

Time began: 6.00pm  
Time ended: 6.50pm

**COUNCIL CABINET**  
**30 APRIL 2014**

Present                    Councillor Bayliss (Chair)  
                                 Councillors Afzal, Banwait, Rawson, Repton, Russell, Shanker  
                                 and Tittley

In attendance            Councillors Hickson, Jones and Martin

This record of decisions was published on 2 May 2014. 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.

## 216/13 Apologies

There were no apologies for absence.

## 217/13 Late Items Introduced by the Chair

There were no late items

## 218/13      Receipt of Petitions

There were no petitions received.

219/13 Identification of Urgent Items to which Call In will not apply

There were no items.

## 220/13      Declarations of Interest

There were no declarations of interest.

221/13 Minutes of the meeting held on 2 April 2014

The minutes of the meeting held on 2 April 2014 were agreed as a correct record and signed by the Chair.

# Matters Referred

## 222/13 Topic Review Report on Customer Experience

The Council Cabinet considered the Topic Review Report on Customer Experience. The Resources and Governance Board conducted a review of customer experience which focused on the Council's Contact Centre, Derby Direct; the website and the E-Services programme. The Chair of the Resources and Governance Board attended the meeting to present the report.

The Board received evidence from a wide range of people including senior managers, frontline staff and members of the public and looked at the various customer contact channels. Based on that information, the Board made a series of recommendations which if implemented may improve the customer experience and increase channel shift helping to ease pressure on future budgets. These recommendations were:

1. There is greater integration of the website with the e-services programme and a definitive timetable is established to complete the e-services programme.
2. The website and e-services are located within the same Directorate as the website is considered to be crucial to delivering an effective e-services programme.
3. Service departments are compelled to work with the e-services team and identify services for inclusion in the e-services programme.
4. The Council Cabinet invests resources to further develop the website and keep it up to date.
5. Aesthetics of corporate minimalism should be relaxed to permit more signs to direct people, especially to the payment machines and appointment/check-in machines in the main reception area.
6. The post box be signed and situated in a visible place, with the necessary security features added.
7. The appointment screen that is currently obscured by a pillar should be moved and made more prominent.
8. Appointments system be reviewed and enable customers to make an appointment by phone or on the website, to save them making at least two visits to the Council House.
9. A 'drop-in' booth allocated where people can choose to sit and wait in turn to be seen in person by someone, rather than make an appointment.
10. No telephone answering system should give customers a series of options which ultimately directs them to using the website. Queries should either be answered on the phone, or the first response on the telephone should state

that customers must use the website (or visit in person the Council House, where appropriate).

11. There is better communication between customer services advisors and departments such as Streetpride and that notes are completed and put on the LAGAN quickly, within 48 hours.

### **Decision**

1. To note the recommendations of the Resources and Governance Board.
2. To request the Director of Resources to provide a report in response to the recommendations.

## **Key Decisions**

### **223/13 Your Life, Your Choice – Building Sustainable Care and Support in Derby**

The Council Cabinet considered a report on Your Life, Your Choice – Building Sustainable Care and Support in Derby.

Adult social care was at cross-roads: with rising need and shrinking local government budgets we could, if we were not careful, resort to an ever-tighter interpretation of eligibility criteria and intervention only in a crisis.

The report asked for permission to consult the people of Derby upon a proposed 'Your Life Your Choice' strategy for adult social care that was built on 'Big Conversation' principles. The strategy set out the significant challenges currently facing adult social care, and promoted the need to think differently so that the Council could continue to serve people well while working within the resources that were available. The report set out a proposed alternative strategy that would 'break out' adult social care from its current path towards being an emergency service and re-positions it as closer to, and working with, individuals, families and communities in collaboration with our partners.

### **Options Considered**

Doing nothing was not an option as we needed to take action both to improve our balance of care and take positive steps to address the demand for care and support.

### **Decision**

1. To commence formal consultation with Derby residents, social care customers, carers and key stakeholders on the Council's proposed 'Your Life Your Choice' strategy.

2. Following consultation and consideration of responses, to bring back a final version of the 'Your Life Your Choice strategy' for formal approval with an action plan for its implementation.

