

CABINET

MINUTES OF MEETING HELD ON 5 SEPTEMBER 2018

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CABINET

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Present:

Councillor G Baxter MBE Leader (in the Chair)

Councillor N Barker

“ M Gordon

“ P R Kerry

Councillor J Lilley

“ R Smith

Also Present:

D Swaine - Joint Chief Executive Officer
K Hanson - Joint Strategic Director – Place
D Clarke - Joint Head of Finance & Resources and Section 151 Officer
S Sternberg - Joint Head of Corporate Governance and Monitoring Officer
S Lee - Strategic Partnership Co-Ordinator (for Minute No's 199 to 202 only)
T Burdett - Partnership Development Officer (for Minute No's 199 to 202 only)
D Cairns - Senior Governance Officer

199 Apology for Absence

An apology for absence had been received from Councillor E A Hill.

200 Declarations of Interests

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillor G Baxter MBE declared a non-significant other interest in Item No 4 – Voluntary and Community Organisations – Derbyshire Unemployed Workers Centre – arising from his membership of the Derbyshire Unemployed Workers Centre's Board. As his interest was non-significant Councillor G Baxter MBE remained in the meeting for consideration of this item.

201 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Cabinet held on 1 August 2018 be approved as a correct record and signed by the Leader.

202 Voluntary and Community Organisations – Derbyshire Unemployed Workers Centres

Cabinet considered a presentation from Derbyshire Unemployed Workers Centre as part of a suite of presentations from the Voluntary Sector Organisations funded by the Council in 2017/18.

Colin Hampton attended the meeting to give the presentation.

Cabinet were advised of a new database that the Derbyshire Unemployed Workers Centre was operating, which had been developed by a volunteer. The database enabled better recording of information and the production of evidence of outcomes achieved for clients. The volunteer who developed the database had gone on to start his own business to market the system.

The Derbyshire Unemployed Workers Centre had secured funding from the Henry Smith Foundation. As part of the grant conditions, they were required to demonstrate the soft outcomes achieved in addition to the financial benefits resulting from their interventions. In order to do so they had developed a questionnaire issued to clients at the beginning and end of the casework and to measure the progress achieved in various aspects, such as the client's confidence, following the intervention of the Derbyshire Unemployed Workers Centres.

The presentation provided a breakdown of the venues through which people contacted the services, including outreaches across the District.

Cabinet were informed that 97 benefits tribunal cases had been completed by the Centres across North East Derbyshire achieving nearly £200,000 in lump sum payments and over £4,000 in regular weekly payments. It was also noted that 152 tribunals were pending. The Centre had seen a significant increase in their workload.

The new database also provided a breakdown of the number of clients by ward.

Cabinet were advised that the Derbyshire Unemployed Workers Centre had lost a large amount of funding from Derbyshire County Council, approximately £95,000, which included Public Health funding for tribunal work. The Centre had worked hard to draw in additional funding to replace what had been lost. These funding sources included Union Branches and other individual supporters, as well as funding through the Henry Smith Foundation. Whilst funding for the 2018/19 year had been achieved at close to the previous level, funding remained a challenge year on year. The Centre had taken on a fundraising/bid-writing volunteer to assist with this.

Cabinet were also informed of the results of a survey undertaken by the Derbyshire Unemployed Workers Centres of claimant of Universal Credit taken outside Chesterfield Job Centre Plus. A summary of the findings of the survey was contained in the presentation. Significant numbers of respondents reported difficulty accessing Universal Credit, problems with debt and issues with housing costs. It was intended that the survey would be carried out across other regions with the support of Unite. The survey would also be repeated next year to monitor how the identified issues develop.

A discussion took place regarding Universal Credit and the impact that this had on the District, noting that full roll-out within North East Derbyshire District was still to take place later this year.

Members commented on the importance of evidence such as the Derbyshire Unemployed Workers Centre's survey, documenting the effects of the Universal Credit on individual people.

