

Executive Scrutiny Board

Recommendations from the meeting held on 8 October 2019

Council Cabinet Agenda – 9 October 2019

Item 8	Adult Social Care Strategy
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The Board received a report of the Strategic Director for People Services seeking permission to engage in consultation on a update the Adult Social Care “Your Life Your Choice “Strategy – as a refresh for 2019 and beyond. The previous strategy was approved by Cabinet, following a period of consultation and engagement, in April 2015

It was reported that the revised strategy will describe the key areas of focus for the Adult Social Care service in Derby over the coming years and set out to care providers, families, individuals and partners how the Council will support them.

It was reported that once consultation takes place to update the Adult Social Care Strategy so that it could be refreshed for 2019 and beyond a further report would be brought to Cabinet with the proposed new strategy in February 2020

Members noted the key priorities outlined in the report at paragraph 4.3

A Councillor was concerned that the new strategy would involve interaction with other parts of social care like transport, better pavements and bus services. It was confirmed that the transport strategy for Derby does not currently have alignment with Adult Social Care.

The Executive Scrutiny Board recommended to Council Cabinet that consideration is given to ensure linkages are made between adult social care and transport strategies for the city. Of particular interest may be bus services and information, safe walking routes and transport aids such as mobility scooters.

Item 9	RAM Energy Fuel Poverty Fund
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The Board received a report of the Strategic Director for Communities and Place seeking approval for the creation of the RAM Energy Fuel Poverty Fund and the awarding of energy bill contributions to those in fuel poverty and to create a ring-fenced reserve from any surplus income arising at the end of each financial year to support the establishment of a Fuel Poverty Fund.

It was reported that one of the original key aims of RAM Energy was to help reduce fuel poverty by creating a RAM Energy Fuel Poverty Fund the council could help people who are in fuel poverty directly

Members noted that ring-fencing the funds so that any operational surplus at the end of the financial year was transferred to a reserve to support the Fuel Poverty Fund for grant payments during the winter months which would help people in fuel poverty at a time when they needed it most.

It was reported that the RAM Energy's five year financial prediction indicates less than £10,000 surplus was expected in each financial year, with less than £5,000 surplus anticipated to be carried over in each of the next three financial years.

Councillors queried whether advice to people who are struggling to pay their fuel bills was provided now. It was confirmed that there are a range of activities including insulation of homes.

Councillors were concerned that RAM Energy provided value for money. It was confirmed that RAM Energy provided 100% green energy and was available to people who have poor credit ratings, however potential customers are advised to compare costs with other providers prior to purchase.

The Executive Scrutiny Board recommended to Council Cabinet that if the council is not already offering "affordable warmth" advice to customers, especially those struggling to pay, then this funding should be used for this purpose as a priority over financial aid as this will help reduce future energy bills and customers' fuel usage.

Item 10	Purchase of Land at Infinity Park Derby to Enable the Delivery of the Science Park
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See item 13

Item 11	Compliance with Contract and Financial Procedure Rules
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The Board received a report of the Strategic Director of Corporate Resources seeking approval under Contract and Financial Procedure rules for the following:

- to approve the change of use of reserves to fund £0.056m to support consultancy costs for the dry recyclables contract procurement;
- to approve entering into a Partnership arrangement and delegate authority to the Strategic Director for Peoples Service and to approve the Council entering into such contractual arrangements for the Emotional Health and Wellbeing Service;
- to approve Derbyshire County Council to lead on the procurement of the Emotional Health and Wellbeing Services contract on behalf of Derby City Council and to approve a contract period of up to 5 years.

The Executive Scrutiny Board recommended to Council Cabinet that if not already being done, to include in the remit to the consultant on dry recyclables how to maximise the value of collected recyclables and how the public can help minimise the waste collection and disposal costs, ie to look more broadly at waste rather

than simply a like for like procurement process to the current standards.	
Item 11B	<p>Addendum: Compliance with Contract and Financial Procedure Rules</p> <p>The Board received a report of the Strategic Director of Corporate Resources seeking approval for a block contract with Agincare for the provision of adult residential beds.</p> <p>It was reported that in November 2015 Council Cabinet agreed to the "commencement of a public consultation exercise to gain feedback on an alternative service model for Council owned care homes and day services". Subsequently in December 2016 Cabinet delegated authority to the Strategic Director of Place following consultation with the Strategic Director of People, to sell five of the Council's Care Homes, Merrill House, Raynesway View, Coleridge, Arboretum House (including Moreleston Day Centre) and Bramblebrook to achieve the best possible outcome for the Council and to ensure that the existing residents are provided with quality care service for the remainder of their lifetime, at now additional cost to them.</p> <p>The Board noted that three of the homes have been exposed to the market and a sale agreed with Agincare for Coleridge House, Merrill House and Raynesway View. Arboretum House is now being retained by the Council and Bramblebrook (a closed home) is being considered for redevelopment.</p> <p>It was reported that exchange of contracts is now due with Agincare. But approval is needed to enter into a block contract up to a maximum value of £615,000 to purchase up to 25 residential beds at the homes, on a phased basis to manage demand and occupancy.</p> <p>It was reported that these are Council owned Care Homes and as a part of the contract of sale the buyer has to be a provider of care. Currently there are 19 people living in the Care Homes, they will continue to live there and their residential care would still be paid for by the Council. Agincare will open up the potential for 120 more bed spaces for the people of Derby and encourage development of a vibrant care market.</p> <p>The Board noted that Agincare would carry out required building developments to ensure the care homes are modernised and offer good quality residential provision in Derby. The block contract guarantees both the Council and Agincare that older people will access and benefit from these residential care beds.</p> <p>It was reported that it would be necessary to waive the Council's Contract Procedure rules which state that a competitive tender process should be</p>

	<p>carried out when procuring goods and services.</p> <p>A councillor queried whether the waiver would be an "avoidable" or "unavoidable" waiver. It was confirmed that it would be "unavoidable". A councillor asked whether the procurement processes were followed. It was confirmed that the process was of a sale of a council asset so no procurement process was involved.</p> <p>Councillors asked that as part of the sales process what checks were undertaken to ensure that a good care provider was selected. It was reported that this was not a procurement, as a part of the condition of sale the potential purchaser needed to be registered with the Care Quality Commission (CQC) and would need to be financially solvent.</p> <p>Councillors queried whether a procurement process should be undertaken now ? It was reported that as a part of the condition of purchase, the provider would continue to provide care. Councillors felt that a waiver was still needed.</p> <p>The Executive Scrutiny Board was concerned about the lack of background provided on this item, especially regarding the change of administration since the initial decision was taken in 2016. They recommended to Council Cabinet that this item is withdrawn and a fuller paper provided at the next meeting.</p>
Item 12	Exclusion of Press and Public
	<p>A resolution to exclude the press and public was put to the vote and carried.</p> <p>The Board 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 items on the grounds that they involve 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.</p>
Item 13	Purchase of Land at Infinity Park Derby to Enable the Delivery of the Science Park
	<p>The Board considered exempt detail in the report of the Strategic Director for Communities and Place seeking approval to purchase land at Infinity Park Derby (IPD). The purchase will be funded from Local Growth Funding from D2N2 the Local Economic Partnership.</p> <p>The Council has negotiated the opportunity to purchase 6.1 acres of employment land at Infinity Park Derby to the rear of the iHub.</p> <p>The strategic purchase of this land will form the second phase of the Science Park at</p>

Infinity Park Derby.

The Executive Scrutiny Board resolved to note the report.