## **Reasons**

1. Derby City Council needed to set out a strategy for managing the demands and pressures of providing an adult social care service that was sustainable and in line with the Labour administration's key values.
2. Some of the potential benefits for social care customers from the proposed 'Your Life, Your Choice' strategy were illustrated via the pen pictures in Appendix 2 of the report. The proposed strategy was not only about better use of Council resources. It was also intended to enable adults with social care needs to feel more in control, and more connected, in the way they choose to live their lives.

## **224/13 School Place Planning – Proposal to Increase Pupil Places at Springfield School**

The Council Cabinet considered a report on School Place Planning – Proposal to Increase Pupil Places at Springfield School.

The Council has a legal responsibility to ensure that there were enough school places available to meet local needs. The Council also has a duty to increase the scope for parental choice in planning for and securing school places. There had been significant increases in pupil numbers over recent years and this trend was projected to continue. In order to ensure sufficient school places, proposals had been developed to expand a number of primary schools in Derby. At its meeting on 12 February 2014, Council Cabinet approved the publication of a statutory notice on proposals to increase the size of ten other primary schools in Derby.

As legally required, initial consultation had now taken place on proposals to increase the size and admission number of Springfield Primary School, as detailed in paragraph 4.1 of the report. Consultation took place over a four week period with consultation papers circulated to all key stakeholders and interested parties. A summary of responses received was set out in Appendix 2 of the report, and a copy of the Consultation Document was attached as Appendix 3 of the report. The proposed new admission number, if approved, would take effect from September 2015. The Headteacher and Governors of the school had given their support to the proposal to increase the size of the school.

The Council closely monitored the demand for pupil places and some schools had already expanded in size. Further places were required to ensure that Derby could continue to meet its legal duty in relation to school places. It was anticipated that if all of the expansion proposals go ahead, there would be sufficient places for all primary school aged pupils resident in Derby City for at least the next 6 years. Pupil numbers and projections would continue to be closely monitored.

Due to the significantly increasing pupil numbers, the report recommended that Council Cabinet approve moving to the next stage of the consultation process, which included the publication of a statutory notice and a further four week representation period.

### **Options Considered**

Careful consideration had been given to which schools should be put forward for expansion proposals. Consideration had been given to the location of each school within the City, the current size of the schools and whether the school sites would allow for an expansion.

### **Decision**

To approve the publication of a statutory notice on the proposal to increase pupil places at Springfield Primary School.

### **Reasons**

As things stood, Derby was forecasting a 12% shortfall of places by the 2016/17 academic year. This was why school expansions were being proposed to ensure that there were enough school places for all pupils living in Derby.

## **225/13     Housing Related Support for Young People 16 and 17 Years (who are Children in Need Including Children in Care) and Care Leavers**

The Council Cabinet considered a report on Housing Related support for young people 16 and 17 years (who were Children in Need including Children in Care) and Care Leavers. The Local Authority had responsibility to provide suitable accommodation and support for 16 and 17 year olds who were homeless and for care leavers. This requirement was made more specific as part of the Southwark Judgement 2009. Historically there had been a framework in place (2011 – 2014) for Care Leavers but this had not included other vulnerable 16 and 17 year olds in need of housing support. A future tender would join up care leavers and young people who were assessed as homeless who were also Children in Need (CIN). This joined up approach to retendering, would allow a clearer focus on the level of support required to match need, improve efficiency of process by sourcing requests from one place and offer potential savings during 2016/17.

Spend 2013/14 on housing and housing related support was forecast to be £493,945 against last year's actual expenditure of £784,357. This included the contribution of £30,000 from Children and Young Peoples Department (CYPD) for emergency accommodation as part of the Adult Health and Housing (AHH) retender 2013. However this excluded bed and breakfast accommodation for families (forecast in 2013-14 as £352,000).

