

**Corporate Scrutiny and Governance Board
Recommendations from the meeting held on 14 July 2015****Council Cabinet Agenda – 15 July 2015****Item 2 Late Item – Big Conversation: Service Needs Assessments and Consultations**

A report of the Cabinet Member for Strategy and Policy on the new phase of the Council's budget consultation exercise 'Our Big Conversation' was outlined by the Director of Finance and Procurement.

The report outlines that a series of consultations debating the needs of the community and the way in which these needs can be met, will commence as soon as possible in order to maximise savings and input into the detailed savings proposals for 2016-19.

No recommendations to Council Cabinet were made by the Board on this item.

Item 8 Safeguarding Adults: New Policy and Procedures

A report of the Cabinet Member for Integrated Health and Care was outlined by the Acting Strategic Director of Adults, Health and Housing.

Members heard that the Council should approve the inter-agency policies and procedures within their own organisation and ensure that all staff and members are aware of their responsibilities to comply with them, in order that Safeguarding Adults is a priority area of work for all. The Board was concerned that Members were not fully aware of the mandatory nature of this training and that courses needed to be organised and publicised to ensure that this is done.

The Board was also concerned that the financial implications of the policy had been fully recognised, but heard from officers that until the number of referrals made has been monitored it would be difficult to know if there would be further financial implications.

Recommendation 1 – The Board recommended that mandatory member training on Safeguarding Adults be arranged and publicised to all members as soon as possible.

Recommendation 2 – The Board recommended that further financial implications arising from a potential increase in the number of referrals should be monitored and reported.

Item 9 Consultation on Adult Social Care Charging Policy

A report of the Cabinet Member for Integrated Health and Care seeking approval for consultation on the Adult Social Care Charging Policy was outlined by the Acting Strategic Director of Adults, Health and Housing.

The Board sought confirmation from the officers that the Cabinet Member for Integrated Health and Care is fully engaged with the Carers Forum. Officers confirmed that the Cabinet Member is already confirmed to attend both future scheduled September and March meetings of the Carers Forum.

Recommendation 3 – The Board recommended that Council Cabinet ensure full engagement and consultation with the Carers Forum with regards to consultation on the Adult Social Care Charging Policy and outcomes of this consultation.

Item 10 Derby Health and Wellbeing Strategy 2014-19

A report of the Cabinet Member for Integrated Health and Care was outlined by the Acting Strategic Director of Adults, Health and Housing highlighting the primary objectives of the strategy and key approaches to its delivery. The Board made comments of support on the development of the strategy and its implementation.

Recommendation 4–The Board commendedand endorsed the aims of the Health and Wellbeing Strategy.

Item 11 Succession Policy

A report of the Cabinet Member Urban Renewal on the housing tenancy Succession Policy was outlined by the Acting Strategic Director of Adults, Health and Housingproposals for the adoption of a new Succession Policy to meet the new statutory obligations and powers, and replaces the existing policy which is outdated and no longer fit for purpose.

Members questioned whether changes to the policy would mean that the succession of tenancies to family members would also include a transferral of the Right to Buy discount period. Officers informed the Board that the Right to Buy would transfer to the new tenant under this policy but that they would have to build their own discount.

Members also expressed concern that ward residents would approach them for assistance in allocation provision decisions and appeals for tenancies under the policy. The Monitoring Officer and Director for Legal and Democratic Services advised members of the Board that each case should be dealt with on a case by case basis and with caution and that they should speak with officers to ensure that they are not conflicted before pledging support or getting heavily involved in such cases. Members sought further clarity on their position in this area.

Recommendation 5–The Board recommends to Council Cabinet that Member guidelines are developed with the assistance and experiences of Members in their roles as ward councillorsand distributed to all Members.

Item 12 Private Rented Sector Offer Policy

A report of the Cabinet Member Urban Renewal on the Private Rented Sector Offer Policy was outlined by the Acting Strategic Director of Adults, Health and Housing. The Localism Act 2011 has amended the Housing Act 1996 in respect of the homelessness provisions. These changes will allow housing authorities to end the main homelessness duty with a private rented sector offer, without the applicant's consent.

The Board queried what happens when there is a dispute over a tenancy offer. Officers informed the Board that applications have a right to make a complaint or appeal to the Council under the policy.

Recommendation 6 –The Board endorses the recommendation as outlined in paragraph 2.1 of this report.

Item 13 Compulsory acquisition of empty homes

A report of the Cabinet Member Urban Renewal seeking Council Cabinet approval to initiate compulsory purchase proceedings in relation to three long term vacant houses was outlined by the Acting Strategic Director of Adults, Health and Housing.

