

Time began: 4.00pm
Time ended: 5.15pm

COUNCIL CABINET

12 January 2022

Present	Councillor Barker (Chair) Councillors Eyre, Pearce, Smale, Webb and Williams
In attendance	Councillors Repton, Shanker and Skelton Paul Simpson – Chief Executive Emily Feenan – Director of Legal, Procurement and Democratic Services Toni Nash – Head of Corporate Finance John Massey – Head of Revenues, Benefits and Exchequer Services Ian Fullagar – Head of Strategic Housing

This record of decisions was published on 14 January 2022. 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.

130/21 Apologies

It was reported that although the venue was large enough to accommodate all councillors and members of the public safely, given rising Covid-19 case rates locally, it was considered a sensible precaution to reduce the number of councillors present. This was to ensure that in the event of councillors being subsequently required to self-isolate, the democratic processes of the Council could continue to function.

Apologies for absence were therefore received from Councillors Hassall, McCristal and Poulter. Apologies for absence were also received from Rachel North – Strategic Director of Communities and Place, Simon Riley – Strategic Director of Corporate Resources and Andy Smith – Strategic Director of People's Services.

131/21 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

- **Community Vaccine Champion Programme**
To approve bidding for and accepting funding from Department for Levelling Up, Housing and Communities (DLUHC) of £0.485m. The bid was submitted on 24 December 2021, we received confirmation that we had been successful on 7 January 2022.

132/21 Receipt of Petitions

There were no petitions.

133/21 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 11 - Council Tax Base 2022/23 (Minute no 140/21)

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.

134/21 Declarations of Interest

There were no declarations.

135/21 Minutes of the meeting held on 21 December 2021

The minutes of the meeting held on 21 December 2021 were agreed as a correct record.

Matters Referred

136/21 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.

137/21 Minute Extract from the Communities Board – Highways Maintenance – Progress on £9 million Investment

The Council Cabinet considered a minute extract from the Communities Board requesting that Council Cabinet write to the government requesting that funding for highway maintenance is increased to at least £7m per-annum rather than the proposed £3.197m.

The Executive Scrutiny Board resolved to agree to endorse the recommendation from the Communities Scrutiny Review Board.

Decision

To accept the recommendation from the Communities Board to write to the government requesting that funding for highway maintenance is increased to at least £7m per-annum rather than the proposed £3.197m.

138/21 Minutes Extract from the Children and Young People Board - Strategic School Place Planning and School Admissions

The Council Cabinet considered a minute extract from the Children and Young People Board requesting to Council Cabinet that work should be done to assess whether a review on 'normal areas' was necessary at secondary school level. Any review should focus on accessibility and how pupils can be encouraged to walk or cycle to a local school.

The Executive Scrutiny Board noted the minute extract.

Decision

To note that the majority of secondary schools are part of Multi Academy Trusts, and decisions on admission arrangements and normal areas are the responsibility of those Trusts.

A review of normal areas would be considered by Trusts only in exceptional circumstances where there is a clear rationale, as any proposed changes could be disruptive for parents, families and children. As this criteria was not currently met there was no need to review the normal areas but this would be kept under review.

All schools and Multi Academy Trusts encourage sustainable travel patterns, such as walking or cycling to and from school.

Key Decisions

139/21 Anchor Institutions in Derby and Derbyshire

The Council Cabinet considered a report which gave an update on local work regarding Anchor Institutions across Derby and Derbyshire and asked Council Cabinet to agree that Derby City Council be a signatory to the Anchor Charter (attached as Appendix 1 to the report).

The Executive Scrutiny Board recommended to Council Cabinet that it considers what sort of appropriate reporting process to key stakeholders be used as part of this new organisation.

Options Considered

Do nothing. Derby City Council do not sign the Anchor Charter and cease to be a member of the Anchor Executive Group. Were the Council not to sign the Anchor Charter, and cease its membership in the group, it would lose the opportunity to influence the work of Anchor Institutions across the city and the associated benefits for residents.

Decision

1. To agree that Derby City Council becomes a signatory to the Derby and Derbyshire Anchor Charter.
2. **To accept the recommendation from the Executive Scrutiny Board that Council Cabinet considers what sort of appropriate reporting process to key stakeholders be used as part of this new organisation.**

Reasons

By becoming a signatory to the Derby and Derbyshire Anchor Charter the Council could draw on the collective influence of other Anchor Institutions to build community wealth and develop resilient, inclusive local communities.

