

Time began: 4.00pm  
Time ended: 5.55pm

## **COUNCIL CABINET**

### **11 November 2020**

Present	Councillor Poulter (Chair) Councillors Barker, M Holmes, Roulstone, Smale, Webb, Williams and Wood
In attendance	Councillors AW Graves, Repton, Shanker and Skelton Paul Simpson – Chief Executive Rachel North – Strategic Director Communities and Place Andy Smith – Strategic Director of People Simon Riley – Strategic Director of Corporate Resources Emily Feenan – Director of Legal, Procurement and Democratic Services Heather Greenan – Director of Policy Insight and Communications Steve Caplan – Director of Property Ian Fullagar – Head of Strategic Housing Catherine Williams – Head of Regeneration and Major Projects Sarah Walker – Policy and Improvement Manager Sarah Webster – Community Parks Officer Connie Spencer – Youth Mayor Kara MacFadyen – Acting Senior Communications Officer

This record of decisions was published on 13 November 2020. 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.

## **52/20 Apologies**

An apology for absence was received from Priya Gill – Deputy Youth Mayor.

## **53/20 Late Items**

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late items on the grounds that they should be considered as a matter of urgency

- **Green Homes Grant – Authority to Bid for Funding**  
The opportunity to bid for funding had only just become available and the closing date for bids was 4 December 2020 which was before the next scheduled meeting.

The Chair also reported that a recommendation from the Audit and Accounts Committee would be considered in relation to item 65/20 Treasury Management Mid Year Review.

## 54/20 Receipt of Petitions

There were no petitions

## 55/20 Identification of Urgent Items to which Call In will not apply

There were no items

## 56/20 Declarations of Interest

Councillor Webb declared a personal interest in item 68/20 'Green Homes Grant' because his daughter lived in one of the properties affected.

Councillor Barker declared an interest in item 63/20 and 72/20 'Market Hall Transformation' because he was the president of NABMA – National Association of British Market Authorities.

## 57/20 Minutes of the Meeting Held on 7 October 2020

The minutes of the meeting held on 7 October 2020 were agreed as a correct record.

## Matters Referred

### 58/20 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.

## Key Decisions

### 59/20 Draft Air Quality Action Plan

The Council Cabinet considered a report which stated that an Air Quality Action Plan (dAQAP) had been produced in accordance with Derby City Council's

statutory requirements under the Environment Act 1995 and the associated Local Air Quality Management (LAQM) assessment and reporting regime.

The AQAP provided a list of proposed measures designed to address the main sources of air pollution within Derby City Council's designated Air Quality Management Areas (AQMAs).

It was important to note that the AQAP measures were distinct from, but complementary to, the measures already proposed under the *Local Roadside NO<sub>2</sub> Plan* which focusses solely on Stafford Street. The measures in the AQAP generally applied to the whole City.

Internal and external stakeholder engagement as well as cross-party political involvement had taken place as part of the AQAP development process.

A draft version of the Plan also went out to public consultation in March for a period of 12 weeks. This final version updated the Plan and took into account the consultation responses received.

Ownership of each measure would now be required in order to progress delivery of the AQAP, however many of the measures were already contained within relevant work programmes.

Once approved, the finalised AQAP would be sent to DEFRA in accordance with the Council's duties under The Environment Act 1995.

The Executive Scrutiny Board noted the report.

### **Options Considered**

1. The production of an AQAP was a statutory requirement under the Environment Act 1995.
2. The measures outlined in the AQAP were not, however, the only options available for reducing air pollutant emissions within Derby. In theory, there are many options available for addressing air quality.
3. The measures outlined in the plan had been long listed based initially on source apportionment modelling, which was a requirement under the LAQM methodology (TG(16)) assigned to the process for development of AQAPs. They had then been subjected to internal and external stakeholder engagement. Finally, the measures had been short-listed based primarily on their potential contribution to lowering emissions, but also in terms of their practicality and feasibility for delivery.
4. The list of measures proposed within the AQAP must be flexible. They may be subject to amendment, removal or addition on a continual basis, depending upon new evidence, changing circumstances (particularly with the road network) or financial pressures. All amendments, removals or additions would however be justified in accordance with LAQM guidance, with the

primary consideration being the measures' potential to mitigate the primary sources of air pollutant emissions within Derby City Council's AQMAs, bearing also in mind cost effectiveness.

