

Time started	2.31pm
Time ended	3.05pm

## **Urgent Leader of the Council Cabinet Member Meeting 04 March 2021**

Present: Councillor Poulter (Chair)

In Attendance      Councillor Webb  
Emily Feenan – Director of Legal, Procurement and Democratic  
Services  
John Massey – Head of Benefits & Exchequer Services  
David Fletcher – Director of City Development & Growth  
Matt Palmer – Head of Housing Options and Homelessness

### **16/20      Apologies**

There were no apologies for absence.

### **17/20      Identification of Urgent Items to which Call-in will not apply**

It was confirmed that consent had been granted from the Chair of the Executive Scrutiny Board for the matters under consideration as urgent key decisions (detailed at minute numbers 20/20, 21/20 and 23/20) to be exempted from call-in.

### **18/20      Declarations of interest**

There were none.

### **19/20      Minutes of the meeting held on 26 November 2020**

The minutes of the meeting held on 26 November 2020 were agreed.

## **Urgent Key Decision**

### **20/20      Revision to the National Non-Domestic Rates Policy for the award of Discretionary Rate Relief**

The Leader of the Council considered an urgent report of the Strategic Director of Corporate Services on Revision to the National Non-Domestic Rates Policy for the award of Discretionary Rate Relief. The Leader of the Council noted that new discretionary rate reliefs for business rates were announced in the budget on 3rd March 2021. It was reported that the business rates annual billing exercise was due to be undertaken on 4 March 2021 and that the Council needed to include any of the "new" reliefs mentioned during the budget.

It was noted that Discretionary Rate Relief (DRR) was a means by which Derby City Council (DCC) could use its discretionary powers to reduce the amount of Business Rates businesses had to pay. It was reported that generally, there was a direct cost to DCC in

awarding DRR and therefore expenditure had been controlled through the operation of a Policy for several years.

The Leader of the Council noted that the Council's Policy was being refreshed to take account of the discretionary rate relief schemes announced by the Chancellor of the Exchequer during the Budget announcement on 3rd March 2021 that take effect from 1 April 2021. It was reported that the Government had confirmed that they would continue to provide eligible retail, hospitality and leisure properties in England with 100% business rates relief from 1 April 2021 to 30 June 2021 followed by 66% business rates relief for the period from 1 July 2021 to 31 March 2022, capped at £2 million per business for properties that were required to be closed on 5 January 2021, or £105,000 per business for other eligible properties.

It was noted that the Government had also confirmed that any DRR award made because of the recommended changes from 1 April 2021 would be fully funded by the Government by way of grant paid under Section 31 of the Local Government Act 2003. As such there would be no additional cost to the Council from the recommended changes to the Policy included in the report.

The Leader of the Council noted that as well as updating the policy to take account of the relief schemes announced during the Budget, the policy had also been updated to take account of the UK leaving the European Union. It was reported that as a result, State aid rules no longer applied although they had been replaced by new domestic rules called subsidy control. It was noted that under the new subsidy control regime, aid under £350,000 in any three-year rolling period would be classed as de minimis. It was reported that much of the Policy, including the main criteria for awarding reliefs to charities and non-profit making organisations had not changed as a result of this update. The Leader of the Council noted that the revised Policy aimed to support the vision and priorities of the Council, whilst ensuring that help was given to those organisations that could demonstrate that they were in the greatest financial need and whose services benefit the citizens of Derby.

It was reported that Business Rates were payable on most commercial properties across the City and that the money collected helped to pay for local services. It was noted that within the Business Rates scheme several reliefs were available to the ratepayer which reduced the amount of Business Rates payable. It was noted that some of these reliefs were 'mandatory' and must be awarded if relevant criteria are met. It was also noted that others are classed as 'discretionary,' and for these, DCC could decide whether or not to grant relief.

