

Time began: 6.00pm  
Time ended: 6.40pm

**COUNCIL CABINET**  
**9 September 2015**

Present Councillor Banwait (Chair)  
Councillors Afzal, Bolton, Hussain, Rawson, Repton Russell and  
Shanker

In attendance                      Councillors Graves, Hickson and Jones

In the absence of the Chair, Councillor Rawson took the Chair.

55/15      Apologies

An apology for absence was received from Councillor Eldret.

56/15 Late Items

There were no late items.

## 57/15      Receipt of Petitions

There were no petitions received.

58/15 Identification of Urgent Items to which Call In will not apply

There were no items.

59/15      Declarations of Interest

There were no declarations of interest.

60/15 Minutes of the meetings held on 5 August 2015

The minutes of the meetings held on 5 August 2015 were agreed as a correct record and signed by the Chair.

## Matters Referred

### 61/15 Recommendations from Corporate Scrutiny and Governance Board

The Council Cabinet considered a report on Recommendations from Corporate Scrutiny and Governance Board. The Corporate Scrutiny and Governance 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 2, prior to commencement of the meeting.

#### **Decision**

To receive the report and accept all the recommendations from the Corporate Scrutiny and Governance Board.

## Key Decisions

### 62/15 Healthwatch Derby Funding Arrangements

The Council Cabinet considered a report on Healthwatch Derby Funding Arrangements. There was a statutory requirement in the Health and Social Care Act 2012 for local authorities to commission a Healthwatch organisation for their locality. Healthwatch Derby fulfilled a consumer champion role for customers of health and social care services. They gathered the views of the public and stakeholders about local services and report to local providers and commissioners.

In 2012-13 the Council worked with local partners to establish Healthwatch Derby (HD) as an independent registered company with charitable purposes. HD had a management board with representatives the local community and from stakeholder organisations including the Council. HD had a seat on the Health and Wellbeing Board.

Funding for the organisations was arranged through a grant funding agreement between the Council and the HD Board, this agreement expires on 31 March 2016. The level of funding may vary annually, depending upon budgetary constraints and local priorities, in 2015-16 the service was due to receive £235,000.

It was proposed to award a new grant for three years from April 2016 – March 2019.

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet on this item, however the Board recommended that the Protecting Vulnerable Adults Board continue to work closely with and monitor the work and performance of Healthwatch Derby.

## **Options Considered**

1. Undertaking a competitive grant round was considered, but rejected due to the unique set up and legal framework for the Healthwatch organisation.
2. In addition, the Council could be assured that the organisation was providing a high quality and value for money service for the people of Derby through the oversight of the independent HD Board, HD membership and the monitoring and review requirements within the HD contract.

## **Decision**

1. To approve the award of a new grant for Healthwatch Derby and updating of the existing grant funding agreement for Healthwatch Derby for the period April 2016-March 2019.
2. To accept the recommendation of the Corporate Scrutiny and Governance Board for the Protecting Vulnerable Adults Board to continue to work closely with and monitor the work and performance of Healthwatch Derby.

## **Reasons**

1. All local authorities were required to arrange for an independent Healthwatch service that provided the statutory functions set out in the Health and Social Care Act 2012.
2. The existing organisation had been developed with local partners to provide this service and had delivered this role successfully and followed guidance set by the national body Healthwatch England to review and improve the service it delivered.

At this point Councillor Banwait took the Chair.

## **63/15      Revisions to the Written Statements for Mobile Homes**

The Council Cabinet considered a report on Revisions to the Written Statements for Mobile Homes. The report sought approval to update the terms contained within the Written Statements for Derby's mobile home sites, which were the Imari Park Traveller site and the Shelton Lock Park Homes site.

The Written Statement formed a legal agreement between Derby City Council (DCC) and the residents of the mobile home sites and details the rights and responsibilities of each party to the Agreement. The proposed revisions were to:

- Bring the agreements in line with the Model Standards,
- Incorporate the new terms implied by the Mobile Homes Act 2013, and
- Separate the water charge from the pitch fee at the Shelton Lock Park Homes site, applicable to new residents only.

A copy of the amended Written Statement for Imari Park could be found at Appendix 2 of the report and the revised Written Statements for current and new residents of Shelton Lock could be found at Appendix 3 of the report.

The Corporate Scrutiny and Governance Board had recommended that the Council's legal team double check that the Written Statements accurately reflected the latest legislation prior to approval by Council Cabinet. It was reported that all three legislative provisions referred to and the model statement had been correctly referenced.

### **Options Considered**

1. Amending the Park Homes Written Statements expressed terms to separate the water charges from the pitch fee applicable to all current and new residents. This option was discounted as being unlawful, as rent increases not based on the Retail Price Index or the cost of site improvements were not permitted under the Mobile Homes Act 2013.
2. By taking no action DCC would not be acting in accordance with best practice and so this option had been discounted.

### **Decision**

1. To approve the proposed amendments to the Written Statements to align them with new legislation and Model Standards (subject to any consultation amendments and/or any First-Tier Tribunal (Property Chamber) interventions).
2. To note that the Council's legal team had confirmed that all three legislative provisions referred to and the model statement had been correctly referenced.