The contract value for the tender based on an understanding of need and current cost was £500,000. Savings of £290,412 had been made in this area since 2012/13, and Derby's assessed unit costs through the needs assessment were below the average of authorities benchmarked by 21%. This suggested that efficiencies had already been achieved by clearer gatekeeping, and ensuring parents met their individual responsibilities for young people. It was assumed further savings and improved outcomes would be delivered by having greater control of the budgets by bringing together and commissioning from a framework with more providers.

The relevant budgets held in localities and through the external placement budget would need to be brought together to form the budget for the Housing Framework tender and contract. However the ending of the Emergency Support provision for 16/17 year olds ( £174,000 ) currently held in Adults Health and Housing needs to be taken into account. These on-going costs needed to be assessed alongside the new contract to be able to forecast clearer budget pressures in year 1 from September 2014. Through the project group and involving finance and procurement, a decision was made to deal with the Adults Health and Housing Bed and Breakfast tender separately. However support to families would be delivered using the same Bed and Breakfast providers where required to ensure consistent quality and value for money. The tender was about to go out to the market and Children and Young People Directorate Commissioning was involved in the tender evaluation.

Going forward there were 2 options for procuring the framework. The options were –

Option 1 would be to retain the separate tender for care leavers and continue to spot purchase for homeless Children in Need who were 16/17 years.

Option 2 would procure the Framework for 2 years with the option to extend and realign to when the Adults Health and Housing contract concluded in March 2016 with the budget for the Framework to be £500,000 being reviewed on a yearly basis for efficiencies.

Option 2 would provide a consistent approach, to unit cost and quality and provide a mechanism to negotiate individual packages through the terms and conditions of the framework. This approach would also allow a cost avoidance approach to spend in this area, allowing a review of the budget for this contract on a yearly basis.

Work had taken place with local providers and partners to develop the specification and young people had also been able to express their views through a selection of focus groups including the Children in Care (CIC) Council. Through the needs assessment it was known that complexity of need was fairly high for this cohort (needs assessment was included in appendix 2 of the report). Therefore the tender would go out as lots related to need which were currently defined within the East Midlands Framework for placements – core, enhanced and complex. Example case studies demonstrating the type of need would be outlined within the specification for clarity.

The timescale for the tender was May 2014 – August 2014 with the aim of a service being in place by September 2014.

## **Options Considered**

To retender the Framework at its current service specification, not broadening out the cohort.

## **Decision**

1. To agree the proposal in Option 2 for the specification for the Leaving Care Framework to be broadened to be able to meet the needs of vulnerable 16 and 17 year olds who were Children in Need (CIN) including Children in Care (CIC). This would also allow the sourcing and control of spend for this cohort within the Access to Resources Team within Commissioning.
2. To agree the contract value of £500,000 for year 1, with a review of the budget for year 2 with the option to extend this by a further year. Savings had already been achieved against this area and the unit costs were competitive in relation to other authorities. This would also allow a review of the impact of the Bed and Breakfast costs for assistance to families and the ending of the Emergency Accommodation Support Contract in March 2016.
3. To bring together the relevant budgets in localities and within external placement budget to form the funding for the contract. The contract would be managed within Commissioning and quarterly highlight reports presented to DMT to highlight any risk and / or significant variance.

## **Reasons**

1. Due to the changes in the provision from Adults Health and Housing and the evidence from the needs assessment (in supporting information) it was clear that there was a need to broaden the scope of the service specification to include the mentioned groups.
2. A significant amount of funding was held in a variety of places with no formal contract arrangements or quality assurance attached to it. Retendering and broadening the service specification would support all areas being contract compliant.
3. A new sourcing process would be put in place which would bring requests for Housing and housing related support into the Access to Resources Team. This would provide greater consistency of placement quality and enable clearer management of the demand.

## **226/13 Consultation on School Term and Holiday Dates 2015-15 to 2019-20**

The Council Cabinet considered a report on Consultation on School Term and Holiday Dates 2015-15 to 2019-20. Setting school term and holiday dates in advance was a standard Local Authority function. This was done through consultation with stakeholders.

Schools use this as a basis for setting their closure dates for staff training, and holidays.

The aim was secure reasonable consistency in particular for families who had connections with different schools.