140/21 Council Tax Base 2022/23

The Council Cabinet considered a report which stated that the Council had 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 and 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 and 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 2022/23 was 70,030.60 band D equivalent properties compared with the 2021/22 Council Tax base of 69,545.77.

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 not to allow an easement for new owners of properties empty and unoccupied for at least five years. However this option was not recommended, for the reasons set out in section 4.6.1 to 4.6.5 of the report.

Decision

1. To approve the Council Tax base for the year 2022/23 as 70,030.60 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 19 January 2022.
3. To approve that from 1 April 2022, a Council Tax empty property premium is not charged for 12 months, on change of ownership, on properties that had been continuously unoccupied and substantially unfurnished for a period of at least 5 years.

Reasons

1. Agreeing the Council Tax base was the first step in the process of setting the Council Tax to be collected in 2022/23 and was an essential part of establishing the 2022/23 budget.
2. Properties that had been continuously unoccupied and substantially unfurnished for a period of at least five years were often in a state of dilapidation or disrepair and need time to carry out repairs/modernisation to make them habitable. Charging additional Council Tax from day one, could dissuade new owners from buying and renovating long term empty properties in turn acting as a disincentive against the Council's policy of bringing long term empty properties back into use.

141/21 Authorisation to Bid for Homes England Affordable Homes Programme Grant Funding

The Council Cabinet considered a report which sought approval to authorise Derby City Council and Derby Homes (DH) to enter into a consortium and to bid to Homes England (HE) as a qualified investment partner for grant funding under the 2021-26 Affordable Homes Programme.

The Executive Scrutiny Board noted the report.

Options Considered

There was no benefit to the Council in not applying for the grant funding. The relaxation of the Right to Buy (RtB) One for One agreement rules had meant the Council was well ahead of the spend requirement and was therefore able to make use of alternative funding. In addition, DH was not able to make use of the RtB funding and therefore now had an external source of funding that allowed delivery of additional affordable housing.

Decision

1. To approve the submission of bids by Derby City Council as the lead partner in any consortium including Derby City Council and/or Derby Homes to Homes England for grant funding under the 2021-2026 Affordable Homes Programme.
2. To delegate authority to the Strategic Director of Communities and Place following consultation with the Strategic Director of Corporate Resources and Cabinet Member for Adults, Health and Housing, to settle the final detail of the schemes to be included within the bid, and the preferred bidding route and structure including as part of a bidding consortium.
3. To delegate authority to the Strategic Director of Communities and Place following consultation with the Strategic Director of Corporate Resources and Cabinet Member for Adults Health and Housing, to accept the funding subject to suitable terms and conditions.

Reasons

1. HE grant funding would assist the delivery of affordable housing in the city. Delivery of affordable housing was a key priority for the Council.
2. DH as the Council's Arms Length Management Organisation was not able to make use of Right to Buy (RtB) receipts, this provided an opportunity to both DCC and DH to make use of alternative external funding to deliver affordable housing in the city.
3. Bidding as part of a consortium may enhance the City Council and Derby Homes' bidding profile.

Budget and Policy Framework

142/21 Housing Revenue Account Business Plan 2022 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.

Despite increasing pressures in recent years, the HRA remained in a relatively strong position financially. It could meet the immediate management and maintenance requirements of the Council's housing stock, together with the investment ambitions for additional homes, and the modelled business case requirements over the 30 years of the business plan.

The Executive Scrutiny Board resolved that with gas and electricity prices going up this year by up to 50%, food prices increasing by 3.9% and other large increases in the cost of living, for most people this is not the year for large rent increases to recommend to Council Cabinet that it looks again at these proposals and considers restricting the rent increase to 2% rather than the proposed 4.1% as this could lead to many people struggling to pay their rent, increased arrears, and possible evictions.

Decision

1. To approve the 2022/23 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 4.7.4 and appendix 1 of the report.
3. To approve the 2022/23 management and maintenance fee 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 2022/23 to 2024/2025 in appendix 1 of the report and to approve Derby Homes continuing to directly manage the schemes attributed to them in appendix 1 of the report.
- 6. To reject the recommendation from the Executive Scrutiny Board.**

Contract and Financial Procedure Matters

143/21 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.

