

Time Commenced – 18:00  
Time Finished – 19:54

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

**06 September 2016**

Present: Councillor Stanton (Chair)  
Councillors Bayliss, Carr, Graves, Hassall, Hezelgrave,  
Jackson, J Khan, Pegg, Poulter and Whitby

In Attendance: Councillor Bolton, Andy Smith, Martyn Marples, Christine  
Durrant, Alan Smith, Mike Kay, Heather Greenan, Chris Pook

### **18/16 Apologies for Absence**

Apologies for absence were received from Councillors Webb and Williams.

### **19/16 Late Items**

There were no late items.

### **20/16 Declarations of Interest**

Councillor Whitby declared himself as an employee of the DWP in relation to Item 12 on the Council Cabinet Agenda.

### **21/16 Minutes of the meetings held on 09 August 2016**

Minutes of the meeting held 09 August 2016 were agreed as a correct record.

### **22/16 Forward Plan**

The Board considered the Forward Plan which was published on 09 August 2016 and new items published on 06 September 2016.

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

### **23/16 Performance Forward Plan**

The Board considered a report of the Chief Executive in relation to the performance framework and future items for scrutiny consideration. The report allowed members to receive a presentation from members of the Performance and Intelligence team regarding the performance framework and future items for Scrutiny consideration and from the Economic Regeneration Strategy Manager on the performance indicator for 'New jobs created through Council intervention'.

Members also brought forward a report to Council Cabinet scheduled under Item 14 of the Council Cabinet Agenda on Performance Quarter 1 Results and the Council's Scorecard.

It was reported that under the performance indicator for 'New jobs created through Council intervention' 494 jobs had been created through Council interventions under the regeneration team, against a target of 600 jobs. It was further reported, however, that by the time all data had been collected for the year the final position was a far healthier one in relation to the performance target, with 550 jobs being recorded against the target. It was explained to members that this discrepancy was due to a delay in projects being completed.

Members were informed that the target for this indicator for 2016-17 had again been set as 600 jobs and it was reported that the current performance against this target is 109 for the end of quarter one. Members queried the achievability of this target against the 2015-16 performance and end of quarter one figures, but were reassured by the Economic Regeneration Strategy Manager that a lot of activity and new projects were planned for the forthcoming year and that there is confidence in achieving this target. Members were also reassured that performance will continue to be monitored to ensure that targets are achievable yet aspirational.

The Board queried the job sustainability of those jobs created and how much each job had cost to 'create'. Officers reported that as this area of work is relatively new, sustainability of these jobs over a number of years was yet to be realised, but is being monitored and will be reported in the future. Officers also reported that figures on the cost of each job creation were not available at the meeting, but would be circulated by email to the Board.

In relation to the Council's Scorecard and Performance Quarter 1 Results, the Board was informed that notable achievements at quarter one included:

- The percentage of 16-19 year olds not in education, training or employment
- (NEET) is at 4.6%, maintaining below 5% is a key aim of the NEET Strategy.
- The percentage of maintained schools inspected are judged to be 'good' or 'outstanding' has increased to 81%.
- The volume of online transactions are ahead of target at quarter one.
- 100% of social care clients continue to receive self-directed support through direct payments and individual budgets.

The Corporate Scrutiny and Governance Board agreed to review performance on a regular basis and select indicators for Performance Surgery on the basis of the quarterly performance reports to Council Cabinet. The Board agreed to approve the Forward Plan for Performance from which items would be reported in more detail for discussion at future meetings of the Board over the remaining meetings of this municipal year. It was also agreed that this Forward Plan would retain flexibility to add or remove items throughout the course of the year as appropriate.

**The Board resolved to:**

- 1) request that figures in relation to the average cost of each job created under the performance indicator for 'New jobs created through Council intervention' be distributed to the Board by email;**
- 2) agree to review performance on a regular basis and select indicators for Performance Surgery on the basis of the quarterly performance reports to Council Cabinet;**
- 3) approve the Forward Plan for Performance from which items would be reported in more detail for discussion at future meetings of the Board over the remaining meetings of this municipal year; and**
- 4) retain flexibility to add or remove items throughout the course of the year as appropriate.**

## **24/16 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 meetings held on 02 August 2016.

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

## **26/16 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 07 September 2016 and made a number of comments and recommendations to Council Cabinet.