In preparation for the full roll-out of Universal Credit across the District the Council had designed a leaflet with basic advice on how Universal Credit may affect people, which also provided contact details for advice agencies and the Credit Union. The Derbyshire Unemployed Workers Centre volunteers were assisting in the delivery of these leaflets.

The Leader, on behalf of the Council, thanked the Derbyshire Unemployed Workers Centre for their hard work and dedication to the residents of North East Derbyshire.

RESOLVED – That the presentation be received by Cabinet and that the comments from Members arising from the presentation be included in future commissioning considerations.

REASON FOR DECISION – To ensure that the Council maximises efficiencies and outcomes through commissioning voluntary sector organisations to help achieve corporate priorities.

OTHER OPTIONS CONSIDERED AND REJECTED – The purpose of the report was to provide information on the voluntary sector services commissioned by the Council therefore no alternative options were considered.

(Partnerships Team)

203 Minutes of the Member Development Working Group – 25 July 2018

RESOLVED – That the Minutes of the Member Development Working Group held on 25 July 2018 be noted.

Matters referred from Scrutiny

204 Lead Officer Response, in conjunction with the Portfolio Holder, into the Scrutiny Review on Tourism & Growth

Cabinet considered the Lead Officer response, in conjunction with the Portfolio Holder, into the Scrutiny Review on Tourism and Growth.

The purpose of the report was to detail the Lead Officer's response to the findings of the Scrutiny report, which was accepted by Cabinet at its meeting on 9 May 2018.

The Lead Officer's response to the Review was in the form of an Action Plan which detailed proposals of how officers' intended to address each of the recommendations that had been accepted.

RESOLVED – That Cabinet approves the actions identified in the Action Plan attached to the report.

REASON FOR DECISION – To assist the Council in the delivery of Tourism and Growth within the District.

OTHER OPTIONS CONSIDERED AND REJECTED - There were no alternative options considered and rejected.

(Head of Economic Development)

Non Key Decisions**205 Corporate Plan Targets Performance Update – April to June 2018 (Quarter 1, 2018/19)**

Cabinet considered a report of Councillor G Baxter, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation which reported the Quarter 1 (2018/19) outturns for the Corporate Plan 2015-2019 targets.

The report detailed progress on all key tasks and performance indicators which contributed directly to the priorities within the Council's Corporate Plan for the period of review. Out of the 56 targets, 37 were on track, 16 had been achieved (4 in this period and 12 previously), 1 had been flagged as an alert and 2 previously withdrawn.

Target C13 relating to growth in membership of the Chesterfield and North East Derbyshire Credit Union, which was flagged as an alert remained under review.

It was also recommended that target C11 be amended due to the impact of the Homelessness Reduction Act 2017. It was recognised that the number of homeless applications taken was likely to be much higher compared to the number of positive resolutions. It was therefore recommended that the overall annual success rate be set at 40%. The performance in this quarter exceeded this target.

RESOLVED – That:-

- (1) Cabinet notes the progress against the Corporate Plan 2015-2019 targets.
- (2) Corporate Plan target C11 be changed to – *Achieve an overall annual success rate of 40% for households who considered themselves homeless for whom casework resolved the situation.*

REASON FOR DECISION - To inform Cabinet of the progress against the Corporate Plan targets and to note the achievements and areas of concern.

OTHER OPTIONS CONSIDERED AND REJECTED - There were no alternative options proposed.

(Information, Engagement and Performance Manager)

206 Business Rates Retention Pilot

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which sought Members approval that delegated powers be granted to the Head of Finance and Resources, in consultation with the Leader of the Council, to submit an expression of interest to enter into a Derbyshire Business Rates Pilot arrangement for 2019/20.

The Council had been part of a successful Derbyshire Business Rates Pool which helped to secure approximately £0.5m of additional income per annum. Following the Government announcement of the expansion of the pilot programme for 100% business rates retention for 2018/19, the Derbyshire Business Rates Pool was

accepted as one of the 10 pilots for that year. The forecast for 2018/19 showed that the one year benefit to the Council would be in the region of £1.516m. Additionally there was expected to be a County-wide benefit estimated at around £8m which would be allocated to the Derby and Derbyshire Joint Committee for Economic Prosperity to support new business and business growth across the County.