- Future High Streets Fund (FHSF) Connecting Works - to seek approval to add £0.507m of the FHSF allocation to the capital programme to enhance and provide additionality to the existing Market Hall Phase 2 and Eastern Gateway FHSF Projects.
- Low Carbon Growth Fund - to approve submission of bids for and, if successful, acceptance of funding from the new Low Carbon Growth Fund launched by D2N2 on 1 December 2021.
- Public Health - cabinet waiver of the contract procedure rules to enable the direct award of a new contract to Derby County Community Trust (DCCT) for delivery of Public Health (PH) services.

The Executive Scrutiny Board recommended to Council Cabinet that in relation to the Low Carbon Growth Fund, it publicises the D2N2 LCG Fund to people and businesses in Derby, including through Community Action Derby and business organisations, to encourage more bids for these funds to come from Derby, recognising that while the timeframe for this Fund is very tight, awareness raising that there may be future bids is also vital.

Decision

1. To approve the addition of £0.507m for Future High Streets Fund (FHSF) Connecting Works to the Capital Programme to deliver works at the Guildhall Yard entrance to the Market Hall and public realm improvements around the Eastern Gateway, as outlined in section 4.1 of the report.
2. To delegate authority to the Strategic Director of Corporate Resources following consultation with the Strategic Director of Communities and Place, the Cabinet Member for Finance, Assets and Digital and the Cabinet Member for Regeneration, Decarbonisation, Strategic Planning and Transport to finalise the FHSF Connecting Works capital allocations to the Market Hall Guildhall entrance and Eastern Gateway workstreams, and associated capital programme changes, as outlined in section 4.1 of the report.
3. To delegate authority to the Strategic Director of Communities and Place, following consultation with the Strategic Director of Corporate Resources and the Cabinet Member for Regeneration, Decarbonisation and Strategic Planning and Transport and the Cabinet Member for Finance, Assets and

Digital; to agree the final details of and submission of, the initial bids and any subsequent full business cases for the D2N2 Low Carbon Growth Fund and to accept a funding award subject to the identification and approval of any capital, match or revenue budget requirement, and add to the capital programme and to agree conditions associated with a successful bid to the D2N2 Low Carbon Growth Fund, as outlined in section 4.7 of the report.

4. To approve a Cabinet waiver to enable the direct award a new contract to Derby County Community Trust (DCCT) to deliver Child Weight Management Services; specifically, Active Schools and the children's targeted child weight management service including the expansion of current delivery; substance misuse recovery support - Active Choices and the criminal justice focussed DIVERT programme. The aggregate overall value of the contract would not exceed £0.550m, as outlined in section 4.16 of the report.
5. **To accept the recommendation from the Executive Scrutiny Board. that in relation to the Low Carbon Growth Fund, the Council Cabinet publicises the D2N2 LCG Fund to people and businesses in Derby, including through Community Action Derby and business organisations, to encourage more bids for these funds to come from Derby, recognising that while the timeframe for this Fund is very tight, awareness raising that there may be future bids is also vital.**

144/21 Community Vaccine Champion Programme

The Council Cabinet considered a report which sought approval to bid and accept funding from the Department for Levelling Up, Housing and Communities (DLUHC) of £0.485m from the Community Vaccine Champions programme, to promote vaccine uptake amongst hard-to-reach communities in Local Authorities showing low rates of COVID-19 vaccine uptake.

This funding from the DLUHC would be used to run events in communities across the city to make sure everyone has access to the most accurate and up-to-date health advice, and to fund pop-up vaccination centres as appropriate, such as in places of worship.

To ringfence this funding for the purpose of creating a network of Community Vaccine Champions within the city and associated infrastructure to enable delivery.

The Executive Scrutiny Board recommended to Council Cabinet that it ensures that local councillors are included as part of the work to encourage individuals, especially within 'hard-to reach' communities, to engage with the Covid vaccination programme.

Decision

1. To approve bidding for and accepting funding from DLUHC of £0.485m.

2. To delegate authority to Director of Public Health following consultation with the Cabinet Member for Adults, Health and Housing to allocate the funding in line with the terms of funding.
3. To approve that this funding is ringfenced for the specific purpose of establishing and implementing a Community Vaccine Champions programme within the city.
4. **To accept the recommendation from the Executive Scrutiny Board to ensure that local councillors are included as part of the work to encourage individuals, especially within 'hard-to reach' communities, to engage with the Covid vaccination programme.**

MINUTES END