

Time Commenced – 18:00
Time Finished – 20:35

Corporate Scrutiny and Governance Overview and Scrutiny Board

09 February 2016

Present: Councillor Stanton (Chair)
Councillors Bayliss, Carr, Dhindsa, Jackson, Poulter, Webb, Whitby and Williams

73/15 Apologies for Absence

Apologies for absence were received from Councillors J Khan and Wright

74/15 Late Items

There were no late items.

75/15 Declarations of Interest

Councillor Williams declared a pecuniary interest in the YMCA.

76/15 Minutes of the meeting held on 19 January 2016

The minutes of the meetings held on 19 January 2016 were confirmed as a correct record of the meeting.

77/15 Forward Plan

The Board considered the Forward Plan which was published on 12 January 2016. No further items were added to the work programme.

The Board resolved to note the Forward Plan.

78/15 Performance Updates / Issues

The Board considered a report of the Chief Executive which allowed Members to discuss any performance issues arising and decide on any further action that should be taken to resolve them. No particular performance issues were raised; however the Board noted that the performance monitoring results for quarter 3 would be discussed as part of the Council Cabinet papers.

The Board resolved to note the report.

79/15 2015 Annual Education Performance Outcomes

Members considered a report of the Acting Director for Children and Young People on pupil outcomes, (progress and attainment. Members were informed that outcomes remain below national in Derby and in order to address this the Council has developed a partnership led approach to school improvement, using expertise from within the City to secure improvements.

It was reported that the take-up for funding for 2-year-olds in Derby is higher than the national average, which puts us in a good position both regionally and nationally. Members questioned whether the higher take up of this funding reported is spread evenly across wards and questioned if there is a correlation between outcomes and take-up. Officers confirmed that data is available to analyse this by ward.

Members were informed that the Inclusion Team has been working very closely with schools on Special Educational Needs (SEN) support and encouraging them to make an early identification. The service has seen improvements to SEN in all schools that they have worked in. It was reported that schools have funds in their budget for SEN and can apply for individual Education Health Care Plans (ECHPs) to support SEN pupils.

Members discussed the issue of timeliness for the completion of ECHPs and conversion from the previously used 'Statements' and were informed that this would be raised under the Performance Monitoring 2015/16 – Quarter Three Results report in the Council Cabinet Papers. However, it was reported that work is being done to improve the process and ensure that ECHPs are completed more rapidly.

It was reported that although improvements have been seen in phonics assessments, outcomes in Derby are still well below national averages. It was reported that outcomes are skewed by high levels of in-year mobility and the high number of children new to the country speaking a wide variety of other languages as a first language. Members were informed that good practice at Harrington Nursery School is being shared with other schools to help with improvements in phonics.

Members discussed the issue around the quality of marking for GCSE level following a high number of re-grading in 2015 and the impact that this has had on schools, students and their grades. The Board was informed that complaints have been made by Headteachers through their Union groups and subject heads through subject associations. The Board recognised a need for the Council to support teachers' in making these pleas.

It was reported that overall GCSE performance outcomes mask some outstanding improvements in individual schools, namely The Bemrose School and The Merrill Academy. Members queried if any statistical analysis had been done to see if there is a correlation between grades and poor behaviour and were informed that this can be looked at as part of a future report. Members were also informed that a lot of the Academies 'buy-in' services, such as training, from the council.

Members queried if we are challenging schools performances effectively. Officers reassured the Board that they ask school for their improvement plans and can also issue warning and use powers of intervention to call in Governors. It was reported that the council has used it's powers of warning and/or intervention in 10 secondary schools and 15 primary schools over the last 12 months. Members were also informed that the Council has asked the Department for Education to intervene in three of the city's academies.

The Board resolved to recommend that:

- 1) A report is prepared and brought to a future scrutiny board meeting on the outcomes of scrutiny carried out by the Council through the children's quality assurance team meeting including:**
 - a. the analysis of any correlation between outcomes and the take-up of 2-year-old funding by ward;**
 - b. details of interventions resulting from quality assurance outcomes.**
- 2) Council Cabinet supports Headteachers in raising the issues around poor quality marking at GCSE level through the appropriate avenues.**

80/15 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 meeting held on 20 January 2016. Members were informed that Council Cabinet received the report on Recommendations from the Corporate Scrutiny and Governance Board and accept all the recommendations.

