

Time Commenced – 6:05pm
Time Finished – 7:40pm

Executive Scrutiny Board

10 March 2020

Present: Councillor Hudson (Chair)
Councillors Ashburner, Care, Shanker, Stanton, Pattison,
Peatfield, Testro

In attendance: Andy Brammell - Director – Digital and Customer Management
Bernard Fenton – Head of Customer Service
Iain Fullagar – Head of Strategic Housing
Steven Mason – Democratic Services Officer
John Massey – Head of Revenues, Benefits & Exchequer
Services
Toni Nash – Head of Finance
Gurmail Nizzer – Director of Children's Integrated
Commissioning
Rachel North – Strategic Director for Communities and Place

82/19 Apologies for Absence

Apologies for absence were received from Councillors Cooper and Eldret

83/19 Late Items

Social Impact Bond for Children in Care and on the Edge of Care.

This was considered as part of 89/19 - Council Cabinet Agenda.

84/19 Declarations of Interest

There were none.

85/19 Minutes of the meeting held on 11 February 2020

The minutes of the meetings held on 11 February 2020 were agreed as a correct record.

86/19 Forward Plan

The Board considered the contents of the Forward Plans published on 11 February 2020 and 10 March 2020.

No items were added to the future work programme.

Resolved to note the Forward Plans.

87/19 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 Board received a presentation on Complaints Update.

The Board resolved to note the report and the presentation.

88/19 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Strategic Director or Corporate Resources which allowed the Scrutiny Board to receive responses from Council Cabinet on recommendations made at the previous Board meeting held on 11 February 2020.

The Board resolved to note the report.

89/19 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 11 March 2020 and made a number of comments and recommendations to Council Cabinet.

Key Decisions

Establishment of a Single Early Years Inclusion Fund

The Board received a report of the Strategic Director of People Services on Establishment of a Single Early Years Inclusion Fund.

It was reported that following consultation and very careful consideration, Council Cabinet on 10 October 2018, approved the establishment of the enhanced resource funding provided to Central Community Nursery School (£142,055) and Lord Street Nursery School (£110,000), totalling £252,055 into an overall single Early Years Inclusion Fund. It was also reported that Maintained Mainstream settings and Private, Voluntary and Independent (PVI) settings could make applications for additional support for early years children with Special Educational Needs and Disabilities (SEND) across the city.

Members noted that the establishment of a single Early Years Inclusion Fund following the closure of enhanced resource provision at Central Community Nursery School and Lord Street Nursery School formed part of the strategic city-wide review to improve SEND provision in Derby. It was also noted that the aim was to help ensure that parents and carers of children with SEND had

a wider choice of early years options available and were able to access local childcare places. It was reported that this funding would result in the Early Years Inclusion Fund increasing to £502,000 and would create a more transparent and consistent approach to providing funding to meet the needs of children in early years settings.

It was reported that following Council Cabinet approval on 10 October 2018, the Council had been working very closely with the nurseries on planning the decommissioning of their enhanced resource provisions, including in relation to the new criteria for the inclusion fund, for which they would be eligible, and opportunities for city wide early years inclusion support. It was also reported that on 9 October 2019, Council Cabinet approved moving to the next stage of the process which included publishing a statutory notice, and a further four-week consultation period on the proposals to formally remove the enhanced resource provisions from Central Community Nursery School and Lord Street Nursery School on 1 April 2020.

It was noted that the four-week statutory consultation period started on Monday 13 January 2020 and ended on Monday 10 February 2020 and that three responses had been received during the consultation period; two in support of the proposals and one objection to the proposals.

Members noted that the report sought a final decision from Council Cabinet on the proposals to close the enhanced resource provisions at Central Community Nursery School and Lord Street Nursery School on 1 April 2020 and the establishment of a single Early Years Inclusion Fund.

The Executive Scrutiny Board resolved to note the report.

Schools Capital Programme 2020/21 Mickleover Primary

The Board received a report of the Strategic Director for People Services on Schools Capital Programme 2020/21 – Phase 1 – Mickleover Primary.

It was reported that the Council was currently awaiting notification from the Department for Education (DfE) of confirmed school capital condition maintenance allocations for 2020/21.

Members noted that early approval for essential school capital condition works at Mickleover Primary School was required in order to complete necessary works during the school summer holiday period, and prior to September 2020.

The report sought Council Cabinet approval for the scheme based on indicative 2020/21 condition budget allocations of circa £1,230,000. A breakdown of the indicative schools capital programme funding for 2020/21 was set out within Appendix 1, along with this proposed first scheme of the school capital programme for 2020/21.