### **Item 8 – Food and Feed Law Enforcement Plan 2016/17**

Members considered a report of the Cabinet Member for Regulatory Services and Strategic Director for Communities and Place to seek approval from Council Cabinet for the Food and Feed Law Enforcement Plan 2016/17. Members of the Corporate Scrutiny and Governance Board praised the Trading Standards team for their achievements with limited resources. Members also queried the impact of any future reductions in FTE and expressed concern about the team's ability to carry out future inspections at the required level.

It was reported that Quarter 1 performance indicator results are showing a decline in performance in achieving the target inspection level of 90% for all premises rating A-C in the high risk category and that the year-end forecast was currently at 80%.

**It was resolved:**

- 1) to recommend to Council Cabinet that performance around the number of high risk premises inspections and interventions is closely monitored and the level of resource is maintained as appropriate to retain performance at the target level; and**
- 2) to praise the Trading Standards team for their achievements with limited resources.**

## **Item 9 – Health and Safety Enforcement Service Plan**

Members considered a report of the Cabinet Member for Regulatory Services and Strategic Director for Communities and Place to seek approval from Council Cabinet for the Health and Safety Enforcement Plan 2016/17.

Members again expressed concern over maintaining appropriate levels of resources to carry out this work. However, it was reported that Government has an objective to reduce the health and safety burden on businesses that will allow lower risk businesses to manage risks themselves with the use on non-inspection intervention methods from the HSC or Local Authority to a 5 yearly frequency, which would also reduce the burden on the Council to carry out regular interventions and inspections.

**No recommendations to Council Cabinet were made by the Board, however the Board resolved to monitor resource and performance issues through the scheduled Performance Forward Plan item on Food Safety and Regulatory Services at the December meeting of the Corporate Scrutiny and Governance Board.**

## **Item 10 – Approval of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Statement of Principles**

Members considered a report of the Cabinet Member for Urban Renewal and Strategic Director for Communities and Place to seek approval for the Approval of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Statement of Principles and the proposed penalty charge structure.

It was reported that the regulations came into force last year, however the Council has not adopted it straight away in order to give private landlords an opportunity to do the work to comply with the new regulations. Members were informed that the work was largely reactive and that breaches would usually be identified through responding to reports and complaints. Members were informed that in the first instance, landlords would be given 28 days to do remedial works before the Council would impose a fine of £3000 for non-compliance for a first offence, or £5000 for a subsequent offence.

The Board discussed ensuring that sufficient information is provided for private landlords, managing agents and tenants to ensure that they are aware of the relevant requirements to have smoke alarms and carbon monoxide alarms installed. Members were informed that some work is already being

done with the University of Derby and Freshers' Week to raise awareness amongst students in private tenancies, and that some discussions had been had around the production of an information piece for private landlord and tenants more generically.

**The Board were in support of these proposals and recommended to Council Cabinet that an information pack or more broad communication for private landlords and tenants is produced and delivered to key wards and groups around the city.**

### **Item 11 - Primary School Places – Additional Capacity**

Members considered a report of the Cabinet Member for Education and Skills and Strategic Director for People Services to approve the Schools Capital Programme schemes for expansion projects at The Bemrose School and Brackendale Infants and Junior Schools.

Members queried the geographical choice of the expansion proposals for the Brackendale Schools due to the difficulty in accessing the school by car having to negotiate the A38 from the housing developments from the children will be expecting to populate the school. Members were also concerned about safe walking routes to these schools from the development. Members were reassured by the Strategic Director for People Services that the Brackensdale Schools extension was a carefully made decision done in consultation with the headteacher.