### **Reasons**

1. The Written Statement formed a legal agreement between Derby City Council (DCC) and the residents of the mobile home sites and detailed the rights and responsibilities of each party to the Agreement. As a result it was essential that it was reviewed regularly so the terms remained up to date and incorporate the relevant legislation and Model Standards.
2. The current Written Statements had received only minor amendment since 2002 and a recent review undertaken by Derby City Council and Derby Homes identified areas of the Agreement inconsistent with the Model Standards for Caravans in England 2008 and the Mobile Homes Act 2013.
3. By separating out the water charges in agreements, a proposal that would only apply to new residents at the Shelton Lock Park Homes site, DCC was simplifying the pitch fee. Residents would benefit as they would be billed directly by Severn Trent based on their actual water usage as each pitch had an individual water meter.

## Contract and Financial Procedure Matters

### 64/15 Contract and Financial Procedure Matters

The Council Cabinet considered the Contract and Procedural Matters report. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- Changes to the current 2015/16 – 2017/18 capital programme
- Use of Reserves

The Corporate Scrutiny and Governance Board had recommended that in future the report should include further context and a breakdown in figures in relation to the use of reserves and changes to the capital programme.

#### **Decision**

1. To note the changes, additions and progression of these on the capital programme as set out section 4 of the report.
2. To note the revised programme for 2015/16 in table 1 (paragraph 4.1) and the revised indicative programme for 2015/16-2017/18 as shown in table 2 (paragraph 4.3) of the report.
3. To approve the use of £300,000 from the Budget Risk Reserve to fund a programme of budget consultations.
4. To include further context and a breakdown of figures in relation to the use of reserves and changes to the capital programme in future reports.

## Other

### 65/15 Review of Derby City Council's Diversity Forums

The Council Cabinet considered a report on the Review of Derby City Council's Diversity Forums. Derby City Council had a long history of engaging with our residents to inform the decisions that we make. To make sure we were appropriately considering the needs of groups of individuals with protected characteristics we currently have four Diversity Forums:-

- Disabled People's Diversity Forum.
- Gender and Sexual Orientation Diversity Forum.
- Minority Communities Diversity Forum.
- Older People's Diversity Forum.

In addition to the above, Derby City Council supported two meetings of the 50 plus Forum, members of which also fed into the Older People's Diversity Forum.

Support for the forums was provided through Strategic Services and Transformation and the Lead on Equality and Diversity attended all, except the Older People's Forum.

As part of the budget savings delivered in 2015/16 Strategic Services and Transformation reduced budgets by 40% between 2014/15 and 2015/16. An equality impact assessment completed as part of this process identified the need for the forums to be reviewed to consider how support could be maintained whilst addressing some of the issues that had been identified in the overall effectiveness of the forums.

To inform the review of options going forward the views of Forum Members, Council Officers and Forum Champions were sought to inform a discussion of options with the Forums on 23 July 2015.

The purpose of the report was to present Council Cabinet with a summary of the findings from all the review activity alongside the recommended option for the structure and running of the forums going forward.

The Corporate Scrutiny and Governance Board supported the recommendations and requested that a review of the changes be reported to the Corporate Scrutiny and Governance Board in the next Municipal Year.

## **Decision**

1. To note the findings of the review paying particularly:
  - the cross over in activity between the forums in 2014/15 and an assessment of the impact of the forums on decision-making set out in the 2014/15 Annual Report (Paragraph 5.2 and Appendix 2) of the report.
  - what forum members said about why they attended meetings and what they felt they achieved through attending forum meetings (paragraph 6.3) of the report.
  - what Council officers felt they gained through using the forums (paragraphs 6.7 – 6.9) of the report.
  - the views of Forum Champions (paragraph 6.10) of the report.
2. To approve the recommendation to change the current format and structure of the forums. Based on feedback received through the event held in July 2015 the proposal was to move away from four individual forum meetings and to combine the forums into one, which could meet on a more regular basis. To make sure we continued to take into account the individual needs and implications of each of the forums the structure of the sessions would focus on group discussion of items within the current four forum structures. A full assessment of the advantages of this option and the implications were set out in Appendix 3, with an equality impact assessment in Appendix 4 of the report.

3. To request that a review of the changes be reported to the Corporate Scrutiny and Governance Board in the next Municipal Year.

## **65/15 Opportunities for Overseas Economic Twinning**

The Council Cabinet considered a report on Opportunities for Overseas Economic Twinning. The report was an options paper on the potential for Derby to have economic twinning links with cities in other countries.

The purpose was to develop, as part the Leader's 15 year vision for Derby, a potential set of linkages to cities with comparable economies to Derby and with opportunities for exchanges, tourism, commercial contracts and inward investment.

The Corporate Scrutiny and Governance Board supported the recommendations and requested that Marketing Derby be included in the list of key stakeholders for exploring and delivering opportunities.

### **Decision**

1. To approve that the Leader, Partners and Officers meet the Zhejiang province delegation in Derby.
2. To invite the British Consulate in Shanghai to arrange the Hefei City delegation visit to Derby, at the expense of the Foreign and Commonwealth Office.
3. To request officers to discuss Derby's options with key local companies with overseas interests, with the China–Britain Business Council (CBBC), and with industry bodies including UKTI, Midlands Aerospace Alliance and Derby and Derbyshire Rail.
4. To re-appraise our options in the light of the outcome of the actions listed above, and if necessary report back to Council Cabinet.
5. To request that Derby Marketing be included in the list of key stakeholders for exploring and delivering these opportunities.

MINUTES END