It was noted that the proposal was to allocate £1,560,000 to the school capital programme to undertake a major project at Mickleover Primary School by replacing the two storey-six classroom block.

It was reported that feasibility appraisals had been undertaken on a range of options, with all options requiring decanting arrangements due to the size and scale of this project and that the recommended option required temporary decanting of two year groups to Hackwood Primary Academy, Mickloeover, in order to minimise disruption to teaching and learning.

Members noted that as this was a major project on a tight site and that detailed consultation had been undertaken with Mickloeover Primary School to develop the most appropriate decanting solution. It was also noted that the Council and school were working in very close partnership to develop the most appropriate solution to minimise impact on learning for children and young people, and for parents, carers and families.

The Executive Scrutiny Board resolved:

1. to note the report; and
2. to recommend to Council Cabinet that the new build is constructed so that it is able to be 'zero carbon' in operation, and that if this isn't possible that the Secretary of State for Education be written to and asked that school designs be updated to enable new schools to be constructed to 'zero carbon' standards in future.

Revision to the national Non-Domestic Rates Policy for the Award of Discretionary Rate Relief

The Board received a report of the Director of Financial Services on Revision to the National Non-Domestic Rates Policy for the Award of Discretionary Rate Relief.

It was reported that Discretionary Rate Relief (DRR) was a means by which Derby City Council (DCC) could use its discretionary powers to reduce the amount of Business Rates a business had to pay. It was also reported that there was generally a direct cost to DCC in awarding DRR and therefore expenditure had been controlled through the operation of a Policy for a number of years.

Members noted that the Council's Policy was being refreshed to take account of a recent Written Ministerial Statement on 27 January 2020 that clarified the position for a number of discretionary rate reliefs from 1 April 2020.

It was reported that any DRR award made as a result of the recommended changes from 1 April 2020 would be fully funded by the Government by way of a grant paid under Section 31 of the Local Government Act 2003 and as such, there would be no additional cost to the Council as a result of the recommended changes to the Policy included in this report.

It was noted that much of the Policy, including the main criteria for awarding reliefs to charities and non-profit making organisations had not changed as a result of this update.

It was reported that the revised Policy aimed to support the vision and priorities of the Council, whilst ensuring that help was given to those organisations that could demonstrate that they were in the greatest financial need and whose services benefitted the citizens of Derby.

Members noted that the report sought Council Cabinet approval for the revised Discretionary Rate Relief Policy effective from 1 April 2020.

The Executive Scrutiny Board resolved to note the report.

Infrastructure Programme Board Capital Programme 2020/21

The Board received a report of the Strategic Director for Communities and Place on Infrastructure Programme Board Capital Programme 2020/21.

The report set out the following proposed 2020/21 work programmes for Council Cabinet approval:

- Highways & Transport (H&T) - £17,579,000
- Vehicles, Plant & Equipment (VPE) - £2,092,000
- Flood Defence (FD) - £250,000

The report also sought approval for the proposed programmes for 2021/22 and 2022/23 in respect of the Asset Management elements of the H&T programme and approval for s106 spend as part of the H&T programme.

It was reported that the H&T programme sought to achieve the goals of Derby's long term transport plan, as set out in the Local Transport Plan, LTP3 and also the 9 challenges in LTP3, in particular - provide network efficiency, reduce unnecessary delays and facilitate economic activity. It was also reported that the H&T programme sought to keep the city's transport network moving efficiently and effectively.

Members noted that in the VPE programme, funding was prioritised against a replacement criterion, which was based on the expected life of the different types of vehicles and equipment, and the operational demands/requirements of the service.

It was reported that in relation to the FD programme, funding was targeted towards schemes which managed and reduced the potential for, and impacts of flooding to properties and infrastructure in the city.

The Executive Scrutiny Board resolved to note the report.

Homelessness and Rough Sleeping Strategy 2020 – 2025

The Board received a report of the Strategic Director for Communities and Place on Homelessness and Rough Sleeping Strategy 2020-2025.

The report sought Council Cabinet approval for the adoption of the new Homelessness and Rough Sleeping Strategy 2020-2025.

It was reported that the Housing Act 1996, as amended by the Homelessness Order 2002 and the Homelessness Reduction Act 2017, required local authorities to develop and implement a homelessness and rough sleeping strategy.

Members noted that the Homelessness Reduction Act in particular introduced radical changes to the way in which the Council delivered services to homeless people and significantly expanded the existing duty to homeless people and was much wider in its scope to support homelessness prevention.

It was reported that the new strategy was informed by this new, wider-ranging legislation and by an extensive review of the scope of homelessness and service provision in Derby and was also informed by a comprehensive consultation process.