### **Decision**

To approve and adopt the Air Quality Action Plan and commit to the delivery of the measures in the Plan.

### **Reasons**

1. Production of an AQAP was a statutory requirement under the Environment Act 1995 in all cases where one or more AQMAs had been declared within the Local Authority's area.
2. In order to protect the health of the public of Derby from the effects of air pollution and under the Council's commitments to reduce fine particulate matter (PM<sub>2.5</sub>) under the Public Health Outcomes Framework.

## **60/20      Extension of the Private Sector Housing Renewal Policy 2015 - 2020**

The Council Cabinet considered a report which requested that the provisions of the current Housing Renewal Policy be extended, from the scheduled expiry date of December 2020 until the end of May 2021. (Following this extension, a new policy would come into effect from June 2021).

The Executive Scrutiny Board noted the report.

### **Options Considered**

Shortening the consultation period on the new policy was the only other possible option but this may be open to challenge. Extending the current policy was a much preferred solution.

### **Decision**

To approve the extension of the provisions of the current Housing Renewal Policy until May 2021.

### **Reasons**

The planned revision of the Council's current Private Sector Housing Renewal Policy was delayed due to critical staff being redeployed to support Derby's COVID response Hub.

## 61/20      Purchase of the Residential Development to Provide 3 New Affordable Homes

The Council Cabinet considered a report which sought approval to purchase a housing scheme to be funded from the Housing Revenue Account (HRA) capital programme and Right to Buy receipts (RtB).

The Council had been offered the opportunity to purchase 3 new build homes on a self-contained development in the Abbey ward.

These homes would form part of the Council's affordable housing stock and would be managed by Derby Homes (DH), the Council's Arm's Length Management Organisation.

The Executive Scrutiny Board noted the report.

### **Options Considered**

1. An option would be not to proceed with the purchase of the 3 homes. However, not doing so would compromise the Council's ability to meet its affordable development targets and provide much needed affordable housing. It also failed to minimise the potential repayment of RtB receipts to the Ministry of Housing Communities and Local Government (MHCLG).
2. An option would be to not proceed with the purchases and let the open market manage the development. Due to the size of the site there was no planning obligation to provide any affordable homes on the development and there would be no additionality of affordable homes to rent within the city.

### **Decision**

1. To agree the principle of acquiring the development as detailed in the report, funded through the HRA capital programme and RtB receipts at the price not exceeding the formal (RICS approved) valuation.
2. To delegate authority to the Strategic Director for Communities and Place following consultation with the Strategic Director of Corporate Resources to enter into all necessary agreements required to secure the acquisition of the properties.
3. To agree to the development being incorporated within the Council's housing stock and being managed by Derby Homes.

### **Reasons**

1. The acquisitions would provide new affordable homes which would meet the needs of households on the waiting list.

2. To ensure the purchase of the development was undertaken in accordance with Council procedures ensuring due diligence throughout.
3. To ensure that the properties once acquired and construction completed are correctly managed and maintained.

## **62/20      Derby City Local Area SEND Strategy**

The Council Cabinet considered a report which stated that the strategy supported the cultural intent and anticipated outcomes of Part 3 of The Children and Families Act 2014.

At the Local Area SEND inspection in June 2019 one of the key areas of weakness identified was a lack of an overarching co-produced strategy for improving provision for and outcomes of children and young people with SEND.

The strategy sets out a shared vision for SEND to support a coordinated approach to delivering SEND services and provision for children and young people aged 0-25 across the Local Area.

The Executive Scrutiny Board noted the report.

### **Options Considered**

None.

### **Decision**

To approve the strategy for implementation across the Local Area.

### **Reasons**

The strategy had been produced to ensure that as a Local Area we were meeting the outcomes of Part 3 of the Children's and Families Act 2014 and delivering a key commitment made in the Derby City Local Area SEND Written Statement of Action 2019 (WSOA); produced to address the areas of weakness identified at inspection.