**It was resolved to recommend to Council Cabinet that work is carried out with The Bemrose School and Brackensdale Infant and Junior Schools to ensure the provision of safe walking routes to these schools from the Manor-Kingsway Housing Development.**

### **Item 12 - Redevelopment of the former Britannia Court site**

Members considered a report of the Cabinet Member for Jobs and Fair Employment and Strategic Director for Communities and Place to seek approval to confirm that the Council is willing to undertake the Accountable Body functions for Employ Local, if the bid is successful. The report also sought to seek Council Cabinet approval to delegate to the Strategic Director of Communities and Place, Strategic Director of People Services and the Director of Finance, the acceptance of the Employ Local Contract, following consultation with the Cabinet Member for Jobs and Fair Employment and to note that the programme places high financial risks on the Council as an Accountable body.

Members of the report expressed concern over the level of risks identified within the report, however were reassured by the Head of Economic Regeneration that there was an in-built contingency in place and that the risks, although rated as amber and red, are manageable risks. The Board was also reassured by the Strategic Director for Communities and Place that there would be further scrutiny of the risks by the Strategic Director of Communities

and Place, Strategic Director of People Services and the Director of Finance in consultation with the Cabinet Member before taking the final decision to accept the contract and the risks associated with being the accountable body for the delivery programme.

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

### **Item 13 - Results of a Consultation on Whether to Introduce a Policy on Parental Contributions Towards the Cost of Care Placements**

Members considered a report of the Cabinet Member for Safeguarding and Children and Young People and Strategic Director for People Services to ask Council Cabinet to note the results of the public consultation exercise and to seek Council Cabinet agreement to implement the parental contribution to the cost of care placements policy.

Members were generally in support of the introduction of the policy to seek contributions from parents who can afford to pay towards offsetting of costs of placing their child or children in care, however raised concerns where accessing benefits may become more stringent through changes to the welfare system and more families may fall into the able to pay category who cannot realistically afford to make contributions.

The Board requested an update on the results of introducing this policy be presented to a future meeting of the Corporate Scrutiny and Governance Board and that this information includes monitoring outcomes of the number of families being required to contribute toward the costs of care placement.

**It was resolved to:**

- 1) thank the Cabinet Member for Safeguarding and Children and Young People for her attendance and input on this item; and**
- 2) request a future report updating the Board on the results of the introduction of this policy at an appropriate time.**

### **Item 14 - Contract and Financial Procedure Matters Report and Addendum**

Members considered a report and an Addendum of the Leader of the Council and Chief Executive on items that require reporting to and approval by Council Cabinet under Contract and Financial Procedure rules.

It was reported that items included:

- Tender and creation of framework agreements
- Changes to the annual Minimum Revenue Provision (MRP) Statement of 2016/17
- Bids for Funding
- Acceptance of Funding

- Retender of contract
- Changes to the current 2016/17 Capital programme.
- Authorisation of a loan of £15,000 to St Peter's Quarter Derby Limited
- Submit an efficiency plan – 4 year settlement

Members queried the circumstances around the annual Minimum Revenue Provision (MRP) Statement of 2016/17 and why changes were not done earlier. The Board was informed that this was looked at previously, however at this time the rates meant that this would not have been beneficial to the Council. It was reported however, that the Council now needed to take control of this debt. The Board requested that it received further detail on the costs and savings figures at a future meeting of the Corporate Scrutiny and Governance Board. The Director of Finance agreed that this would be included within either the Mid-Year Treasury Report, or at the latest, the End-Year Treasury report in February.

The Board expressed concern on the introduction of further revenue commitments arising from match funding for additional bids submitted. The Board also raised concerns around paying for the re-ballot for the St Peter's Quarter Business Improvement District, however concluded that the potential investment of £1.2m back into the area was of greater importance than the risk of losing these funds.

**The Corporate Scrutiny and Governance Board resolved to recommend that:**

- 1) Council Cabinet are cautious about the submission of future bids for funding and the commitment to introduce further revenue budget pressures through the requirement of match-funding;**
- 2) The Board receives an update report on changes to the Minimum Revenue Provision (MRP) Statement of 2016/17, and related costs and savings to a future meeting but by February at the latest.**

## **Item 15 - Performance Monitoring 2016/17 – Quarter 1 Results**

Members considered this report under the item on the Performance Forward Plan under the main agenda.

MINUTES END