It was noted that the main changes to the Policy were;

Section 15 – new section on subsidy control

Section 16 -22 – replacement of paragraphs on State aid with subsidies

Section 21 – details on how the relief will work in 2021/22

Section 22 – details on how the relief will work in 2021/22

Appendix A – added 21/22 rates where appropriate

The Leader of the Council noted that any DRR award made because of the new relief schemes announced during the Budget on 3rd March would be fully funded by the Government through Section 31 grant. As such any award resulting from the changes being recommended in this paper would have no cost implications for the Council.

It was reported that the Council's DRR Policy had a full Equalities Impact Assessment (EIA) completed in August 2017 and that given that the change proposed in this version was to extend an existing scheme, a further EIA was not necessary. The Leader of the Council noted that the EIA completed in August 2017 found that the Council's Scheme broadly had a positive impact on the city's diversity groups and the fact that more businesses could potentially access relief would only enhance that.

It was noted that the Written Ministerial Statement of 27 January 2020 included a clear message that the Government expected local authorities to ensure that the changes to discretionary rate reliefs announced were included with the 2020/21 annual Business Rate bills. It was reported that given the statutory deadlines the Council had to work to, the annual Business Rate bills for 2020/21 would have been generated, including the new discretionary rate reliefs, before Cabinet considered this report. The Leader of the Council noted that that approach had been approved by the Council's Section 151 Officer, who was the sponsor of this report.

### **Options considered**

An alternative option, not to amend the Policy was also considered. This option would mean that DCC lost the opportunity to support more businesses and organisations within the city potentially resulting in reputational damage for DCC and creating undue hardship for the business community. This option was not recommended.

### **Decision**

1. To approve the revised Discretionary Rate Relief Policy effective from 4th March 2021.
2. To delegate any future changes to the Policy, where the relief is fully funded by Central Government grant, to the Director of Finance or Strategic Director of Corporate Resources in consultation with the Cabinet Member for Finance and Procurement.

### **Reasons**

1. To ensure that qualifying businesses can receive DRR.
2. To enable decisions that benefit our business community to be made as quickly as possible whilst ensuring that the Council's financial position is protected.

## **21/20      MHCLG Rough Sleepers Initiative (RSI) grant application 2021/22**

The Leader of the Council considered an urgent report of the Strategic Director of Corporate Services on MHCLG Rough Sleepers Initiative (RSI) grant application 2021/22. The Leader of the Council noted that this funding was announced on 28th January and required co-production of the bid with MHCLG. It was reported that this had now been finalised and that the submission date was before the next scheduled meeting of Council Cabinet. It was noted that any delay in submission would result in the deadline being missed and a loss of revenue funding for rough sleepers.

It was noted that in March 2014 Derby City Council had delegated the delivery and management of the housing options and homelessness service to Derby Homes. It was also noted that in December 2016, Council Cabinet had approved the TUPE transfer of

Housing Options employees to Derby Homes. The Leader of the Council noted that in addition, Cabinet approved Derby Homes as the Council's chosen vehicle for delivering a co-ordinated Homelessness Offer for Derby, responding to the aims and objectives of Derby City Council's Homelessness Strategy. It was reported that on 11 February 2021, the Council and Derby Homes signed an "Agreement for the provision of Housing Options, Advice and Homelessness Services" – this included the financial arrangements on how Derby Homes would recharge the Council for works on the Homelessness service.

It was noted that the Government had published a Rough Sleeping Strategy (RSS) in August 2018, setting out their commitment to halve rough sleeping by 2022, and end it entirely by 2027. By 2027, Government want Councils to base their response to rough sleeping on a rapid rehousing approach and have included this within their rough sleeping initiative. This means if a person is at risk of rough sleeping they will:

- have their needs assessed quickly
- be offered appropriate support
- helped rapidly into a home
- provided appropriate support

The Leader of the Council noted that Derby had been successful in obtaining an RSI award of £755,082 to cover the period 1 April 2020 to 31 March 2021.

It was reported that on 28 January 2021 the Government had confirmed their commitment to continue funding all existing RSI programmes for the period 1 April 2021 to 30 June 2021 without the need to bid for this period. It was noted that the grant payment for this first three-month period of the new financial year would be the at the same level as 2020/21 to allow continuity of existing services up until 30 June.

