

Time Commenced – 18:00
Time Finished – 19:23

Executive Scrutiny Board

6 August 2019

Present: Councillor Anderson (Chair)
Councillors Ashburner, Cooper, Eldret, Hudson, Pattison, Shanker
and Stanton.

In attendance: Simon Aitken – Head of Waste Management
Richard Antcliff – Director of Public Protection and Streetpride
Alex Hough – Acting Head of Democracy
Don McLure – Interim Strategic Director of Communities and Place
Paul Simpson – Strategic Director of Corporate Resources
Heather Greenan - Service Director for Policy, Insight, and
Communications
Kara Macfadyen – Senior Communications Officer
Catherine Williams – Head of Regeneration and Major Projects

Other councillors in attendance: Councillor Smale

16/19 Apologies for Absence

Apologies for absence were received from Councillors Care, Willoughby and Peatfield.

17/19 Late Items

The Chair introduced a late item in consideration of the Long Term Waste Management Contract, following an Urgent Leader of the Council Cabinet Member meeting that had taken place on Friday 2 August.

It was also noted that a minute extract from the meeting of the Audit and Accounts Committee held on Tuesday 30 July would be considered alongside Item 12 on the Council Cabinet agenda (Annual Report and Performance Review).

18/19 Declarations of Interest

There were none.

19/19 Minutes of the meeting held on 16 July 2019

The minutes of the meeting held on 16 July 2019 were agreed as a correct record.

20/19 Forward Plan

The Board considered the contents of the Forward Plan published on 9 July 2019.

Councillors noted that proposals in relation to funding for the High Needs Block within the Dedicated Schools Grant were not yet contained on the Forward Plan and requested that further enquiries were made with relevant officers.

No items were added to the future work programme.

Resolved to note the Forward Plan.

21/19 Executive Scrutiny Board Performance Plan 2019/20

The Board received a report of the Chief Executive presenting the Executive Scrutiny Performance Plan for 2019/20 and allowing the Board to make amendments as necessary for items to be considered at future meetings.

The Annual Report and Review of Performance was considered as a performance item under minute 23/19 (Council Cabinet Agenda).

22/19 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Strategic Director of Corporate Resources which allowed the Scrutiny Board to receive responses from Council Cabinet on recommendations made at the previous Board meeting held on 16 July 2019.

The Board resolved to note the report.

23/19 Council Cabinet Agenda

The Board considered a report of the Strategic Director of Corporate Resources on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 17 July 2019 and made a number of comments and recommendations to Council Cabinet.

Key Decisions

Item 8 – Statements of Common Ground

The Board received a report of the Strategic Director of Corporate Resources in relation to a new requirement under the National Planning Policy Framework for local planning authorities to prepare 'Statements of Common Ground'.

It was reported that the technical document was intended to identify key strategic planning issues, especially in relation to cross-boundary matters. The report sought approval for the appropriate Strategic Director, in consultation with the appropriate

Joint Advisory Board or committee member, Cabinet member and the Strategic Director of Corporate Resources, to sign-off statements of common ground.

The Chair noted their disappointment that appropriate officers with a detailed knowledge of the proposal were not in attendance to present the report. Councillors noted that residents of housing developments outside of the city boundary, would often draw upon infrastructure within Derby, and queried to what extent Section 106 funding could be passed from one local authority to another.

The Executive Scrutiny Board resolved to request that specific arrangements for the transfer of Section 106 funding between local authority areas was detailed in the preparation of Statements of Common Ground.

Item 9 - Revision to National Non Domestic Rates Policy for the award of Discretionary Rate Relief

The Board received a report of the Strategic Director of Corporate Resources seeking to amend the Discretionary Rate Relief policy, to reflect recent clarification received from the Government about the entitlement of businesses locating on Enterprise Zones to rate relief.

The report detailed a revised deadline of 31 March 2021 for businesses to locate on the Infinity Park Enterprise Zone in order to qualify for enterprise zone status and therefore potentially access rate relief under the terms of the policy.

The Executive Scrutiny Board resolved to note the report.

Budget and Policy Framework

Item 10 - 2019/20 Quarter 1 Forecast of Outturn for General Fund, Capital Budgets, Dedicated Schools Grant, Collection Fund and Housing Revenue Account

The Board received a report of the Strategic Director of Corporate Resources which summarised the council's forecasted financial outturn position at the end of June 2019. The report outlined the national context of local government funding, particularly in relation to children's services and adult social care, as well as specific pressures affecting the council's budgets.

It was noted that an overall £5.830 million overspend was currently forecast against the revenue budget, primarily owing to a significant overspend forecast in children's services. It was further reported that there were insufficient balances in the Budget Risk Reserve to contain the currently forecast overspend and that in-year savings would be necessary.

Significant slippage of £35.483 million was reported on several projects in the capital programme; moreover, a forecast overspend of £4 million was reported within the High Needs Block of the Dedicated Schools Grant (DSG).

Councillors queried the extent of consultation with schools regarding containing the overspend within the DSG; it was reported that meetings with Head Teachers were planned for September and specific proposals had been put forward.

The Executive Scrutiny Board resolved to note the report.

Contract and Financial Procedure Matters

Item 11 – D2N2 (Local Enterprise Partnership) Project Call for Bids

The Board received a report of the Interim Strategic Director of Communities and Place seeking delegated approval to finalise and submit bids for the Local Enterprise Partnership (D2N2) short term Local Growth Fund (LGF) projects and medium term project proposals to inform future funding programmes.

It was noted that the submission of bids was required by 16 August 2019, in order for the LEP to be in a position to respond to future funding opportunities and ensure that a list of reserve projects was identified to allow the LEP to spend allocated funding for capital projects prior to March 2021.

Councillors queried the short timescale for the submission of bids and requested that the list of projects was shared once agreed. It was recommended that the Osmaston Main Works Site was included in the list of capital projects at the earliest opportunity.

The Executive Scrutiny Board resolved to request that Council Cabinet add the Osmaston Main Works Site to the approved list to D2N2 for short term LGF projects and medium term project proposals.

Performance

Item 12 – Annual Report and Performance Review 2018/19

The Board received a report of the Chief Executive presenting the Annual Report and Review of Performance 2018/19, which detailed a summary of progress against agreed priorities for the previous municipal year.

It was noted that it represented good practice to share outcomes and that the annual report and accompanying performance data was attached at Appendix 1 and 2 of the report respectively.

Councillors noted a number of performance areas that were showing deteriorating year-on-year performance and it was suggested that these areas were either referred to the relevant Overview and Scrutiny Review Board or considered as part of the Executive Scrutiny Board Performance Plan for 2019/20.

The Executive Scrutiny Board resolved to request that the Chair refer areas of underperformance to the relevant Scrutiny Review Board Chairs, for inclusion on their annual work programmes.

Item 13 – Exclusion of Press and Public

A resolution to exclude the press and public was put to the vote and carried.

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.

Item 14 – Q1 Budget Monitoring – Business Rates and Sundry Debt write offs

The Board considered exempt detail in the report of the Strategic Director of Corporate Resources relating to business rate and sundry debt write-offs, which required Cabinet approval.

The Executive Scrutiny Board resolved to note the report.

24/19 Long Term Waste Management Contract (Update)

The Board considered an exempt report of the Strategic Director of Corporate Resources in relation to the Long Term Waste Management Contract, following an Urgent Leader of the Council Cabinet Member Meeting that took place on Friday 2 August.

The Executive Scrutiny Board made one recommendation whilst in private session.

MINUTES END