

Time started	12.00pm
Time ended	12.45pm

## **Urgent Leader of the Council Cabinet Member Meeting 28 April 2021**

Present: Councillor Poulter (Chair)

In Attendance: Councillor Webb – Cabinet Member for Adults, Health and Housing  
Councillor Wood – Cabinet Member for Leisure, Culture and Tourism  
Councillors Peatfield, P Pegg, Repton and Shanker  
Nigel Brien – Head of Traffic and Transportation  
Ben Clawson-Chan – Head of Leisure and Business Development  
Henry Cipcer – Housing Renewal Manager  
Claire Davenport – Director of Leisure, Culture and Tourism  
Emily Feenan – Director of Legal, Procurement and Democratic Services  
Matthew Frost – Senior Marketing Officer  
Ian Fullagar – Head of Strategic Housing  
Clare Mehrbani – Director of Housing Services  
Wayne Sills – Facilities Development Manager

### **29/20 Apologies**

There were no apologies for absence.

### **30/20 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 matter under consideration as an urgent key decision (detailed at minute no 33/20) to be exempted from call-in.

The reasons for urgency for was due to the tight timescales in relation to when the programme was launched.

### **31/20 Declarations of interest**

There were none.

### **32/20 Minutes of the meeting held on 18 March 2021**

The minutes of the meeting held on 18 March 2021 were agreed.

## **Urgent Key Decision**

### **33/20 MHCLG Rough Sleepers Accommodation Programme Grant Application 2021/22**

The Leader of the Council considered an urgent report of the Strategic Director of Communities and Place which sought approval for the submission of a Rough Sleepers

Accommodation Programme (RSAP) bid to the Ministry of Housing, Communities and Local Government (MHCLG), for £600,000 capital funding (2021/22) and revenue funding up to a maximum of £210,000 which comprised of £70,000 in 2021/2 and £140,000 over the following 2 years.

It was reported that the Rough Sleepers Accommodation Programme (RSAP), launched on 18<sup>th</sup> March 2021, made available financial resources to support local authorities and their partners to prevent people from returning to the streets and to work to bring in those remaining on the streets. It was also reported that this followed on from the Next Steps Accommodation Programme (NSAP) run by MHCLG in 2020/21. It was noted that Derby had been successful in an award of £1.655m grant following the bidding process in 2020 and had delivered 20 new units of accommodation for those at risk of rough sleeping, rough sleeping or with a history of returning to rough sleeping. It was also noted that all 20 units were now occupied, and occupants were receiving support in line with the grant conditions.

It was reported that £212m would be made available in 2021/22 to support local authorities, through a bidding process, to provide both capital and revenue grants which increased the number of properties available, with appropriate levels of support, to those at risk of rough sleeping or with a history of rough sleeping.

It was noted that the application process was through a co-produced bid, between the local authority and MHCLG and that Derby Homes, on behalf of Derby City Council, had liaised with MHCLG to co-produce a bid for Derby totalling £810,000. It was also noted that this was split £600,000 capital and £210,000 revenue. It was reported that the capital funding was a 50% contribution towards the acquisition of 10 properties and that the revenue funding was three-year funding towards support for people awarded non-secure tenancies in the properties.

It was reported that the closure date for applications was 29 April 2021.

### **Options Considered**

1. The Council could choose not to submit a bid under the Rough Sleepers Accommodation Programme 2021/22. This is not recommended and would threaten the ongoing viability of the Cities Rough Sleeping Strategy and risk an increase in rough sleepers, with the additional risks associated with the coronavirus and those rough sleeping.
2. The Council could choose to bid for alternate provision to support rough sleepers in the City. We feel that that the bid, as presented, provides the best opportunity to continue to manage rough sleeping in Derby during this coronavirus pandemic.

### **Decision**

1. **To approve submission of a Rough Sleepers Accommodation Programme (RSAP) bid to the Ministry of Housing, Communities and Local Government (MHCLG), for £600,000 capital funding (2021/22) and revenue funding up to a maximum of £210,000 which comprise of £70,000 in 2021/2 and £140,000 over the following 2 years.**