It was noted that on 28 January 2021 the Government had also announced the latest bidding round for the Rough Sleeper Initiative 2021/22 with a closing date for submission of 8th March 2021. This bid opportunity was available to cover the delivery period 1 July 2021 to 31 March 2022.

It was reported that on 26 February the Government confirmed a one-off grant allocation of £100,000, payable in April 2021, to further support the costs associated with keeping everyone in during the Pandemic.

The Leader of the Council noted that during 2020/21 the Housing Options service had accommodated 231 individuals under the 'everyone in' call with 133 of these citizens either rough sleeping or having rough slept recently. It was reported that the number of people that had been accommodated since the 1 December 2020 under the cold weather provision was 68, with 37 of these people having been successfully moved on into accommodation through the Council's housing pathways; including the safe space, hostel accommodation, supported housing and the Next Steps Accommodation programme.

It was noted that the Council had been asked by MHCLG to create headroom within its Flexible Homeless Support Grant through re-aligning the Council's rough sleeping grant requirements into its RSI bid for 2021/22. It was reported that currently the Council supported a number of rough sleeping initiatives through the MHCLG Flexible Homeless Support Grant. It was noted that in re-aligning the Council's rough sleeping work into its RSI bid for 2021/22, this would enable greater support for families and those at risk of homelessness, through the Flexible Homeless Support Grant allocation in 2021/22.

The Leader of the Council noted that the following interventions/Services were proposed within the RSI 2021/22 bid:

Rough Sleeper Initiative (RSI) system Management. It was reported that this post had ensured the focus and effort of all resources within the RSI, as well as the local COVID-19 response for rough sleepers. It was noted that the role had also developed greater multi agency working at both an operational and management level in order to achieve this goal. The Leader of the Council noted that the work of this post included identification of blockages and barriers outside of "housing" then negotiating and facilitating changes or new ways of working with partner organisations. It was reported that the number of rough sleepers had reduced into single figures on any given night, from a high of nearly 40 three years ago. It was noted that his bid would allow for the continuation of this service in 2021/22.

Travel and expenses. The Leader of the Council noted that this funding enabled the REST service – Outreach and In-reach to claim for out of pocket expenses for travel, parking and contributes towards telephone usage and mobile phone replacements where necessary along with hardware such as laptops where necessary. It was noted that this bid would allow for the continuation of this service in 2021/22.

Safe Space Multi Agency Assessment & Support Hub (24/7). It was noted that the grant funded a 40 % contribution of the overall costs associated with the facility. It was also noted that the remainder, (60%) was funded by Derby Homes and the Office of the Police and Crime Commissioner. It was noted that this bid would allow for the continuation of this service in 2021/22.

It was reported that personal budgets were used to provide positive activities that had enabled the rough sleeper cohort to try something new and to develop this interest for themselves. It was noted that this included the provision of counselling to assist with the transition off the streets. The Leader of the Council noted that the continuation of this work would assist those moving into accommodation enabling better access to funds for basic furnishings as an example. It was noted that this bid would allow for the continuation of this service in 2021/22.

It was reported that the street outreach and in-reach team provided initial engagement with any rough sleeper and supported any of these customers into accommodation, helping rough sleepers to adjust where necessary and to sustain their accommodation. It was noted that this resource was needed to focus on preventative work regarding training, education, employability and meaningful activities, pathway progression and developing use of co-existing non-housing service pathways to maximise access to specialised support and other services. The Leader of the Council noted that included within this team was a Move on and Placement role which would oversee progression throughout the rough sleeper pathway, monitoring capacity, demand and facilitating flow. It was noted that this bid would allow for the continuation of this service in 2021/22.

It was reported that the Homes For Me accommodation offer was designed for those with medium and high-level support needs, providing a more flexible accommodating offer for the rough sleeper cohort with five hours of support per week per individual. It was noted that the Council currently funded 12 units through this grant and proposed increasing this to 18 units as the Council was aware that it needed additional capacity within this medium to high need group. It was noted that this bid would allow for the continuation of this service in 2021/22.

