

Sponsor: Alison Parkin, Director of Financial Services

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## **Compliance with Contract and Financial Procedure Rules**

### **Purpose**

- 1.1
- Addition of Chaddesden Wood Local Nature Reserve (LNR) scheme to the capital programme and associated funding and profiling
  - Contract Waiver to Making Space for support for Dementia
  - Bid for and accept funding of Section 31 revenue grant of £0.638m from Office of Health Inequalities and Disparities for Rough Sleeping Drug and Alcohol Treatment
  - Award the Office of the Rough Sleeping Drug and Alcohol Treatment grant to Derby City Mission
  - Household Support Fund - acceptance of funding of £2.224m (subject to final confirmation) and allocation as appropriate.

### **Recommendation**

- 2.1 To approve the addition of the Chaddesden Wood Local Nature Reserve (LNR) capital scheme to the 2022/23 Capital Programme, the scheme will be profiled over ten years as outlined in section 4.1. and as per the recommendation below.
- 2.2 To approve the use of £0.112m S106 funding in total (£0.012m funding per annum over a 10 year period) as outlined in section 4.1.
- 2.3 To approve the award of grant of £0.012m over a 10 year period totalling £0.112m to the Friends of Chaddesden Wood LNR, as outlined in section 4.1
- 2.4 To approve a Cabinet Waiver to direct award a contract to Making Space for one year with an option for a further extension for a further year, for a contract value of £0.175m per annum (Total £0.350m), as outlined in section 4.2.
- 2.5 To approve a bid and accept funding for round two of a Section 31 revenue grant of £0.319m for 2022/23 and £0.319m for 2023/24 from Office of Health Inequalities and Disparities for the Rough Sleeping Drug and Alcohol Treatment grant as outlined in section 4.3.
- 2.6 To approve the award of the Rough Sleeping Drug and Alcohol Treatment grant, subject to the appropriate grant agreement to Derby City Mission for delivery of services as outlined in section 4.3.

- 2.7 To approve delegated authority to the Director of Public Health following consultation with the Strategic Director of People Services and the Cabinet Member for Adults, Health, and Housing and the Strategic Director of Corporate Resources , to accept round 2 grant funding and award the Rough Sleeping Drug and Alcohol Treatment grant to Derby City Mission – subject at acceptable terms, as outlined in section 4.3.
- 2.8 To note the acceptance of the October 1<sup>st</sup>, 2022/23, award for the Household Support Fund of circa £2.224m as outlined in section 4.4.
- 2.9 To approve delegated authority of the final details of a new Household Support Scheme due to start on 1 October 2022 to the Strategic Director of People Services and the Cabinet Member for Children, Young People and Skills, as outlined in section 4.4.

## **Reason**

- 3.1 To comply with Financial Procedure Rules.

## **Supporting information**

### **4.1 Chaddesden Wood Local Nature Reserve**

In March 2016 a Section 106 agreement was signed by Derby City Council for the Lime Lane development, a residential scheme for up to 250 dwellings in Oakwood. The agreement places a requirement of the developer to pay the sum of £0.112m for improvements to Chaddesden Wood a LNR situated between the development and Springwood Drive. This contribution has an expiry date of 2033 and therefore will need to be added to the rolling programme for future years.

- 4.1.1 The agreed contribution will be used over a 10 year period to fund improvement works to the Local Nature Reserve in line with the Section 106 agreement. All works are to be carried out in consultation with local stakeholders and the Friends for Chaddesden Wood LNR.
- 4.1.2 A capital grant will be provided on an annual basis to the Friends of Chaddesden Wood LNR for £0.012m over a 10 year period totalling £0.112m to facilitate the improvement works in line with the original S106 agreement.
- 4.1.3 It is recommended to approve the addition of Chaddesden Wood LNR capital scheme to the 2022/23 Capital Programme, the scheme will be profiled over ten years.
- 4.1.4 It is recommended to approve the use of £0.112m S106 funding in total (£0.012m funding per annum over a 10 year period).
- 4.1.5 It is recommended to note award of grant of £0.012m over a 10 year period totalling £0.112m to the Friends of Chaddesden Wood LNR.

### **4.2 Cabinet Waiver to direct award a contract to Making Space**

The Council, with the Integrated Care Board, currently jointly commissions a contract for a service to provide support to people in Derby City living with Dementia. The current service provider is Making Space. The service is to enable easy access to appropriate information and advice for individuals living with Dementia and their carer(s). It has developed a range of activity-based groups and facilitates peer support networks for people with Dementia and their carers in Derby City.