It was noted that the strategy adopted the 'priority themes' set out in related government guidance, which provided an all-encompassing framework for delivery and comprised:

- Preventing homelessness
- Ensuring a sufficient supply of accommodation
- Supporting homeless households or those at risk of homelessness.

It was also noted that the strategy contained a detailed action plan to address these priority themes and that example actions under these 3 themes respectively concerned:

- Strengthening measures to prevent eviction/loss of home through intervention with private landlords and mediation with family and friends;
- Improving the supply of accommodation types particularly needed by homeless people such as temporary accommodation and smaller sized apartments; and
- Development of 'life skills' or 'tenancy ready' type courses to help people maintain their independence following relief from homelessness.

The Executive Scrutiny Board resolved to note the report.

Compulsory Purchase of Empty Homes

The Board received a report of the Strategic Director for Communities and Place on Compulsory Purchase of Empty Homes.

The report sought Council Cabinet approval to initiate compulsory purchase proceedings in relation to 4 long-term vacant properties where the owners had not sufficiently demonstrated that they would be occupied in the near future.

It was reported that the Council's Empty Homes Strategy aimed to facilitate the renovation and re-occupation of vacant dwellings; thereby contributing towards meeting local housing demand. It was also reported that the actions would also help tackle any anti-social and environmental nuisance that neglected properties could present and that the re-use of these homes would contribute towards the Council's New Homes Bonus income under the Government's current rules.

Members noted that where owners could not be traced or were unwilling/unable to bring the property into use, there was a compelling case in the public interest for the Council to take enforcement action to achieve the aims of the strategy.

It was reported that where the Council retained the property, energy efficiency measures would be installed in order to contribute to addressing climate change.

It was noted that the number of empty homes in Derby had declined overall due to the work of the empty homes team. It was also noted that in 2010 there were around 4,500 vacant homes, of which, around 2,500 were long-term empty and that this had reduced to 3,000 vacant homes with some 1,085 long-term empty homes currently. It was reported that during this financial year the Council had so far brought 70 dwellings into use through a combination of voluntary assistance and enforcement tools.

The Executive Scrutiny Board resolved to note the report.

Budget and Policy Framework

City Vision

The Board received a report of the Strategic Director for Communities and Place on City Vision.

The report set out how the Council could fulfil its place shaping role through supporting the creation of a shared long term city vision for Derby which could transcend short term imperatives and build aspiration for the future.

Members noted that Council Cabinet approval was sought to establish and facilitate a Vision Commission that would develop an inclusive, compelling and future proof vision for the city which would captivate and empower the Council, local leaders and the citizens of Derby.

The following indicative timetable was noted:

- March 2020 – report to Cabinet to approve the approach
- April – identification of Vision Commissioners
- April/May – first meeting of City Leadership Board to agree the scope of the Commission

- June – kick-off event with the Commission (1/1.5 days) – this is when themes would be identified, research commissioned, engagement programme defined and a public launch take place
- July – September – engagement programme rolled out
- October – December – commission meets (c five days) to receive and critically appraise evidence and draw interim conclusions
- January – February – Commission drafts report and liaises with Council
- March 2021 – report received by Full Council and City Leadership Board
- April 2021 – City vision launched.

The Executive Scrutiny Board resolved to note the report.

Contract and Financial Procedure Matters

Compliance with Contract and Financial Procedure Rules

The Board received a report of the Director of Financial Services on Compliance with Contract and Financial Procedure Rules.

The report sought Council Cabinet approval under Contract and Financial Procedure rules for the following:

- A procurement for the Hire of Skips and associated Waste Disposal
- The signing of a Collaborative Agreement with Nottingham City Council for the Way2Work project
- Acceptance funding from the European Social Fund – ESF
- Write off of two loans – Derby Enterprise Growth fund – DEGF

The Executive Scrutiny Board resolved:

1. **to note the report; and**
2. **to recommend to Council Cabinet that the skip hire and waste disposal contract includes a high expectation for waste to be sorted at source and recycled as appropriate.**

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 item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 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.

Key Decisions

Compulsory Purchase of Empty Homes

The Board considered exempt detail in the report of the Strategic Director for Communities and Place on Compulsory Purchase of Empty Homes.

The Executive Scrutiny Board resolved to note the report.

Social Impact Bond for Children in Care and on the Edge of Care

The Board considered an exempt report of the Strategic Director for People Services on Social Impact Bond for Children in Care and on the Edge of Care.

The Executive Scrutiny Board resolved to note the report.

MINUTES END