It was noted that the Prison Release pathway partnership with the National Prison and Probation Service contributed 12 single units of accommodation with medium support for individuals leaving prison without accommodation and with identified support needs. It was noted that this element was re-aligned from the Council's Flexible Homeless Support Grant and would enable continuation of this pathway in 2021/22.

The provision of 40 supported move on accommodation units, providing an enhanced level of support. It was noted that the Council's understanding of demand around levels of support and accommodation preferences for those rough sleepers who struggled to engage and maintain engagement informed the Council that it needed additional capacity in the system for those who had medium level support needs. It was noted that this element was re-aligned from the Council's Flexible Homeless Support Grant and would enable continuation of this pathway in 2021/22.

Housing Led supported housing pathway for those identified with high support needs and are medium to high risk of returning to rough sleeping. It was reported that this provision provided increased support to meet the needs and complexities of customers, helping them to adapt and progress along an accommodation pathway. It was noted that this element was re-aligned from the Council's Flexible Homeless Support Grant and would enable continuation of this pathway in 2021/22.

The provision of 6 units of a Housing First model, with rent levels in line with the LHA rate. The Leader of the Council noted that this provision was aimed at those with a high risk of failure in other housing pathways and provided support to meet medium and high levels of need. It was reported that up to 9.5 hours of support per person per week were available. It was noted that included within this element of the Council's bid was some additional budget to cover bad debt, utilities and council tax issues as well as any damage caused to the property. It was noted that this element was re-aligned from the Council's Flexible Homeless Support Grant and would enable continuation of this pathway in 2021/22.

It was noted the bid would match funding for a Prison Navigator who will work with rough sleepers in prison and engage with the Multi Agency Rough Sleeper Hub to arrange suitable accommodation upon release that best fits their level of need and wants. It was noted that this would increase maintenance of accommodation and help to reduce re-offending in the city. The role will also be able to access other resettlement accommodation options. It was noted that this bid was a new intervention that would be jointly funded by the probation service.

Maintain our SWEP Covid isolation house for full year to increase emergency capacity and an effective isolation response due to the Pandemic (Everyone in). The Leader of the Council noted that this 3-bedroom property would enable rough sleepers to self-isolate in a safe environment. It was noted that this element was re-aligned from the Council's Cold Weather grant and would enable continuation of this pathway in 2021/22.

Provision of 20 units of Supported Housing pathway through the YMCA for those assessed with medium support needs and medium risk of rough sleeping. It was reported that this offer included a "Foyer site" for younger homeless people and wider supported provision for all age groups. It was noted that this bid was a new intervention that hadn't previously been funded.

Shared assessment units x 4 where support needs and risk factors are unclear. It was reported that this assessment centre would assist individuals who appeared ready for accommodation, where there were concerns around the individual's level of need and their

ability to manage different accommodation options. It was noted that this would avoid the cycle of failed accommodation, through a period of assessment with support, increasing the likelihood of accommodation placement success. It was noted that this bid was a new intervention that hadn't previously been funded.

It was noted that a data analyst function would release staff capacity and enable the RSI workforce to focus on responding to specialist analysis of data and shaping a service. It was reported that the role would maintain and update the Council's multi-system dashboard approach that gave a weekly "health check" and provided the evidence for addressing issues internally and with partners which were preventing rough sleeper progress. The Leader of the Council noted that the role would also supplement the move on and placements function by predicting bottle necks and proactively managing flow so that those most at risk of return to rough sleeping had options aligned to their needs. It was noted that this bid was a new intervention that hadn't previously been funded.

It was noted that over 80% of all the Council's managed cohort were either open to safeguarding or had previous recent safeguarding concerns. The Leader of the Council noted that the level of complexity of the individuals and limitation on options to develop an effective safeguarding plan was significant and required a level of specialism and time commitment, both which were not readily available within existing resource. It was reported that in addition, the social care needs relating to learning, mental and physical disability for many of the Council's target priority group required access to a social worker and statutory funding streams, which had otherwise proven challenging to access in a timely way. It was noted that this bid was a new intervention that hadn't previously been funded.