- 4.2.1 People without a diagnosis have very limited access to support. The Dementia Support Service is one of few places they can go to get support and advice. This has been explicitly identified by Health partners who have increased their contribution to the Dementia Support Service in the current year, seeking to secure an additional *circa* £0.040m to increase capacity in the Service both to accelerate support for people with diagnosis and ensure those on waiting list are supported.
- 4.2.2 The commissioning of the original contract was done jointly with Derbyshire County Council who led on the procurement. Derbyshire County Council separately reprocurd their contract in 2018, whilst the Council continued to contract with the existing service provider until it expired on 30 November 2021 and then via an urgent waiver. The waiver is due to expire on 31 March 2023.
- 4.2.3 Covid and other commissioning pressures and priorities and limited resource in the Commissioning and associated teams has meant it has not been possible to review and recommission the service.
- 4.2.4 There is also a drive to align services across the System under the Joined-Up Care Derbyshire Dementia Strategy including our Dementia Support Services both in terms of carrying out a joint review of the service provision across City and County and looking at opportunities to more closely commission services in the future. In order to do this we would need to re-align the timing of our commissioning and procurement of a new service with the County, i.e. to start in April 2024. The County also has greater, dedicated resource for dementia commissioning than in the City which will assist in resourcing a service review and procurement exercise.
- 4.2.5 Cabinet approval is required to waive the requirement for an open tender process as per Contract Procedure Rules and to direct award a contract to continue with our existing service provider until 31 March 2024 for a contract value of £0.175m per annum (Total £0.350m). There is sufficient revenue funding to support this.
- 4.2.6 It is recommended to approve a Cabinet Waiver to direct award a contract to Making Space for one year with an option for a further extension for a further year, for a contract value of £0.175m per annum (Total £0.350m).
- 4.3 Office of Health Inequalities and Disparities bid and acceptance of funding - and award of grant for Rough Sleeping Drug and Alcohol Treatment (£0.638m)**  
As part of the government's intention to reduce rough sleeping and address some of its links to substance misuse, Derby City was identified in the top 20 Local Authorities and given the opportunity to bid for a Local Government Act 2003 - Section 31 grant relating to an allocation to improve drug and alcohol outcomes for rough sleepers. Our allocation of £0.638m (£0.319m for 2022/23 and £0.319m for 2023/24) will need to be spent by March 2024.

- 4.3.1 Parameters of the grant indicate that it must be spent on:
- Supporting people experiencing, or at risk of, rough sleeping to access and engage in drug and alcohol treatment;
  - Ensuring that the engagement people have had with drug and alcohol treatment services whilst rough sleeping or in emergency or temporary accommodation is maintained as they move into longer term accommodation (continuity of care);
  - and building resilience and capacity in local drug and alcohol treatment systems to continue to meet the needs of this population in future years (resilient and sustainable models of care).
- 4.3.2 Currently, Derby City's Mission is to deliver the ByMySide programme to tackle substance misuse and rough sleeping using Round 1 funding of the Rough Sleeper Drug and Alcohol Treatment Grant and it is recommended that this new grant is awarded to them to continue to deliver the required outputs. For expedience, delegated authority is recommended to award the grant to Derby City Mission and agree final terms, to the Director of Public Health following consultation with the Strategic Director of People Services and the Cabinet Member for Adults, Health, and Housing and the Strategic Director of Corporate Resources.
- 4.3.3 Public Health will continue to monitor the spend of the allocations as per the grant in conjunction with the finance team. Public Health will also complete necessary returns to Public Health England (PHE) in conjunction with the S151 officer requirements.
- 4.3.4 The key milestones continued to be:
- Agreement (subject to this report – Cabinet's approval) to award Derby City Mission a further grant agreement that will reflect a new trauma-informed care navigator/engagement/wraparound service (as identified in round 2 funding as above)
  - Sustained delivery of Trauma Informed Practice training and the supervision of staff within the Derby City Mission system
  - Retention of project staff (navigators)
  - Establishing a system for multiagency data collection to support both project and performance reporting.
- 4.3.5 The service will still be based and work out of the Safe Space Multi Agency Rough Sleeper Hub and use the Safe Space Grant holders (Derby City Mission) as the host organisation for the 24/7 advocacy/mentoring and system navigation service.
- 4.3.6 It is recommended to approve a bid and accept funding for round two of a Section 31 revenue grant of £0.319m for 2022/23 and £0.319m for 2023/24 from Office for Health Improvement and Disparities for the Rough Sleeping Drug and Alcohol Treatment grant.
- 4.3.7 It is recommended to approve the award of the Rough Sleeping Drug and Alcohol Treatment grant, subject to the appropriate grant agreement to Derby City Mission for delivery of services as outlined above.

- 4.3.8 It is recommended to approve delegated authority to the Director of Public Health following consultation with the Strategic Director of People Services and the Cabinet Member for Adults, Health, and Housing and the Strategic Director of Corporate Resources , to accept round 2 grant funding and award the Rough Sleeping Drug and Alcohol Treatment grant to Derby City Mission – subject at acceptable terms.

