m to the 2022/23 Capital Programme as outlined in section 4.3 of the report.

7. To accept £0.286m of funding over the next three years from the Ministry of Justice for Targeted Early Help as outlined in section 4.4 of the report.
8. To delegate authority to the Strategic Director for People Services and the Strategic Director of Corporate Resources following consultation with the Cabinet Member for Children, Young People and Skills to agree and accept as appropriate the conditions set out in the Ministry of Justice – Targeted Early Help Funding Agreement, and to allocate expenditure to ensure conditions set out in the Funding Agreement were met as outlined in section 4.4 of the report.
9. To approve the submission of a bid and acceptance of funding of £1.991m to cover financial years 2023/24 and 2024/25 for the Home Upgrade Grant 2 Scheme, as outlined in section 4.5 of the report.
10. To approve the addition of the Home Upgrade Grant – Tranche 2, capital scheme to the 2023/24 Capital Programme, subject to the approval of successful submission of bid and acceptance of funding as outlined in section 4.5 of the report.
11. To delegate authority to the Strategic Director of Corporate Resources and the Director of Financial Services, following consultation with the Cabinet Member for Adults, Health and Housing to award grants to individual homeowners subject to making successful bids as outlined in section 4.3 of the report.

Reasons

To comply with Contract and Financial Procedure Rules.

MINUTES END