### **Options Considered**

The Local Authority considered other options but chose to consult on two sets of proposed dates as the most sensible option, one of which mirrored Derbyshire County Council.

### **Decision**

1. To agree the school term and holiday dates for the academic year 2015-16, 2016-17, 2017-18, 2018-19 and 2019-20 (set out in appendix 2 of the report).
2. To authorise circulation of the proposed dates.

### **Reasons**

1. Officers had consulted widely with school staff, governors, parents and neighbouring authorities about the proposed dates.
2. The dates in appendix 2 of the report reflected that consultation and comply with statutory requirements.

## **227/13 Not in Education, Employment or Training (NEET) and Participation Strategy**

The Council Cabinet considered a report on Not in Education, Employment or Training (NEET) and Participation Strategy. The city required a strategy that provided a cohesive and systematic approach to ensuring that the numbers of young people who were engaged in recognised forms of education, training or employment (NEET) when they leave school was increased.

Derby had a higher not in education, employment or training (NEET) figure than for neighbouring authorities and had also received recent national scrutiny regarding its figures pertaining to young people who had left school in year 11 but whose EET destinations were unknown.



A number of factors had impacted on this, i.e. reductions in funding (as part of cuts to Local Authority budgets) causing reductions in personnel of those engaged in the activity of reducing both NEET and unknown destination figures.

Also, in April of this year, the City moved over to a new database (it had previously shared a database with the county), which created a data lag when transporting information from the old to the new data system.

There was currently a wide range of activity taking place in the city in relation to engaging young people in EET, whether this was Information, Advice and Guidance (IAG) staff in Schools or Personal Advisors from Connexions/located in Locality Multi-Agency Teams. However, there was not currently in place an overarching strategy to provide the direction and coordination necessary to improve performance.

A NEET and participation strategy with clear governance was required to improve performance in this area by giving a singular vision and direction, whilst holding stakeholders in the strategy to account.

### **Options Considered**

In ensuring that a strategic and integrated approach to NEET and participation was developed, it was vital that partnership agencies involved in taking this agenda forward had a clear reference point and set of actions to work towards. Therefore, in this scenario, there appeared to be few alternative options that would viably have the impact that a strategy supported (and where necessary challenged) by a multi agency strategy group was likely to have.

### **Decision**

To approve the implementation of the NEET and Participation strategy along with a multi-agency steering/strategy group to oversee the implementation and delivery of this strategy.

### **Reasons**

This was a significant strategy that would have an impact on young people across the city between the ages of 14 and 19 and therefore required approval from the city council's executive decision making body.

## **228/13     Responding to Organised Crime Groups**

The Council Cabinet considered a report on Responding to Organised Crime Groups. The 2014-15 strategic intelligence assessment identified organised crime groups as having a changing and increasing impact upon crime and the economy in the city. The Labour-led council was committed to tackling the problem of organised crime in the city by targeting those groups who cause most harm to communities and our local economy. The Council's approach would be tough on organised crime with

a campaign in partnership with other local and regional partners, aimed at pursuit and disruption to dismantle these groups.

Organised Crime Groups (OCGs) existed primarily for financial gain and status, taking advantage of technological trends, economic climate, drugs markets and targeting vulnerable individuals and communities. OCGs could be defined as individuals working with others, with the intent and capability to commit serious crime on a continuing basis, which included elements of planning, control, co-ordination, structure and group decision-making. OCGs could and do impact across a number of areas:

- Operating within the hidden economy, impacting upon tax revenues and legitimate business
- Fraud, across a range of areas particularly benefits, illicit alcohol and cigarettes. Recent reports by the Audit Commission indicated that local authorities across the country were subjected to fraud, totalling £178 million, of which £120 million was council tax and housing benefit related.
- Control and management of drug markets. OCGs were responsible for the distribution of Class A drugs in the city, with a small number of OCGs being responsible for the majority of drug supply. OCGs were also involved in the local production and supply of cannabis and the associated laundering of money through 'legitimate' business fronts such as car washes, nail bars, pubs and take-aways.
- OCGs were responsible for human trafficking, in the movement of vulnerable individuals from Eastern Europe to Derby, leading to what many now call 'modern day slavery'. This also included sexual exploitation of children and young people.
- Derby's most notorious urban street gang (USG), the A1 had been successfully disrupted to the extent that there was no longer an identified risk and threat in relation to USGs. However a number of key former A1 nominals now operated as and within OCGs in the supply of Class A drugs.
- Derby had 19 profiled Organised Crime Groups, operating across a number of crime areas and communities

OCGs had a significant impact upon Derby's local economy, were engaged in fraud across a range of agencies but particularly the city council, impact upon confidence in specific inner city communities, were responsible for serious crime, human trafficking and control of drug markets.

