

## **Corporate Scrutiny and Governance Overview and Scrutiny Board**

**15 March 2016**

Present: Councillor Stanton (Chair)  
Councillors Bayliss, Carr, Jackson, Poulter, Webb, Whitby

In Attendance: Janie Berry, Martyn Marples, Andy Smith, Claire Davenport,  
James Beale, Phil Derbyshire, Wayne Sills, Alan Smith

### **93/15 Apologies for Absence**

Apologies for absence were received from Councillors Bayliss, Dhindsa and Williams.

### **94/15 Late Items**

There were no late items.

### **95/15 Declarations of Interest**

Councillor Webb declared a non-pecuniary interest as the Council-appointed Chair of the Derby Homes Board.

### **96/15 Minutes of the meeting held on 9 February 2016**

The Board requested that the recommendation made on the Council Cabinet decision relating to Council Funding for Services in the Voluntary, Community and Faith Sector under paragraph 81/15, be amended for clarity.

**It was resolved that the revised recommendation should read "The Board resolved to request that Council Cabinet find means of continuing to provide a post to support Voluntary, Community and Faith Sector groups to identify alternative sources of support and funding if it has proved successful over the last 12 months."**

### **97/15 Forward Plan**

The Board considered the Forward Plan which was published on 16 February 2016. The allocation of accommodation and provision of security at Parklands View Extra Care facility was raised by members. The Acting Director for Children and Young People stated that provision would be made for interested members to have early sight of the arrangements. No further items were added to the work programme.

**The Board resolved to note the Forward Plan.**

## 98/15 Performance Updates / Issues

The Board considered a report of the Chief Executive which allowed Members to discuss any performance issues arising and decide on any further action that should be taken to resolve them. No particular performance issues were raised.

**The Board resolved to note the report.**

## 99/15 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Chief Executive which allowed the scrutiny board to receive responses from Council Cabinet on recommendations made at the previous Board meeting held on 20 January 2016. Members were informed that Council Cabinet received the report on Recommendations from the Corporate Scrutiny and Governance Board and accept all the recommendations.

**The Board resolved to note the report.**

## 100/15 Recommendations from the Overview and Scrutiny Boards

The Board considered a report of the Chair of the Corporate Scrutiny and Governance Board to consider and agree recommendations from the Overview and Scrutiny Boards to be actioned or submitted for consideration to Council Cabinet.

The Board requested that the recommendation made on the Cultural Offer and Assembly Rooms Update under paragraph 4.5 of the report, be amended for clarity.

**The Board resolved:**

- 1) That the revised recommendation should read "Resolved to recommend to the Council Cabinet that the opportunity to provide a new type of venue, with help from D2N2 be seized."**
- 2) To agree for the recommendations from the Overview and Scrutiny Boards to be actioned or submitted for consideration to Council Cabinet as appropriate.**

## 101/15 Council Cabinet Agenda

The Board considered a report from the Chief Executive on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 16 March 2016 and made a number of comments and recommendations to Council Cabinet.

## **Item 9 - 2016/17 Planned Property Maintenance Work Programme**

Members considered a report of the Cabinet Member for Communities and City Centre Regeneration to approve the Property Improvement capital programme of works for 2016/17 and 2017/18 and amend the corporate capital programme 2016/17 – 2018/19 to incorporate the inclusion of schemes that will cross two financial years.

Members queried funding for Parks refurbishment and were informed that some funding is required for the tarmacking of a surface at Markeaton Park. Members questioned whether this was funding for a new surface, or for maintenance of an existing surface. Members also questioned what was included within proposed security measures at the Assembly Rooms Car Park, and what is included in the Leisure Strategy funds for 16/17 and 17/18. Further detail in response to these queries could not be provided at the meeting.

**The Board resolved to:**

- 1) recommend that Council Cabinet requests further detail be provided on the following schemes for further consideration prior to making a decision on the approval of these schemes for inclusion in the Capital Programme:**
  - a. Funding in relation to a tarmacked surface at Markeaton Park;**
  - b. Security measures at the Assembly Rooms Car Park; and**
  - c. Elements of the Leisure Strategy which are proposed to be funded through the capital programme for both 16/17 and 17/18;**
- 2) recommend that Council Cabinet requests that the urgency of works scheduled to replace the high level glazing to the domed room of the Market Hall on the grounds of health and safety is reassessed to consider whether these works can be carried out in conjunction with any future refurbishment of the Market Hall to maximise cost efficiencies; and**
- 3) request an update report on the Property Rationalisation Programme be added to the future scrutiny work programme.**

## **Item 10 - Transforming Building Control across Derbyshire**

Members considered a report of the Cabinet Member for Regulatory Services which set out the business case for Derby City Council to be part of a transformational strategic joint building control service for Derbyshire. It was reported that if Council Cabinet agreed in principle to the establishment of a Derbyshire Building Consultancy Company, the responsibility for suitable terms to be negotiated to give effect to the transfer proposal would rest with the Strategic Director for Communities and Place in consultation with the Cabinet Member for Regulatory Services and the Director of Finance.

