

Time Commenced – 5.00pm
Adjourned – 7.23pm
Reconvened – 7.28pm
Time Finished – 8.20pm

Executive Scrutiny Board

9 November 2021

Present: Councillor Repton (Chair)
Councillors Care, Carr, Cooper, Dhindsa, Evans, Grimadell,
Martin, Pattison, Pegg, Prosser

In attendance: Neil Cole and Mike Mousdale – External Advisers
Clare Davenport – Director of Leisure, Culture and Tourism
Sam Dennis – Director of Public Protection and Streetpride
Emily Feenan – Director of Legal, Procurement and
Democratic Services
Ian Fullagar - Head of Traffic & Transportation
Steven Mason – Democratic Services Officer
Gurmail Nizzer – Director of Children’s Integrated
Commissioning
Rachel North – Strategic Director of Communities and Place
Alison Parkin – Director of Financial Services
Martin Shipley – Internal Audit
Joe Smith – Derbyshire Wildlife Trust
Sarah Walker – Head of Strategy and Performance
Catherine Williams – Head of Service – City, Development and
Growth
David Winslow – Community Parks Officer
Mags Young – Director – Project Management Hub

39/21 Apologies for Absence

Apologies were received from Councillor M Holmes.

40/21 Late Items

There were none.

41/21 Declarations of Interest

There were none.

42/21 Minutes of the meeting held on 5 October 2021

The minutes of the meeting held on 5 October 2021 were agreed as a correct record.

43/21 Forward Plan

The Board considered the contents of the Forward Plan published on 12 October 2021 and 9 November 2021.

No items were added to the future work programme.

Resolved to note the Forward Plan.

44/21 Council Cabinet Responses 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 on 5 October 2021.

The Board resolved to note the report.

45/21 Performance Plan 2021/22

The Board considered a report of the Director of Policy, Insight and Communications on Performance Plan 2021/22.

It was reported that the Executive Scrutiny Board had responsibility for monitoring corporate performance, to support the delivery of improved outcomes for the city.

The report provided the Board with an opportunity to review and agree the Performance Plan 2021/22.

Members noted that the performance item scheduled for November on Demand and the impacts of COVID-19 on services had been deferred.

Members considered the Quarter 2 Performance report, due to be considered by Council Cabinet on 10 November 2021.

The Board resolved to agree the performance items identified for consideration by the Board as part of the Performance Plan for 2021/22 as shown at Appendix 1.

46/21 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 10 November 2021.

Matters Referred

Minute Extract from Council – Motion: Access to Raynesway Household Waste Recycling Centre

The Board received a minute extract from Council in relation to Motion: Access to Raynesway Household Waste Recycling Centre.

It was noted that Council had resolved:

Despite all the hard work of Council Officers, the problem of fly tipping and keeping our neighbourhoods clean and green is being hampered by over £500,000 cuts to Raynesway Household Waste Recycling Centre (HWRC). If you are in a poor neighbourhood, can't access online services or are a new tenant who can't pre-book a visit to the recycling centre, it has been made very difficult to recycle and remove bulky waste and general household rubbish easily.

The decision to continue to open Raynesway Recycling Centre, in 2021-22 and beyond, with reduced hours; limiting slots available to each resident householder; and requiring prebooking online is having a serious and negative impact. Whilst this was necessary at the height of the COVID 19 Pandemic to protect the health of our communities it is unnecessary and unacceptable to continue this now when fly tipping, bulky waste dumping continues to increase and blight our neighbourhoods and City. This policy decision is undermining the green and clean aspirations of the Council, and us all, and contributes to increased concerns of rats and pungent smells being reported in more and more neighbourhoods.

Council therefore resolves to request that Council Cabinet reverse this policy/budget decision and ensure that Raynesway HWRC is brought back to working at least as efficiently and effectively as before COVID 19 emergency measures were introduced by:

1. Re-instating access to the site to at least pre pandemic opening hours
2. Removing the requirement to having access to recycling only through online prebooked slots
3. Removing the limit of slots available for domestic households per year

The Executive Scrutiny Board:

1. **agreed that the data and information in the Council Cabinet report is not sufficient for the recommendations that have been put forward and resolved to recommend to Council Cabinet that we need to maximise accessibility, online bookings and household waste recycling; and**
2. **resolved to recommend to Council Cabinet that, in recognition of our need for action on the Climate Emergency and for reasons of equality of access for those without cars, that officers look in to how to open up access to the Raynesway Household Waste**

Recycling Centre site to allow people to bring items on foot and by cycle (including cycle trailers).

Minute Extract from Children and Young People Board

The Board received a minute extract from the Children and Young People Board in relation to Special Needs Provision.

It was noted that the Children and Young People Board had agreed that the following resolution should progress to Council Cabinet for its consideration:

Derby City Council should have a policy in place to ensure that any SEND school placement proposed or offered to SEND children and young people has the appropriate planning consents authorisations, and registrations in place, particularly from the Council, Department for Education and OFSTED.

The Executive Scrutiny Board resolved to note the minute extract.

Key Decisions

Future Management of Allestree Park

The Board received a report of the Deputy Chief Executive (Communities and Place) on Future Management of Allestree Park.