## **63/20      Market Hall Transformation**

The Council Cabinet considered a report which outlined progress in delivering phases 1 and 2 of the Market Hall Transformation (project), and to outline changes and developments requiring an increase in the budget for Phase 1 of the project and design stage for Phase 2.

The report sought approval to increase the capital approvals to proceed in line with the programme and avoid any unnecessary delay and consequential costs.

To enable continuation of the project and realisation of the Council's ambition to create a new vibrant, high quality, flexible market, appealing to a diverse customer base, at the heart of the city centre.

**The Executive Scrutiny Board recommended to Council Cabinet to explore the potential for the Market Hall roof to include solar voltaic panels, sheets or similar as part of the reroofing. These now come in many forms and one might be acceptable in heritage terms. It might be that this could be funded from the underspend in the Climate Emergency dedicated budget.**

### **Options Considered**

1. Do not deliver Phase 2 – To not proceed with Phase 2 would result in no enhanced market offer and would undermine the FHSF bid. This option would also see the Council making a significant investment in the essential repairs and maintenance without realising the wider economic and regeneration benefits of the transformation of this historically important asset. If Phase 2 was not delivered there would be other costs incurred associated with essential repairs which are planned to be incorporated in the Phase 2 project, for example fire precaution improvements and the renewal of internal lighting to the building. The Market Hall Transformation was a key regeneration priority and would make a significant contribution to the vibrancy and economic performance of the city centre.
2. Descope Phase 1 – Descoping Phase 1 could result in essential repair and maintenance works not being completed which were required at a later date. Phase 1 of the project had been scrutinised and options for de-scoping the project, seeking alternative design and implementation solutions had been investigated and where possible have been incorporated into the project.
3. Descope Phase 2 – Descoping Phase 2 could result in the new Market Hall not being fit for purpose and the vision for a new modern, flexible market which supported the development of a cultural cluster at the Market Place, to create a new destination in the city centre would not be deliverable.

### **Decision**

1. To note additional capital requirements for the Market Hall Transformation project as outlined in paragraph 7.2 of the report.
2. To approve a virement of £4.5 million from the Future Investment Capital Budget to the Market Hall Transformation Budget.
3. To note the action as set out in the confidential report.
4. To note a report will be brought to a future Council Cabinet, following confirmation of Future High Street Fund and final detail of Phase 2.
5. **To accept the recommendation from the Executive Scrutiny Board to explore the potential for the Market Hall roof to include solar voltaic panels, sheets or similar as part of the reroofing. These now come in many forms and one might be acceptable in heritage terms. It might be**

**that this could be funded from the underspend in the Climate Emergency dedicated budget.**

## **Reasons**

1. To enable continuation of the project on programme and ensure delivery of the essential repair and maintenance works to extend the asset life of the Market Hall building.
2. To secure sufficient budget to deliver Phase 1.
3. To deliver the transformation of the Market Hall which would support the economic and cultural vibrancy of the city centre in line with the City Centre Masterplan 2030 and also contribute to the city centre's economic recovery from the effects of the Covid-19 pandemic.

## **64/20      Creation of the Manufacturing Research (MRC) Midlands at Infinity Park**

The Council Cabinet considered a report which sought approval to enter into a Joint Venture with the University of Derby for the forward purchase of a new research and development facility at Infinity Park Derby (IPD) extending up to 48,000sqft. The new Manufacturing Research Centre (MRC) Midlands facility would be occupied by Nuclear Advanced Manufacturing Centre (NAMRC) and the University of Derby (UoD). This was a key priority that would raise the profile of IPD, create a world class research and development facility for advanced manufacturing and act as a catalyst for development at IPD.

NAMRC successfully launched their pilot in the iHub in early 2019. Their first phase had been successful with NAMRC engaging with local companies enabling it to scale up its operation. NAMRC, the Council and UoD had been working collaboratively to plan and progress the delivery of a dedicated centre for their occupation, alongside the UoD's Institute for Innovation in Sustainable Engineering (IISE).