Recommendation 7 – The Board endorses the recommendation as outlined in paragraph 2.1 of this report.

Item 14 Cattle and Wholesale Market – Property Rationalisation Update

A report of the Cabinet Member for Communities and City Centre Regeneration seeking agreement for the redevelopment that the Cattle and Wholesale Market be with the objective of supporting the delivery of the Council and City Centre Masterplan was outlined by the Acting Strategic Director for Neighbourhoods.

Councillor Poulter shared his concerns with the Board about the level of consultation that has taken place with existing tenants and the opportunities that they should have been afforded to put forward their own business cases to take on management of the markets. Councillor Poulter also expressed concerns over; the management and control of the markets and leases over recent years, reporting of occupancy levels at the markets, the legal position of the Council with regards to ending tenancies and the eviction of tenants and demolition of the buildings on the site. Other concerns were raised on recent questions raised and unanswered by the National Farmers Union, as well as concerns about financial losses on the site and levels of under-occupancy.

The Board were assured by officers that the Council will not be putting itself in a difficult legal position and show intent for development of the site. Officers also reassured members that the agreement not to renew leases on the site would not prevent businesses or tenants in coming up with alternative business models and propositions and that these would be looked at if they passed the test of consideration.

Recommendation 7 – The Board endorses the recommendations as outlined in paragraph 2.1 of this report with the recommendation that Council Cabinet ensures that tenants, businesses and other parties are given an opportunity for any viable business proposals coming forward which offer a sustainable future for the markets are given full consideration. The Board recommends that the Council progresses with the rationalisation of the markets as an asset if no viable alternative is identified.

Item 15 Revenue Outturn 2014/15

A report of the Leader of the Council on the Council's Revenue Budget final outturn position was summarised for the Board by the Director of Finance and Procurement.

No recommendations to Council Cabinet were made by the Board on this item.

Item 16 Capital Outturn 2014/15

A report of the Leader of the Council on the Council's Capital Budget final outturn position for the financial year 2014/15 and the financing of the capital programme, the major achievements it has delivered, and final variances against the original programme was summarised for the Board by the Director of Finance and Procurement.

No recommendations to Council Cabinet were made by the Board on this item.

Item 17 Treasury Management Annual Report 2014/15

A report of the Leader of the Council on how the Council conducted its borrowing and investments during 2014/15 and reports on the prudential indicator activity for 2014/15 which the Council is required to report under the Local Government Act 2003 was summarised for the Board by the Director of Finance and Procurement.

No recommendations to Council Cabinet were made by the Board on this item.

Item 18 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 and Procurement.

On changes to the current 2015/16-2017/18 capital programme in relation to Marble Hall, Members queries whether unforeseen issues could have been identified at an earlier stage of developments through the original architects plans. Members were informed that this was not identifiable on the plans.

No recommendations to Council Cabinet were made by the Board on this item.

Item 19 ESIF Technical Assistance and Increasing the Councils Staffing Resource

A report of the Cabinet Member for Communities and City Centre Regeneration was outlined by the Acting Strategic Director for Neighbourhoods. Members of the Board heard that this report was seeking agreement from Council Cabinet for an initial bid, and that a further detailed report would be received by Council Cabinet if the report recommendations are accepted.

Recommendation 8 – The Board endorses the recommendations as outlined in paragraph 2.1 of this report.

Item 20 Performance Monitoring 2014/15 – Year End Results

The Board considered a report of the Leader of the Council on highlights from key performance measures and actions included in the Council Plan 2014/15 and departmental business plans.

No recommendations to Council Cabinet were made by the Board on this item.

Item 21 Corporate Management Restructure

The Board considered a report of Cabinet Member for Strategy and Policy on the Corporate Restructure. Members expressed some concerns on the appointment of a single post to cover both Adults and Children's Services under a new People Services' Directorate and the amount of responsibility this post would bring for just one person. The Board was also concerned that the postholder would need to be adequately experienced and supported by Heads of Service and management in the tiers below to ensure the safeguarding of adults and children within the city.

Recommendation 9 – The Board supports the recommendations as outlined in paragraph 2.1 of this report but recommends to Council Cabinet that concerns on having a single Director of People Services' are recognised and that Council Cabinet ensures that the postholder would need to be adequately experienced and supported by Heads of Service and management in the tiers below.

Item 24 Purchase of residential schemes to provide affordable housing funded through the Housing Revenue Account

A report of Cabinet Member for Urban Renewal seeking approval for the purchase of two housing schemes to be funded from the Housing Revenue Account (HRA) capital programme was summarised for the Board by the Acting Strategic Director of Adults, Health and Housing.

Recommendation 10 – The Board supports the recommendations as outlined in paragraph 2.1 of this report.