

Corporate Scrutiny and Governance Board

Recommendations from the meeting held on 06September 2016

Council Cabinet Agenda – 07September 2016

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 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.

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 of 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 Employ Local Contract Acceptance

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.

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

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.

No recommendations to Council Cabinet were made by the Board on this item, however the Board requested that it would like to see the results of the introduction of this policy at a future meeting of the Corporate Scrutiny and Governance Board through monitoring the number of families being required to contribute toward the costs of care placements.

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 Corporate Scrutiny and Governance 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 of the Board.**

Item 15 Performance Monitoring 2016/17 – Quarter 1 Results

Members considered a report of the Leader of the Council and Chief Executive on Performance Quarter 1 Results and the Council's Scorecard.

Members were 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.

Performance areas of concern were agreed by the Board for inclusion on the Corporate Scrutiny and Governance Board's Performance Forward Plan which 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.

No recommendations to Council Cabinet were made by the Board on this item, however the Board agreed a Performance Forward Plan for reports to be submitted over the remaining meetings of this municipal year for more detailed discussion.