The report summarised key elements of the project business case and details the feasibility work undertaken and the rationale for the investment. The report sought approval to forward fund a high-quality commercial development that would enhance the access to research and development for small and medium sized businesses within the City and region whilst enabling transformational change for the manufacturing sector. It would generate opportunities for future innovation and investment, create new jobs and support diversification opportunities for the manufacturing supply chain.

**The Executive Scrutiny Board recommended to Council Cabinet that the building reflects the ambition of what it wants to deliver from the businesses within it in terms of decarbonisation, by designing it for Bream Excellent or Outstanding, not just Good.**



## Options Considered

Other options had been considered and were outlined in the confidential report.

## Decision

1. To approve the terms of the property transactions the details of which were set out in the confidential report submitted to this meeting.
2. **To accept the recommendation from the Executive Scrutiny Board that the building reflects the ambition of what it wants to deliver from the businesses within it in terms of decarbonisation, by designing it for Bream Excellent or Outstanding, not just Good if this can be contained within the financial envelope.**

## Reasons

1. The investment within the MRC Midlands at Infinity Park Derby supported the key pillars of the economic recovery plan. It would provide confidence by acting as a catalyst for development at IPD and within the City, an opportunity for diversification of the local economy and accelerate decarbonisation through its broad range of research programmes.
2. Once built and occupied, the facility was anticipated to generate valuable economic benefits including 70 new jobs, £52 million additional Gross Value Added (GVA was an industry standard measure of economic activity) over a five year period, a significant programme of research and development activities and opportunities for local labour during the construction period. The project represented good value for money with a benefit cost ratio of 3.1:1.
3. The new facility would support SMEs in the area to grow by creating opportunities for research and development and cross sharing of information through collaborative projects.

## Budget and Policy Framework

### 65/20 Treasury Management Mid Year Review

The Council Cabinet considered a report which stated that the Council was required for good practice under the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the "CIPFA TM Code") to approve treasury management mid-year and outturn reports.

The mid-year report outlined the Treasury Management activity for the period 1 April 2020 to 30 September 2020, comprising:

- Summary of the Financial Markets to date in 2020/21

- Forecast Outturn 2020/21
- Borrowing Activity
- Deposits
- Prudential Indicators

## Summary

The Treasury Management forecast outturn for 2020/21 was a net pressure of £0.550m as at 30 September 2020. This would be funded from the treasury management earmarked reserve.

At the end of September 2020, total debt was £447.185m and total investments were £80.747m compared to £447.967m and £76.873m as at 31st March 2020. No new borrowings had been made or were anticipated to be made in this year.

All Treasury Management activities of the Council up to 30 September 2020 had complied with Prudential Indicators.

Treasury Management advice to the Council up to 30 September 2020 had been provided by Arlingclose. Their services include economic and interest rate forecasting, advice on strategy, portfolio structure, debt restructuring, investment policy and credit ratings and technical assistance on treasury matters as and when required.

The Audit and Accounts Committee recommended to Council Cabinet that in the light of on-going low interest rates, growing social need within the city and urgency of climate action, the Audit and Accounts Committee supports the council exploring the potential for commercial investment in areas like housing, energy efficiency and renewable energy, potentially with additional resource so that work on this can be taken forward soonest but with the necessary safeguards.

The Executive Scrutiny Board endorsed the resolution from the meeting of the Audit and Accounts Committee held on 4 November 2020:

## Decision

1. To note the forecast outturn position of £0.550m overspend. This would be met from the Treasury Management reserve.
2. To note the position statement on Treasury Management Activity and compliance against the Prudential Indicators for the period 1 April 2020 to 30 September 2020.
3. To accept the recommendation from the Audit and Accounts Committee that wherever possible and in the light of on-going low interest rates, growing social need within the city and urgency of climate action, the council explores the potential for commercial investment in areas like housing, energy

efficiency and renewable energy, potentially with additional resource so that work on this can be taken forward soonest but with the necessary safeguards .