The 2014-15 strategic intelligence assessment identified the above and identified further some key findings:

- OCGs were becoming increasingly sophisticated, with regional and international links, highlighted by the recent Home Office research on OCGs

titled, 'From Global to Local'. OCGs unlike urban street gangs sought to avoid detection and operate below the radar of many public agencies.

- Corruption may be an issue and was currently a gap in knowledge and intelligence.
- There was a need to improve partnership working in relation to OCGs as partners, especially local authorities, could play a crucial role in the prevention and disruption of OCGs.
- The Normanton area of Derby remained a focal point for police and partners. Drug OCGs were well established in this community and the emergence of human trafficking OCGs from Eastern Europe (operation Attwood for example) posed an increased risk of OCG activity in this part of the city.

Identification and management of OCGs needed to be improved.

Alongside these local issues and increased understanding of OCGs, linked to the reduction in Urban Street Gang activity, the Government had recently published a new OCG strategy. This strategy had at a local level 3 major recommendations:

1. To develop local OCG strategies with a focus on Pursue, Prevent, Protect and Prepare.
2. To develop local OCG profiles, to identify, profile and assess the risk and threat of local OCGs.
3. To develop local OCG Partnership Groups to target OCGs in the 4 identified work areas in the Home office strategy.

### **Options Considered**

None

### **Decision**

1. To contribute to and support the Police in developing an Organised Crime Groups local profile.
2. To agree to develop and contribute, across a range of council service areas, in the setting up of a local Organised Crime Group partnership group.

### **Reasons**

1. To respond to the identified risk and threat in Section 1 of the report.
2. To deliver at a local level the Home Office strategy and a more effective response to the prevention and disruption of OCGs.

## 229/13 Derby City Council / Derby Homes Partnership Arrangements

The Council Cabinet considered a report on Derby City Council / Derby Homes Partnership Arrangements. In 2002, the City Council established Derby Homes as its Arm's Length Management Organisation (ALMO) to enable it to apply for government money to bring the Council's housing stock up to the Decent Homes standard. As a result the Council invested some £97m of government funding and in 2006 was jointly the first Council to bring all of its stock up to the Decent Homes standard. The Council subsequently secured from the government and invested a further £7m in improvements to communal areas.

The Council renewed its management agreement, under the previous administration, with Derby Homes which runs from 2012 to 2022 with a break clause at year five. The rationale for this was that Derby Homes was a well performing ALMO and should be allowed to continue.

In May 2013, following an options appraisal involving both Council and Derby Homes representatives, Council Cabinet agreed to adopt a new and innovative new model for council housing that harnesses the best of local government and the ALMO. This was referred to as the Partnership model.

It was a new model of working between Derby City Council and Derby Homes. It was based on the following guiding principles:

- Maximising quality of service and value for money for both tenants, leaseholders and council tax payers
- Harnessing the strengths of both organisations
- Integrating services where it makes sense and can add value
- Ensuring the integrity of the commissioner/ provider relationship

The report now concluded the process by putting in place the revised arrangements relating to the governance and accountability of Derby Homes. This was formally reflected in two key refreshed documents;

- I. The management agreement
- II. A new overarching agreement that incorporates all the Derby City Council /Derby Homes service level agreements for the delivery of support services.

## **Decision**

1. To approve the revised Management Agreement and the Overarching Agreement, which formally recognised the new partnership arrangements between the Council and Derby Homes.
2. To authorise the Strategic Director for Adults Health and Housing to write to the Secretary of State for Communities and Local Government notifying of the new partnership arrangements.