**2. If Derby City Council is successful in the bidding process:**

- **To delegate approval of the acceptance of the resultant MHCLG RSAP grant to the strategic director of communities and place, following consultation with the strategic director of corporate resources and cabinet lead for adult's health and housing, subject to acceptable grant conditions.**
  - **To approve the transfer of the revenue aspect of the resultant grant award to Derby Homes, in line with the 2021 Partnership Agreement (in line with the principles set out below at paragraph 2.3).**
  - **Subject to successful award, to add £1,200,000 to the Housing Revenue Account capital programme for 2021/22, with £600,000 grant funding and £600,000 as match funding for the grant application funded from Housing Revenue Account reserves.**
- 3. To authorise Derby Homes to identify and process all necessary grant payments to third parties in relation to the project, in line with existing agreed processes and subject to the approval of the Strategic Director of Communities and Place.**
- 4. To approve the use of non-secure tenancies for the purpose of allocating to the newly acquired properties, in line with the requirements of the bid.**
- 5. To delegate the acquisition of up to 10 properties to the Strategic Director for Communities and Place in order to meet the timescales required for this project.**

**Reasons**

1. The submission of a bid will enable the Local Authority to continue to expand the availability of supported accommodation for those at risk of rough sleeping, rough sleeping or with a history of returning to rough sleeping.
2. The bid also seeks to increase the availability of accommodation for rough sleepers, and those at risk of rough sleeping.
3. The bid will provide the necessary resources to ensure appropriate levels of support for those with complex needs and challenging behaviours and will offer enhanced pathways for those currently unwilling or unable to access existing pathways.
4. 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.
5. The bid requires the use of non-secure or flexible tenancies wherever capital is provided by MHCLG under the NSAP programme. At present the tenancy strategy does not support the use of flexible tenancies, although this is included in the consultation of the refreshed tenancy strategy. The use of non-secure tenancies is currently permitted within the existing tenancy strategy.

# Urgent Contract and Financial Procedure Matter

34/20      2021/22 Capacity Fund – Approval to Accept

The Leader of the Council considered an urgent report of the Director of Planning, Transport and Engineering which sought approval to accept a revenue grant of £270,000 to continue essential active travel projects in the city.

## Options Considered

Not applicable.

## Decision

**To delegate approval to accept £270,000 of revenue funding from the Department for Transport to the Strategic Director of Communities and Place, for the delivery of the 2021/22 Capability Fund.**

## Reasons

1. To comply with the Council's Contract and Financial Procedure Rules.
2. To ensure the continued and seamless delivery of existing active travel schemes in order to meet the objectives of the Capability Fund.
3. The Capability Fund projects will be delivered in partnership between the Council and third parties, or directly by third parties. The DCC programme lead is currently working with providers to refine and enhance the scope of existing projects, aligned to other key active travel programmes, such as the Active Travel Fund 2.
4. The majority of projects included in the Capability Fund programme were commissioned as part of the Access Fund programme and will be extended via existing contracts. This includes the joint projects are procured and contract managed by Nottingham City Council.

35/20      Green Homes Grant – Authority to Receive Funding

The Leader of the Council considered an urgent report of the Strategic Director of Communities and Place which sought approval to delegate authority to Officers to confirm acceptance of this additional grant funding in principle, submit a detailed proposal to the MEH by 24 May 2021 and if this proposal was approved, to subsequently accept the grant subject to acceptable grant conditions and deliver the proposed works.

It was reported that in July 2020, the Chancellor announced £2 billion of support through the Green Homes Grant (GHG) to save households money, cut carbon emissions and create green jobs through improvements to energy efficiency in homes. It was also reported that £500 million had been specifically allocated for local authority delivery of the programme over 18 months through the Green Homes Grant: Local Authority Delivery (LAD) initiative.

It was noted that a successful bid by the Council was submitted for £900,000 to provide external solid wall insulation for predominantly Wimpey No Fines (WNF) properties of concrete construction which were both Council and privately owned.

It was reported that subsequently, the department for Business, Energy and Industrial Strategy (BEIS) through appropriate regional agencies, had provisionally allocated further LAD funding to a large number of Local Authorities and that Derby had received a provisional award of £1,591,400 through the Midlands Energy Hub (MEH), subject to MEH's acceptance of The Council's detailed proposals.

### **Options Considered**

The Council could choose not to accept the monies or submit a detailed submission to the MEH under the LAD 2 programme in 2021. This would impact low income tenants and homeowners who would otherwise benefit from lower energy costs and it would also increase the costs to the HRA when the Council properties are programmed for improvement.