## 66/20      2020/21 Quarter 2 Financial Monitoring for General Fund, Capital Budgets, Dedicated Schools Grant, Collection Fund and Housing Revenue Account

The Council Cabinet considered a report which summarised the Council's forecasted financial outturn position to 31 March 2021 based on the financial position as at 30 September 2020.

### Summary

- a) Revenue budget:** The Council was currently forecasting an overspend of £7.093m against our base budget requirement of £238.358m. This was an improved position from Quarter 1.

The Council's forecast overspend for 2020/21 was 3% of the current budget. Within this forecast was the expectation that £2.970m savings was delivered against a target of £4.746m included within the 2020/21 budget approved by Council in February.

- b) Capital budget:** Capital expenditure to date was £31.565m and our forecast was estimated at £159.308m against an approved capital budget of £183.663m.
- c) Reserves:** The General Reserve balance remained at £10.933m and our Earmarked Reserves had a future years' forecast balance of £7.372m after taking account of the current forecast overspend of £7.093m. However, within the Earmarked Reserves future forecast was an over-commitment of £2.091m at 2023/24 against the budget risk reserve, primarily due to the current forecast outturn impacting on our previous forecasts. The Council would continue to seek to reduce the in-year overspend and would review the level and need for specific earmarked reserve levels as part of the Budget process.
- d) Treasury Management:** Total debt was £447.184m and total investments were £80.747m compared to £447.967m and £76.873m as at 31 March 2020. No new long term borrowing had been made or was anticipated to be made in the year. A large PWLB loan of £20m is due to be repaid in March 2021.
- e) Dedicated Schools Grant (DSG):** The total grant of £253.297m had been allocated to schools and retained educational services. There was an overspend forecast on the High Needs Block of the DSG of £3.3m. DSG Reserve Balances were reported at £2.582m at the start of the financial year therefore it was highly probable that the DSG would close in a deficit position. Actions Plans were being developed to try and mitigate this.

- f) **Collection Fund:** Council Tax billed for the 2020/21 financial year was £124.699m of which £66.558m or 53.38% had been collected. Business Rates billed for the 2020/21 financial year was £55.163m of which £28.607m or 51.86% had been collected.
- g) **Housing Revenue Account (HRA):** The full year forecast projected a planned use of the HRA reserve of £4.592m.
- h) **Performance on sundry debt collection:** As at 30 September the council had billed £34.28m in Sundry Debts and we had collected 92.90%.
- i) **Covid forecast:** The current full year potential forecast revenue and capital pressure was £27.4m. To date we had received £23.5m in government funding of which £0.527m was used to fund pressures in 2019/20 leaving a balance of £23m (this included the funding allocation for the 4<sup>th</sup> tranche of covid pressures funding recently announced) and £5.5m from the income support scheme but these allocations had not yet been confirmed. Based on current forecasts the support from Government was forecast to meet the additional costs and impact on Council Income arising from the pandemic. If expenditure increased there was a risk that the shortfall would need to be funded from reserves if no more Government funding was available.

Further analysis and explanations of key variances are provided in section 4 of the report.

A summary of the net revenue forecast by directorate is set out in the table below.

### **The Executive Scrutiny Board recommended to Council Cabinet**

- that it writes to Government re the Budgetary problems and ask for a permanent uplift in the base grant we get from them. Failure to secure such an uplift will lead to job losses and Council Tax increases; and
- that projects to spend S106 funding, in areas like public art and open space improvements, are publicised seeking private/voluntary sector partners to take these forward before funding deadlines are reached.

### **Decision**

1. To note:
  - a. The revenue projected outturn and key budget variances set out in the report in section 4.2 and the savings to be delivered in the year in section 4.3 of the report.
  - b. The current forecast Covid spend and funding as set out section 4.10 and in appendix 2 of the report.