## **Reasons**

1. To ensure Members were kept abreast of the new partnership arrangements that had been implemented.
2. To secure compliance with the requirement of the Housing Act 1985 that the Council informs the Secretary of State of changes of this nature, in relation to the governance arrangements for Derby Homes.

## **230/13 Education and Business Brokerage Project**

The Council Cabinet considered a report on Education and Business Brokerage Project. The report puts forward a proposal for an Education and Business Brokerage Project and the recruitment of officers to deliver it. This followed research undertaken for the 'Making Derby Work' report in 2011, discussion with Voices in Action young person's group and then with the Derby Renaissance Board.

The Derby Plan 2013-2015 has three objectives, all of which were addressed by this project.

Some of the activities of the project had been undertaken in the past by Business in the Community (BITC) and, when their project was completed, the BITC officer responsible transferred to work for the Council on a fixed term contact to continue to deliver a series of mock interview sessions in Secondary Schools with Year 10 and 11 students. Other activities in the past 12 months had included events to showcase careers in Science Technology Engineering and Maths (STEM) subjects, such as the 'Big Bang' event at the Roundhouse.

The report outlined the proposed project that would build on these activities, and coordinate a range of other interventions. The project commenced with a pilot exercise within the current financial year, which was fully funded, and would be the subject of a report back to Council Cabinet towards the end of the financial year should Members feel that the project should be extended.

## **Options Considered**

Do nothing – this was not considered an option due to the extent of political and partner support for this type of initiative.

## **Decision**

1. To approve the establishment of the Education and Business Brokerage project, including the cost of three new fixed-term posts and one apprentice which were fully funded for the current financial year.
2. To approve the allocation of funding of the project for this year, and to instruct Officers to report back on funding for future years in the event that the project was successful and needed to be extended.

## **Reasons**

1. The project was set out in response to the priorities in the refreshed Derby Plan, and to the Making Derby Work research and consultation in 2011.
2. The project draws together pieces of work already taking place to ensure it was co-ordinated and better targeted to match needs.
3. Activities related to Voices in Action wish list and deemed absolute priorities given by Derby Renaissance Board in 2012 had also been integrated into the project plan.
4. A budget had been put together for the first year, including the costs of four team members, and of the proposed activities.
5. Working in partnership with external delivery organisations, if the pilot project was also approved, would complement and support the work to reach more of the young people in Not in Education Employment and Training (NEET), Special Educational Needs (SEN) and at risk of exclusion. It would also boost corporate engagement and lever external funding.
6. A pilot project run in the first year would enable the Council to establish the merits of extending the scope and ambition of the project if further external resources could be found. Future funding to sustain the project beyond 2015/16 would be sourced through various Local Enterprise Partnership, European Social Fund and Department for Work and Pensions programmes.

## **Contract and Financial Procedure Matters**

### **231/13 Contract and Financial Procedure Matters Report**

The Council Cabinet considered a report on Contract and Financial Procedure Matters. 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 2014/15 – 2016/17 capital programme
- Transfer to reserves
- Use of budget risk reserves

## **Decision**

1. To approve changes and additions to the capital programme as set out in Appendix 2 and highlighted in section 4 of the report.
2. To note the revised programme for 2014/15 in table 1 (paragraph 4.1) and the revised indicative programme for 2014/15-2016/17 as shown in table 2 (paragraph 4.5) of the report.
3. To approve the transfer to reserves detailed in section 6 of the report.
4. To approve the use of the budget risk reserve to settle outstanding pension strain cost as detailed in section 7 of the report.

## **Performance Monitoring**

### **232/13 Council Scorecard 2014/15**

The Council Cabinet considered a report on the Council Scorecard 2014/15. The Council Scorecard formed part of the performance management framework and supported the delivery of the Council Plan 2014/15. The Scorecard reflected a mix of national and local priorities and included targets for improvement. It was derived from measures included within both the Council Plan and departmental business plans.

The proposed scorecard of measures and targets was shown in Appendix 2 of the report. Targets for these priority measures should be challenging, yet realistic, to reflect their inclusion in the scorecard. Benchmarking data had been included where possible to put performance into context.