The Board resolved to note the report.

81/15 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 10 February 2016 and made a number of comments and recommendations to Council Cabinet.

Item 8 - Determined School Admission Arrangements for Derby City Maintained and Voluntary Controlled Schools 2017-2018

Members considered a report of the Cabinet Member for Education and Skills seeking to approve the proposed admission arrangements for Community and Voluntary Controlled infant, junior, primary and secondary schools as the determined (set) admission arrangements for the 2017-2018 academic year. It

was reported that all admission arrangements must then be determined (set) by the statutory deadline date of 28 February 2016.

Members raised concerns over future problems with school admissions resulting from changes to demographics in and around the city and the requirement to make plans for future admissions arrangements.

The Board resolved to request a future report on the longer term planning for admission arrangements.

Item 9 - Updating the Adult Social Care Charging Policy

Members considered a report of the Cabinet Member for Integrated Health and Care on the introduction of charges for Deputyship and Appointeeship services. It was reported that the introduction of a charge for Deputyship and Appointeeship would help to defray the costs of providing a non-statutory service that protects income for the Directorate.

Members were informed that the proposed changes bring the Council's Adult Social Care Charging Policy in to line with the latest legislation and protect the Adult Social Care charging income stream for the Council. The proposed start date aligns with the date that the Department of Work and Pensions (DWP) benefit rates change.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 10 - Fees and Charges - Adult Social Care

Members considered a report of the Cabinet Member for Adults and Health to rates and charges for 2016-17 in response to the introduction of the National Living Wage, inflationary pressures and other cost pressures. It was reported that the proposed start date aligns with the date that the Department of Work and Pensions (DWP) benefit rates change.

Members discussed the inclusion of rates for quarter hour visits and were reassured that visits of this length or less only occur under limited circumstances (i.e. for medication administration and safe and well checks) and would not be used where providing any levels of personal care. Members were also reassured that increases would not cost anyone out of care provision.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 11 - Council Funding for Services in the Voluntary, Community and Faith Sector

Members considered a report of the Cabinet Member for Integrated Health and Care seeking approval for the exit from the Council element of funding with a number of named voluntary, community and faith sector organisations in line with Councils 2016/17 budget.

The Board was reassured that the report also seeks to approve that officers continue to work with the voluntary sector and other partners to identify opportunities for the sector in the future and offer support and advice to organisations wherever possible to mitigate the impact of the funding decision.

Members of the Board recognised that a cut in funding to these groups may be manifested further down the line if the needs of individuals have to be met by other council services at a cost to the council, but that this would be difficult to predict. Members queried and were reassured that cuts to the Padley Centre would only affect their day care services and not those under the provision of services covered under out statutory homelessness duties.

Members of the Board were keen that the council continues to try and assist groups to help find alternative sources of funding and queried the continuing funding for the fixed-term post which has helped Voluntary, Community and Faith Sector groups to identify alternative sources of support and funding over the last 12 months. The Acting Director of Adults and Health informed the Board that this post will end with the withdrawal of funding in April 2016 and that the continuation of support would depend upon whether the Clinical Commissioning Group decides to use any of its funding to support this type of community action.

The Board resolved to request that Council Cabinet find means of continuing to provide this support to Voluntary, Community and Faith Sector groups if it has proved successful over the last 12 months.

Item 12 - Derby Housing Zone: City Centre Living Initiative

Members considered a report of the Cabinet Member for Communities and City Centre Regeneration updating Council Cabinet with the approved designation of Derby City Centre as a Housing Zone. It was reported that the Derby City Centre Housing Zone was approved by DCLG in January 2015. This covers the city centre and includes the City Centre Living Initiative area and three key regeneration sites; Castleward, Former DRI and Friar Gate Goods Yard.

Members expressed their support for city centre living and the redevelopment of the three key sites but wished to raise caution on the need for balance required in the city centre so that business is not forced out to make way for residential.

The Board resolved to request a future report on the progress towards redevelopment of the Friargate Good Yards site at an appropriate time.

Item 13 - Infrastructure Programme Board Capital Programmes 2016/17 and 2018/17

Members considered a report of the Communities and City Centre Regeneration on the below 2016/17 work programmes for approval and Asset Management element of the 2017/18 H&T Work Programme.