### **Decision**

- 1. To delegate approval to accept LAD funding of £1,591,400 from the Department of Business, Energy and Industrial Strategy (BEIS) and administered by Midlands Energy Hub, subject to acceptable grant conditions, to the Strategic Director of Communities and Place and the Strategic Director of Corporate Resources following consultation with the Cabinet Member for Adults, Health and Housing.**
- 2. Following acceptance of the funding, to authorise the submission of a detailed proposal to the Midlands Energy Hub.**
- 3. If the proposal to the Midlands Energy Hub is accepted, to delegate to the Strategic Director of Communities and Place and the Director of Financial Services in consultation with the Cabinet Member for Adults, Health and Housing, the exercise of the authorisations set out in paragraphs 2.1 - 2.2 and to:**
  - enter into any Grant Agreement/Grant Determination Notice/MOU with the BEIS and Midlands Energy Hub, for LAD Funding, to enter into any collaboration agreement or other similar agreement with Derby Homes for the funding and to enter into any third party agreement necessary to carry out the proposed project;**
  - accept any resultant LAD grant award and for it to be added to the capital programme and to reallocate the necessary match funding already contained within the currently approved HRA capital budget.**

### **Reasons**

- 1. The grant funding will enable tenants and homeowners in both Council and private sector ownership to benefit from significant energy cost savings through the installation of external solid wall and other insulation measures to improve heat retention.**

2. The insulation measures will reduce lifetime tonnes of carbon emissions by an average of 20 tonnes per property treated.
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.

## 36/20 Moorways Stadium – Outsourced Leisure Operator

The Leader of the Council considered an urgent report of the Deputy Chief Executive and Strategic Director of Communities and Place which sought approval for the decisions necessary to enable progress with securing an operator for Moorways Sports Village to continue and to include Moorways Stadium in the procurement exercise.

It was reported that Moorways Sports Stadium was on a much smaller scale than the exciting new swimming pool facilities being built. It was noted that the report sought to enable the facilities and services to be managed and delivered to customers by one leisure operator and that this would enable the facilities to complement each other and to also maximise the many benefits outlined in the report.

It was reported that on 13 February 2019, a report was taken to Council Cabinet, 'New Swimming Pool Complex at Moorways - Next Steps', and Council Cabinet approved delegating authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources, the Cabinet Member for Finance and Procurement and the Cabinet Member for Leisure, Culture and Tourism to determine the operational model for the venue, to take all actions necessary to secure an operator and to enter into all necessary contractual arrangements to deliver the project.

It was noted that Moorways Stadium included the Athletics Track, Grandstand, Football Pitches and Artificial Turf Pitches

### Options Considered

1. Not to include Moorways Stadium under the umbrella of Moorways Sports Village and potentially have separate operators running the facilities on the single site.
2. To include Moorways Stadium as a variant bid within the procurement exercise for consideration independently.
3. Should the procurement of an outsourced leisure operator be considered in the future for other leisure facilities, then Moorways Stadium could also be considered at that time.

### Decision

1. **To note that a procurement exercise has commenced to secure an outsourced leisure operator for the new Swimming Pool Complex at Moorways.**
2. **To recommend Moorways Stadium is included in the current procurement exercise, to secure an outsourced leisure operator for the new Swimming Pool Complex at Moorways, as a mandatory bid.**

3. **To delegate authority to the Deputy Chief Executive and Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources, the Cabinet Member for Finance and Procurement and the Cabinet Member for Leisure, Culture and Tourism to determine the operational model for Moorways Stadium, to take all actions necessary to secure an operator and to enter into all necessary contractual arrangements to deliver this element of the project.**
4. **Subject to the recommendation in 2.2, to note that Moorways Sports Village will include Moorways Stadium facilities as well as the new 50m pool and water park being built, creating a leisure destination on the whole Moorways site.**

## **Reasons**

1. To allow the important delivery of this strategic project for the Council to be maintained and enable, as planned, the opening of Moorways Sports Village in Spring 2022 delivering a much needed, improved and modernised swimming facility offer within the city.
2. To allow time for an outsourced leisure operator to be procured for the whole Moorways site so that Moorways Sports Village can be operated within the projected revenue subsidy identified in the MTFP.
3. To enable the benefits to be realised of having one operator for all the facilities such as the coordinated delivery and management of services for customers, economies of scale and creating a leisure destination for the whole of the Moorways site.
4. To create one service offer for the whole site will also be much more effective for the marketing and promotion of the services to customers. This would also help to maximise the financial return and increase opportunities for usage by the local community as well as attract regional visitors creating more social and economic impacts and Tourism for the city.

MINUTES END