Members queried the TUPE transfer of staff and likelihood of any redundancies having to be made. The Board was informed that the new organisation would bring together all 33 staff involved in building control across the six authorities and that no staff will be immediately made redundant. It was also reported that it would be likely that the company will commence recruiting new staff as soon as it is formed as more staff will be needed to deliver the service than are currently employed across the authorities.

Members queried the changes to designated responsibilities and were informed that the Council's responsibilities will remain the same and will continue to be met under the new arrangements. Members also queried any exit arrangements that had been considered should the joint service fail to be successful.

No recommendations to Council Cabinet were made by the Board on this item but requested a future report on the progress of this be added to the future scrutiny work programme.

**The Board resolved to note the report and request that a report on the progress of the joint building control service for Derbyshire be added to the future scrutiny work programme.**

## **Item 11 - Schools Capital Programme**

The Board considered a report of the Cabinet Member for Education and Skills to approve the Schools Capital Programme priority schemes for 2016/17 approve, in principle, schemes identified in the report.

The Board queried issues and expressed concerns around the implications on an increasing number of academies in the city and the impact on the Schools Capital Programme and availability and allocation of school places in future years.

The Board voted on a recommendation to Council Cabinet expressing concerns on the increasing academisation of schools within the city which was carried 4 votes to 2. Councillors Poulter and Webb requested that their votes against the recommendation be recorded in the minutes.

**The Board recommended to Council Cabinet that consideration is given to the Board's concerns raised on the forced academisation of schools and local authorities to plan for school places in the future and that this policy will remove the local democracy of scrutiny of school provision.**

## **Item 12 - Innovation Hub Facility Management**

The Board received a report of the Cabinet Member for Communities and City Centre Regeneration to approve the management and operation of the iHub by the Connect Derby team, overseen by the iHub Board, subject to DCLG approval.

Members of the Board expressed concern over the recommendation to approve the creation of a Council revenue budget of up to £131,000 at a time when the Council is making significant budget cuts. The Board was also concerned about the level of risk associated with taking on sole responsibility of the operation of the building.

**The Board resolved to recommend:**

- 1) That Council Cabinet carry out an early review on the operation of the Innovation Hub, including detail on the running costs, occupancy levels and business rates is carried out; and**
- 2) Request that a report on the results of an early review be reported to a meeting of the Corporate Scrutiny and Governance Board in around 12 months time.**

### **Item 13 - Closure of Moorways Swimming Pool**

The Board considered a report of the Cabinet Member for Communities and City Centre Regeneration to approve the closure of Moorways Swimming Pool to the general public on 31 March 2016.

Members queried the pool time which would remain for public use following closure of the pool and were informed that a new balanced programme would be in operation. It was reported that this would give a similar proportion of time for the use of facilities to public use, however, the programme would inevitably be a smaller one and would therefore mean less available time for use of the facilities for all users, including schools and clubs.

The Board expressed concerns over the provision of school swimming lessons and queried whether other providers with pool facilities in the city had been approached to deliver services such as school swimming lessons. Members were informed that this is a priority and that the Council is working with Lonsdale, Woodlands and Gayton schools to try and accommodate these.

Discussions were held around the costs of keeping the pool open and the possibilities of gaining funding from other organisations to keep the pool open, but were informed that no funders had come forward to make this possible.

**The Board resolved to recommend to Council Cabinet that the Council tries, where possible, to deliver sufficient swimming provision for all school swimming lessons.**

### **Item 14 - Housing Revenue Account Business Plan**

The Board considered a report of the Cabinet Member for Urban Renewal to approve the 2016/17 update of the rolling 30 year HRA business plan and proposed expenditure commitments and revisions.

**The Board resolved to note the report.**

## **Item 15 - Quarter 3 Revenue Budget Monitoring 2015/16**

A report of the Leader of the Council providing details of the revised financial position for the 2015/16 Revenue Budget for Quarter 3 was outlined for Members by the Director of Finance.

The financial monitoring position and the current progress of savings delivery as at quarter 2 was reported to Members and the detail of movement in reserves requested was highlighted and explained. It was reported that the latest forecast position shows an underspend of £2.061m (-0.93%) against the budget requirement of £221.792m. The reasons for this were detailed in the report.

**The Board resolved to note the report.**

## **Item 16 - Contract and Financial Procedure Matters Report**

A report of the Leader of the Council on items that require reporting to and approval by Council Cabinet under Contract and Financial Procedure rules was summarised for the Board by the Director of Finance. Members heard that changes to the current programme include:

- Reductions to the programme that have been agreed under the Scheme of Delegation (attached for information) total £149,000;
- The tender of a contract for Dementia Support Services;
- The tender and award of a contract to deliver Multi-systemic Therapy;
- The extension of a contract with Axiom Fire Solutions Limited; and
- The use of reserves to increase contributions to CMAP to deliver approximately 400 extra internal audit days each financial year to meet governance challenges.

Members queried the listing of funds under HGF programme allocated to "Spondon Demolition" and funds allocated for temporary classrooms under the programme for People Services. It was agreed that the Director of Finance would provide further detail informally to interested members on these particular items.

**The Board resolved to note the report.**

MINUTES END