- c. The capital programme forecast, and actual capital expenditure incurred during the quarter summarised in section 4.4 of the report.
  - d. The changes already approved under scheme of delegation to the capital programme detailed in Appendix 3 of the report.
  - e. To note the use of the remaining Future provisions capital allocation, as set out in section 4.4.47 of the report.
  - f. The Council's reserves position, as set out in section 4.5 and Appendix 1 of the report.
  - g. The Council's treasury position and performance in the quarter, as set out in section 4.6 of the report.
  - h. The forecast Dedicated Schools Grant position summarised in section 4.7 of the report.
  - i. The Council Tax and Business Rates Collection Performance as set out in section 4.8 of the report.
  - j. The Housing Revenue Account Performance and projected outturn as set out in section 4.9 of the report.
2. To approve:
- a. Changes to the 2020/21 - 2022/23 capital programme outlined in section 4.4 and detailed in Appendix 4 of the report.
  - b. £0.400m revenue funding from the Budget Risk Reserve, for projects on the Market Place during the autumn period including Christmas as detailed in section 4.2.29 of the report.
  - c. Capitalisation of the Market Place funding as appropriate once expenditure was defined as detailed in 4.2.29 of the report.
- 3. To reject the recommendations from the Executive Scrutiny Board because they were already being undertaken.**

## Contract and Financial Procedure Matters

### 67/20 Contract and Financial Procedure Matters

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.

- Approve the use of reserve - Priority Families earmarked reserve of £0.050m.
- Approve a grant – Community Action Derby £0.050m.

The Executive Scrutiny Board noted the report.

#### Decision

1. To approve the use of the Priority Families earmarked reserve of £0.050m to fund a contribution to Community Action Derby.
2. To approve a grant award to Community Action Derby to fund a contribution to the universal youth assertive outreach work in Derby.

### 68/20 Green Homes Grant

The Council Cabinet considered a report which stated 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. £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.

A joint bid between the Council and Derby Homes had been developed to predominantly focus on Wimpey No Fines (WNF) properties of concrete construction for the installation of external solid wall insulation, which had very poor heat retention characteristics and were both Council and privately owned.

Authority was sought for the submission of a joint bid which would be made for a total of £1.1M of capital grant, with £480,000 for the Council owned properties to be managed by Derby Homes and £620,000 for private sector properties.

**The Executive Scrutiny Board recommended to Council Cabinet that if this bid is successful, they make full opportunity of the works to publicise the value of external insulation for solid wall properties to home owners.**

## Decision

1. To approve submission of the joint bid for LAD funding to the Department for Business, Energy and Industrial Strategy (BEIS) for capital funding of £1.1M for the 2020/21 financial year.
2. If the bid is successful, to delegate approval to the Strategic Director of Communities and Place and the Acting Director of Financial Services following consultation with the Cabinet Member for Adults, Health & Housing:
  - To enter into any Grant Agreement/Grant Determination Notice/MOU with the BEIS 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;
  - to accept any resultant LAD grant award and for it to be added to the capital programme and reallocate the £300,000 match funding from the currently approved HRA capital budget.
3. **To accept the recommendation from Executive Scrutiny Board that if this bid is successful, that Council Cabinet make full opportunity of the works to publicise the value of external insulation for solid wall properties to home owners.**

## Performance

### 69/20 Council Plan Monitoring – Quarter 2

The Council Cabinet considered a report which stated that in July 2019, Council approved the Council Plan 2019 – 2023, with Council Cabinet approving the supporting Council Delivery Plan in the same month. The underpinning performance framework and priority measures were approved in September 2019.

Since the approval of the Council Plan 2019 – 2023, and the supporting 2019/20 Delivery Plan, there had been many factors that had impacted on our performance and supporting monitoring frameworks. Most notably the Covid-19 pandemic, which had delayed the publication of a 2020/21 Delivery Plan as we needed to reflect our recovery priorities.

It was however essential that we continued to review our outputs and the impacts of these on outcomes for the city and our communities. The purpose of the report was to present a consolidated overview of performance; bringing together priority performance measures, projects and strategic risks, in line with the current Council Plan themes.

A summary of notable performance was set out in paragraph 4.3, with a full assessment of performance by Council Plan theme at Appendix 1 of the report. In addition to this, key timescales and achievements to date, in the context of our Covid-19 response and recovery, were set out in paragraphs 4.5 to 4.8 of the

report.