Subject to approval, the scorecard would be uploaded onto the performance management system for monitoring over the next 12 months and reported to Council Cabinet on a quarterly basis.

## **Decision**

To approve the draft scorecard of measures and targets for 2014/15.

## **Other**

### **233/13 Customer Feedback Policy**

The Council Cabinet considered a report on Customer Feedback Policy. The report presented the Customer Feedback Policy for approval following a review of complaints in 2013. The policy provided updated definitions and a simplified procedure for giving customer feedback, including making a complaint.

The proposed policy had been subject to an Equality Impact Assessment and review by Corporate Scrutiny and Climate Change Board and Plain English Panel prior to being finalised. Scrutiny Boards would play a role in monitoring implementation of the policy and reviewing how effectively services are using feedback to inform learning.

### **Decision**

To approve the Customer Feedback Policy (which would replace the Council's complaints procedure).

## **234/13 Exclusion of Press and Public**

To consider a resolution to exclude the press and public during consideration of the following items.

"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 items on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 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**

### **235/13 Connexions Company Closure – Indemnification of Company Directors**

The Council Cabinet considered a report on Connexions Company Closure – Indemnification of Company Directors.

### **Options Considered**

It was important for the Council representatives nominated as Company Directors to be indemnified in full against all actions, proceedings, losses, claims, demands, expenses, costs and damages. The Company Directors, in this case, were essentially acting on behalf of the Council in their role as Director. It was appropriate for any risk, however minimal, to be against the Council as opposed to those individuals acting on its behalf.

### **Decision**

1. To approve the proposal to indemnify the Directors of Derbyshire Connexions Limited as set out in the Directors Deed of Indemnity, attached as Appendix 2 to the report.



2. To approve the proposal to pay the balances owed by the Company to each Authority, and the reserves transferred to the Authorities on the basis set out in the report.
3. To approve the Company account to be closed and the Company removed from the register of companies, following the transfer of remaining reserves and payment of balances.

### **Reasons**

1. The Company Directors were Council representatives who were nominated to act in this role. The Company had not traded in more than 2 years, there were no outstanding debts or creditors, there were no claims against the company recorded within accident books or incidents recorded within risk registers, nor any outstanding tribunals. As such there was minimal risk of the provision of indemnity to the Company Directors.
2. The Company had balances that were owed by the Company to each Authority. The balances would be transferred on closure of the Company.
3. The final step in the closure of the Connexions Company was for the account to be closed and for the Company removed from the register of companies.

## **236/13 Conversion of Commercial Units to Provide Housing in the City**

The Council Cabinet considered on the Conversion of Commercial Units to Provide Housing in the City. The report sought approval to fund the conversion of empty commercial premises to residential housing and its subsequent letting, subject to the necessary planning consents and agreements with relevant parties.

### **Options Considered**

The Council had considered different tenure options within the scheme and on the basis of an appraisal of these options was proposing that the scheme proceeded as set out within the report.

### **Decision**

1. To approve the funds to convert the commercial units identified within paragraph 4.1 of the report to residential housing, subject to the necessary planning approvals and agreements, to the maximum amount set out in 4.4 of the report from the Council's Housing General Fund capital programme.
2. To delegate the procurement of all build contracts and related professional services required for this purpose, in accordance with public sector procurement rules, to the Strategic Director of Adults, Health and Housing following consultation with the Strategic Director of Resources.

3. To authorise the Director of Legal and Democratic Services to enter into all and any necessary agreements to enable the Council to procure the works, and to enable the dwellings to be let and managed to the requirements of the Council and the owner.
4. To authorise the Director of Legal and Democratic Services to obtain necessary guarantees and insurances; and register a property charge, as required, in order to ensure that the Council's investment was secured.
5. To delegate the procurement of all property and tenancy management services for the dwellings to the Strategic Director of Adults, Health and Housing in accordance with the Council's contract procurement rules.

### **Reasons**

The proposal offered an opportunity to bring empty commercial premises into residential use.

MINUTES END