The Executive Scrutiny Board resolved to recommend to Council Cabinet that whatever is planned for Allestree Park, that the historic nature of the golf course is protected and not actively damaged by earth-moving or other archaeology-damaging activities.

Strategic School Place Planning – Landau Forte College Expansion Proposal

The Board received a report of the Strategic Director of Peoples Services on Strategic School Place Planning – Landau Forte College Expansion Proposal.

The Executive Scrutiny Board resolved:

- 1. for reasons of climate change and local traffic management, to recommend to Council Cabinet that prior to proceeding with the scheme, a detailed travel plan is undertaken by the Trust and the Council to ensure that travel to the school will be predominantly by public transport; and**
- 2. to recommend to Council Cabinet that it asks for further information before making a decision on this expansion. This to include:**
 - 1. the carbon footprint of school travel for pupils to Landau Forte compared to other schools in the city, and**
 - 2. the longer term estimates of future pupil numbers (for another three years) to help anticipate if the trend of falling pupil numbers**

is likely to continue in which case required school capacity may then fall.

And to use this further information to explore whether it would be better to expand a greater number of existing secondary schools by an additional year group rather than put this much expansion into one school.

Padley Centre Relocation

The Board received a report of the Strategic Director of Communities and Place on Padley Centre Relocation.

The Executive Scrutiny Board:

1. resolved to recommend to Council Cabinet that it ensures that immediate help and support is given to Dubrek Studios to help it successfully relocate and survive, so that it can continue to play an important role in the cultural life of this city. Such help should include the possibility of applying for an Additional Restrictions Grant (ARG) and any other possible grants or financial support;
2. is concerned that the costs of the Padley relocation are already escalating, primarily due to the new location being potentially over-priced and the property being a very poor state. To ensure that tax payers' money is not wasted, the Executive Scrutiny Board resolved to recommend to Council Cabinet that the permanent relocation should be reviewed prior to proceeding with the purchase, which is facilitated by the need to move to a temporary location; and
3. resolved to recommend to Council Cabinet that, if the purchase for the permanent building goes ahead, the Council asks Padley Group to do its best to ensure that the planned improvement work includes sufficient changes to enable the building to be 'zero carbon ready'.

Budget and Policy Framework

Draft 2021/22 Q2 Financial Monitoring

The Board received a report of the Strategic Director of Corporate Resources on Draft 2021/22 Q2 Financial Monitoring.

Councillor Repton left the room and Councillor Dhindsa took the Chair.

Councillor Repton returned to the room.

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 Strategic Director of Corporate Resources on Compliance with Contract and Financial Procedure Rules.

Members noted that the report sought Council Cabinet approval for the following:

- Opportunity Area Grant – acceptance of grant of up to £1.369m
- Opportunity Areas Programme - approval of delegated authority for procurements relating to the programme
- Rapid Integrated Independence at Home Team – a bid for Ageing Well Programme of £0.780m and approve delegated authority to accept and allocate funding
- Rapid Integrated Independence at Home – delegate authority to bid, accept and allocate future years funding as part of the NHS Forward Plan 2022/25
- 1 Abbey Yard - declare as surplus to the Council's requirements and delegate authority to agree terms of the disposal of the property
- Household Support Fund - acceptance of funding of £2.224m and allocation as appropriate
- Ravensdale Infant and Nursery School - Use Ravensdale insurance reserve for decanting costs of £0.273m and delegated authority to approve the funding of any variance to this in line with the final agreed insurance settlement
- Holiday Activities and Food Programme - approval to allow planning and implementation of the Winter Holiday Activity and Food Programme working with Community Action Derby and approve the award of a grant of up to £0.485m to Community Action Derby.
- Dedicated Schools Grant (DSG) reserve up to a maximum value of £930,000 to complete the High Needs Transformation Programme.
- Award of a contract to Impower for £640,000 (to be funded from DSG reserves as referred to above) as part of the necessary engagement of external specialists to support the delivery of the High Needs Transformation Programme

The Executive Scrutiny Board resolved to note the report.

Performance

Performance Monitoring – Quarter 2 2021/22

The Board received a report of the Director of Policy, Insight and Communications on Performance Monitoring – Quarter 2 2021/22.

The Executive Scrutiny Board resolved to note the report.

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 paragraphs 3 and 5 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.

Key Decisions

Strategic School Place Planning – Landau Forte College Expansion Proposal

The Board received exempt detail in the report of the Strategic Director of Corporate Resources on Strategic School Place Planning – Landau Forte College Expansion Proposal.

The Executive Scrutiny Board resolved to note the report.

Padley Centre Relocation

The Board received exempt detail in the report of the Strategic Director of Communities and Place on Padley Centre Relocation.

The Executive Scrutiny Board resolved to note the report.

Long Term Waste Management Project Update

The Board received an exempt report of the Strategic Director of Communities and Place on Long Term Waste Management Project Update.

The Executive Scrutiny Board resolved to note the report.

Budget and Policy Framework

Business Rates and Housing Benefit Overpayments write-odds – Addendum paper to the Draft 2021/22 Q2 Financial Monitoring Report

The Board received an exempt addendum to the report of the Strategic Director of Corporate resources on Draft 2021/22 Q2 Financial Monitoring Report.

The Executive Scrutiny Board resolved to note the report.

MINUTES END