**The Executive Scrutiny Board recommended to Council Cabinet that the council plan monitoring includes a measure on the progress of processing and issuing updates to EHCPs as a result of the annual review.**

### **Decision**

1. To note the latest performance positions, paying particular attention to our strategic risks, the impacts of Covid-19 and areas where we had continued to deliver.
2. To note the timescales for the publication of the Covid-19 Recovery Plan, recognising that this would be a short and dynamic document, reflecting the volatile nature of the pandemic at present.
3. To note key progress, to date, in line with the identified themes for our recovery plan.
4. **To accept the recommendation from Executive Scrutiny Board that the council plan monitoring includes a measure on the progress of processing and issuing updates to EHCPs as a result of the annual review.**

### **70/20      Exclusion of the Press and Public**

**Resolved 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 paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **Key Decisions**

### **71/20      Purchase of a Residential Development to Provide 3 New Affordable Homes**

The Council Cabinet considered exempt information in relation to purchase a housing scheme to be funded from the Housing Revenue Account (HRA) capital programme and Right to Buy receipts (RtB).

The Executive Scrutiny Board noted the report.

### **Options Considered**

1. An option would be not to proceed with the purchase of the 3 homes. However, not doing so would compromise the Council's ability to meet its affordable development targets and provide much needed affordable



housing. It also failed to minimise the potential repayment of RtB receipts to the Ministry of Housing Communities and Local Government (MHCLG).

2. An option would be to not proceed with the purchases and let the open market manage the development. Due to the size of the site there was no planning obligation to provide any affordable homes on the development and there would be no additionality of affordable homes to rent within the city.

### **Decision**

1. To agree the principle of acquiring the development as detailed in the report, funded through the HRA capital programme and RtB receipts at the price not exceeding the formal (RICS approved) valuation.
2. To delegate authority to the Strategic Director for Communities and Place following consultation with the Strategic Director of Corporate Resources to enter into all necessary agreements required to secure the acquisition of the properties.
3. To agree to the development being incorporated within the Councils housing stock and being managed by Derby Homes.

### **Reasons**

1. The acquisitions would provide new affordable homes which would meet the needs of households on the waiting list.
2. To ensure the purchase of the development is undertaken in accordance with Council procedures ensuring due diligence throughout.
3. To ensure that the properties once acquired and construction completed were correctly managed and maintained.

## **72/20      Market Hall Transformation**

The Council Cabinet considered exempt information in relation to delivering phases 1 and 2 of the Market Hall Transformation.

The Executive Scrutiny Board noted the report.

### **Options Considered**

These were set out in paragraphs 6.1 – 6.3 of the report.

### **Decision**

1. To note additional capital requirements for the Market Hall Transformation project as outlined in paragraph 7.2 of the report.

2. To approve a virement of £4.5 million from the Future Investment Capital Budget to the Market Hall Transformation Budget.
3. To note the actions required in paragraph 2.3 of the report.
4. To note a report would be brought to a future Council Cabinet, following confirmation of Future High Street Fund and final detail of Phase 2.

### **Reasons**

1. To enable continuation of the project on programme and ensure delivery of the essential repair and maintenance works to extend the asset life of the Market Hall building.
2. To secure sufficient budget to deliver Phase 1.
3. To deliver the transformation of the Market Hall which would support the economic and cultural vibrancy of the city centre in line with the City Centre Masterplan 2030 and also contributed to the city centre's economic recovery from the effects of the Covid-19 pandemic.

## **73/20      Creation of the Manufacturing Research Centre (MRC) Midlands at Infinity Park Derby**

The Council Cabinet considered exempt information in relation to entering into a Joint Venture with the University of Derby for the forward purchase of a new research and development facility at Infinity Park Derby (IPD) extending up to 48,000sqft.

The Executive Scrutiny Board noted the report.

### **Options Considered**

These were set out in paragraphs 6.1 – 6.3 of the report.

### **Decision**

To approve the recommendations set out in paragraphs 2.1 – 2.11 of the report.

### **Reasons**

These were set out in paragraphs 3.1 – 3.3 of the report.

**MINUTES END**