#### **4.4 Household Support Fund**

On the 22 September the council were informed of a proposed draft allocations for the forthcoming Household Support Fund for 01 October 2022 to 31 March 2023. The DWP – Department for Works and Pensions, will be issuing final documents to the Council and publishing all relevant documentation soon as possible.

- 4.4.1 Individual local authority allocations are yet to be confirmed but with the national funding allocations replicating the previous scheme we are expecting that our allocation will be in the region of £2.224m. The Household Support Fund is made available to all County Council's and Unitary Authorities to support those in most need with food, energy and water bills. It can also be used to support households with essential costs related to those items and wider essential costs.
- 4.4.2 Once the guidelines for this scheme have been published a proposed scheme design will be subject to approval by the Strategic Director of People Services and the Cabinet Member for Children, Young People and Skills.
- 4.4.3 It is recommended to approve the acceptance of the 2022/23 award for the Household Support Fund of circa £2.224m and to approve delegation of the final details of the scheme to the Strategic Director of People Services and the Cabinet Member for Children, Young People and Skills.

#### **Public/stakeholder engagement**

- 5.1 **Chaddesden Wood Local Nature Reserve** – Engagement with the Friends of Chaddesden wood on grant payment. The Council will work with our Access Equality and Inclusion Hub to improve access.
- 5.2 **Contract Waiver – Making Space** - Overwhelmingly positive feedback from recent (July 2022) surveys of people using the service, and of referring and partner organization's; and evidence from contract monitoring that the service is performing well against the specification and has adapted to effectively support people over time including during Covid.
- 5.3 **Office of Health Inequalities and Disparities bid and award of grant for Rough Sleeping Drug and Alcohol Treatment**  
In developing this bid, the council have had extensive conversations with Derby City's Drug and Alcohol Treatment providers. They are in full support of the local system developing a wraparound/engagement team that facilitates access to and enhances structured substance misuse treatment. They however have no capacity (or governance flexibility) to grow their structured treatment offer for rough sleepers or those at risk of rough sleeping.
- 5.3.1 The Safe Space Partnership is aligned with the work of Derby's Strategic Homelessness Board – it has been instrumental in supporting the bid. Development of the bid reflects the views of current rough sleeper service users and their experiences of navigating the system.

## Other options

- 6.1 **Chaddesden Wood Local Nature Reserve** - By doing nothing, this would result in the S106 monies being returned to the developer and loss of opportunity to improve the Nature Reserve.
- 6.2 **Contract Waiver – Making Space** - If the waiver request is not approved there is a significant risk that the service will not be recommissioned in time so we will be without a compliant contracted service.
  - 6.2.1 The Council have considered going out to tender by open competition – however we do not have the resources and time to carry out a full tender alongside the other priority commissioning work. It would also not allow us to carry out a review of the service and better align ourselves with wider system work on dementia including the recommissioning of the Derbyshire Dementia Support Service and the system dementia strategy.
- 6.3 **Office of Health Inequalities and Disparities bid and award of grant for Rough Sleeping Drug and Alcohol Treatment** - Not to submit a bid - Derby's local system has benefited from other S31 grants which have placed financial authorisation limits, governance limits, workforce capacity limits and contractual limits on their ability to respond to further funding.

## Financial and value for money issues

- 7.1 **Office of Health Inequalities and Disparities bid and award of grant for Rough Sleeping Drug and Alcohol Treatment** - There is no requirement for the Council to match fund this grant – no additional or ongoing capital or revenue costs will be incurred when the funding ends in March 2024.

## Legal implications

- 8.1 **Contract Waiver – Making Space** - None directly arising from the Report. All contract and grant award processes will be undertaken in accordance with the Council's Contract and Financial Procedure Rules, with support from Legal and Procurement Services.

## Climate implications

- 9.1 N/A

## Other significant implications

- 10.1 **Equalities** - All Equality Impact Assessments if required will be completed as required and advice will be taken as required. Many of these initiatives positively affect people with protected characteristics under the Equality Act.
- 10.2 **Contract Waiver – Making Space** - None directly arising from the Report. The service provider's equalities performance is reported monitored as part of ongoing contract management with the opportunity for any issues to be identified and addressed. An equalities impact assessment will be carried out as part of the recommissioning of the service in 2023/24.

**This report has been approved by the following people:**

<b>Legal</b>	Olu Idowu, Head of Legal Services	16/09/2022
<b>Finance</b>	Toni Nash, Head of Finance	15/09/2022
<b>Service Director(s):</b>		
<b>Report sponsor</b>	Alison Parkin, Director of Financial Services	20/09/2022
<b>Other(s)</b>	Anne Webster, Head of Equalities	16/09/2022
	Linda Spiby Head of Procurement	16/09/2022

**Background papers: n/a**

**List of appendices: n/a**