Primary Care - non patient facing GP multi-disciplinary time. It was reported that this would assist with improved outcomes for rough sleepers who had a history of poor engagement and failure to comply with treatment. The Leader of the Council noted that this would improve the health outcomes for rough sleepers and increase the likelihood that they would sustain their accommodation. It was noted that this component was being part funded by the Clinical Commissioning Group. It was noted that this bid was a new intervention that hadn't previously been funded.

It was reported that Covid Winter Pressures 2021/22 as planning for the next winter would not include the provision of a winter night shelter. It was noted that Rough sleepers and those who presented late in the day during winter months, as homeless tonight and/or were evicted or had abandoned accommodation and were at high risk of rough sleeping; would be able to access B&B and daytime support and access to multi agency services out of the Safe Space MARSH Hub. It was noted that this offer would keep them connected to housing and other services, and away from the street, and would maximise opportunities to establish the most appropriate accommodation options/route to housing. It was noted that these SWEP beds were a winter extension to the Safe Space Hub offer.

The Leader of the Council noted that the intention was to passport any grant award over to Derby Homes, who would be responsible for delivering the scheme in line with the grant conditions. It was reported that it was Derby Homes who were bearing the financial risk of incurring costs in excess of the grant award, repayments of any grant not spent, or repayment of any grant not spent in line with grant conditions

### **Options considered**

It was noted that the Council could choose not to submit a bid under the Rough Sleepers

Initiative 2021-22 grant opportunity. This option was not recommended and would threaten the ongoing viability of the Cities Rough Sleeping Strategy.

The Council could choose to bid for alternate provision to support rough sleepers in the City. Derby Homes, as the delegated delivery agent of the Housing Options and Homelessness Services, and in conjunction with the lead MHCLG advisor for Rough Sleeping felt that the bid, as presented, provided the best opportunity to continue to reduce rough sleeping in Derby.

### **Decision**

1. To approve the submission of an RSI bid 2021/22 up to a maximum of £984,962, The delivery period for this bid, if successful, will be 1 April 2021 to 31 March 2022.
2. To delegate approval of the acceptance of the resultant MHCLG revenue RSI grant to the Strategic Director of Communities and Place, following consultation with the Strategic Director of Corporate Resources and Cabinet lead for Adults, Health and Housing, subject to acceptable grant conditions.

### **Reasons**

1. This bid, if successful, will ensure we are able to continue to support some of our most vulnerable citizens. The bid enables the council to continue to be able to offer accommodation and support appropriate to the needs of rough sleepers, those at risk of rough sleeping and those recovering from rough sleeping. The last multi agency count / estimate of rough sleeping in Derby took place in November 2020, capturing 6 people who were on the streets. This was a reduction on the previous year which was 14.
2. The bid, if successful will also ensure that we are able to keep everyone in, during the pandemic, with appropriate accommodation and support for those who test positive for coronavirus.
3. In line with the Council's finance procedures rules, Cabinet approval is required prior to submitting a bid for external funding, and for accepting a bid for external funding.

## **22/20      Exclusion of the Press and Public**

A resolution to exclude the press and public for Item 8 (Nuclear Advanced Manufacturing Research Centre (NAMRC) Midlands – Infinity Park Derby) was considered on the grounds that the report contained information relating to the financial or business affairs of an individual (including the authority holding that information) and information to which a claim to legal professional privilege could be maintained.

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



23/20      Nuclear Advanced Manufacturing Research Centre (NAMRC)  
Midlands – Infinity Park Derby

The Leader of the Council considered an urgent report of the Strategic Director of Communities and Place, regarding the Nuclear Advanced Manufacturing Research Centre (NAMRC) Midlands – Infinity Park Derby.

**Options Considered**

These were set out in paragraphs 6.1 to 6.2 of the report.

**Decision**

To approve the recommendation set out in paragraph 2.1 of the report.

**Reasons**

These were set out in paragraphs 3.1 and 3.2 of the report.

MINUTES END