The Government had recently announced proposals for 2019/20 and sought invitations for business rates pilots, however, these new pilots would only retain 75% of local rates. Not all existing pilots would necessarily continue in 2019/20 and the existing authorities in pilots would have to re-apply.

The Council had entered preliminary discussions with the current members of the Derbyshire pilot who had expressed an interest in forming a 75% pilot for 2019/20, subject to financial projections Derbyshire County Council had engaged specialist support to draft the business case.

The proposal for the Scheme needed to be submitted to the Government by 25 September 2018. Successful pilots would be announced in December 2018 and launched in April 2019.

It was recommended that the Head of Finance & Resources and Section 151 Officer be delegated authority to enter an expression of interest to join the Derbyshire Pilot and, subject to the financial projections and the final details of the business case being agreed, the Section 151 Officer be authorised to enter in to the Scheme on behalf of the Council.

RESOLVED – That Cabinet:-

- (1) Notes the report and requirements of the invitation to pilot 75% Business Rates Retention in 2019/20.
- (2) Grants approval for the Head of Finance and Resources, in her capacity as the Council's Section 151 Officer and in consultation with the Leader of the Council, to submit an expression of interest and to enter into 75% Business Rates Pool Pilot in 2019/20.

REASON FOR DECISION – Entering in to a Business Rates Retention Pilot was expected to bring financial advantages to the Council through the retention of a higher proportion of business rates income and gain additional benefits from any further growth.

OTHER OPTIONS CONSIDERED AND REJECTED – The alternative option not to join the Derbyshire Business Rates Pilot for 2019/20 was rejected as remaining outside the potential pilot was likely to lead the Council to miss out on the additional income forecast and may have jeopardised any piloting possibilities for other authorities within Derbyshire.

(Head of Finance and Resources)

207 Review of the Joint RIPA Policy

Cabinet considered a report of Councillor R Smith, Portfolio Holder for Corporate Governance, which advised Members of a review of the joint Policy and Procedures

covering the Council's activities under the Regulation of Investigatory Powers Act 2000 (RIPA) and to recommend a revised joint RIPA Corporate Policy and Procedures be approved.

It was noted that local authorities were sparing users of RIPA legislation and that neither Bolsover nor North East Derbyshire District Councils had used them since 2012.

Both Councils are subject to periodic inspections by the Office of Surveillance Commissioners, now superseded by the Investigatory Powers Commissioners Office. The last inspection took place in 2015/16 and the next inspection was due to take place in 2018/19.

No legislative changes had been brought into force since the previous inspection, however, the Investigatory Powers Act 2016 made changes to the power to obtain communications data and how to make applications for it. In anticipation of these changes the Policy had been adapted to separate out sections relating to different powers, including a separate section on the acquisition of communications data.

Training sessions for the Strategic Alliance Management Team, including those officers appointed as authorising officers and designated persons, had been scheduled to take place.

Members noted that a further review would be undertaken later in 2018 or early 2019. Once the amendment arising from the Investigatory Powers Act were brought into force.

RESOLVED – That Cabinet:-

- (1) Approve the revised joint RIPA Policy and Procedure document.
- (2) Note that a further review will take place once the provisions of the Investigatory Powers Act 2016 relating to the acquisition and disclosure of communications data are brought into force.

REASON FOR DECISION – The review of the Joint RIPA Policy had been undertaken to ensure that it remained up-to-date, fit for purpose and legally compliant.

OTHER OPTIONS CONSIDERED AND REJECTED – There were no alternative options considered as it was recommended that the Council review and update the RIPA Policy regularly and failure to do so could result in the Policy failing to comply with legislative changes and lead to unlawful investigatory actions taking place.

(Senior Governance Officer)

208 Urgent Business (Public Session)

There was no urgent business to be considered in the public session at this meeting of Cabinet.