- Highways & Transport (H&T),
- Vehicles Plant & Equipment (VP&E)
- Land Drainage & Flood Defences (LD&FD)

Members queried the costs associated with vehicle maintenance and were reassured that the costings are appropriate and represent value for money. However a further breakdown of these costs was requested by the Board. Members also questioned the lack of revenue figures in the report which relate to items on the capital programmes and were informed that these were not previously required but could be included in future.

The Board queried the future process for identifying neighbourhood priorities in the absence of formal Neighbourhood Board funding, but were reassured that there would be a process to allow ward members to input and put forward representations for future investment, though this was yet to be determined.

The Board resolved to recommend that:

- 1) A breakdown of vehicle maintenance costs is circulated to the Board**
- 2) Future reports on the Infrastructure Programme Board Capital Programmes include figures for the revenue elements of items on these programmes.**
- 3) Members are consulted on the future process for identifying neighbourhood priorities and allowing ward members to input and put forward representations for future investment.**

Item 14 - Revision to the Discretionary Rate Relief Policy

Members considered a report of the Cabinet Member for Strategy and Policy to approve the revised Discretionary Rate Relief policy. It was reported that Discretionary Rate Relief (DRR) is a means by which Derby City Council (DCC) can use their discretionary powers to reduce the amount of business rates a business has to pay. Generally, there is a direct cost to the Council in awarding DRR and therefore expenditure has been controlled through the operation of a policy for a number of years.

The Board resolved to note the report.

Item 15 - The Council's City-Wide Events Strategy

Members considered a report of the Cabinet Member for Communities and City Centre Regeneration to approve the adoption of the Council's City-Wide Events Strategy, including endorsing the operation of the City Wide Events Strategy Implementation Group. The report also sought delegate approval to the Acting Strategic Director of Communities and Place, in consultation with the Cabinet Member for Communities and City Centre Regeneration, to consider for approval the recommendations made by the City Wide Events Strategy Implementation Group.

Members queried what the strategy would encompass and if it would include bringing events to the city to venues such as the iPro Stadium and Derby Arena. Members were informed that although Derby Live are brokering deals with third party providers for events to be held in the city, the strategy is primarily focussed around integrated planning and working with others to deliver the strategy and not the actual bringing in of events or resources for events. Members therefore suggested that there should be a provision for creative and pro-active facilitation work to help deliver the aims of the strategy.

The Board resolved to note the report.

Item 16 - Compulsory acquisition of empty homes

Members resolved to deal with this report under Item 26 of the Agenda.

Item 17 - Council Housing Rents and Service charges for 2016/17 to 2019/20 Quarter 3 Capital Budget Monitoring 2015/16 – 2017/18

Members considered a report of the Cabinet Member for Urban Renewal approve a rent decrease of 1% to all Council HRA rents during the 4 year period from 1 April 2016 to 31 March 2020. It was reported that in the Summer Budget announcement on 8 July 2015, the Government announced a number of proposals contained within the Welfare Reform and Work Bill 2015/16, including a 1% reduction in the level of rent that Local Authorities and Housing Associations can charge to their tenants for a 4 year period from 2016 to 2020.

Members commented that this would likely to impact on the ability to invest due to a reduction in income.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 18 - Quarter 3 Capital Budget Monitoring 2015/16 – 2017/18

Members considered a report of the Cabinet Member for Strategy and Policy providing details of the revised financial position for the 2015/16 Capital Budget for Quarter 3 was outlined for Members by the Director of Finance. Members were informed that the latest capital programme totals £78,235,410 for 2015/16 which includes revisions of (£6,586,500) since the last reported position at October Cabinet. It was reported that this gives a variance to the original indicative programme of (£25,002) and is mainly due to reprofiling of schemes across future years and reductions made to the 2015/16 programme during the current Medium Term Financial Plan setting approved at 20 January 2016 Cabinet.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 19 - Quarter 3 Capital Budget Monitoring 2015/16 – 2017/18

Members considered a report of the Cabinet Member for Strategy and Policy which outlined and sought Council Cabinet approval of the Council's Treasury Management Strategy for the financial year 2016/17 and the Treasury Management Indicators derived from this strategy.

Members noted and supported the additional inclusion of the aim to achieve delegated authority to deal with transferred debt payments.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 20 - Council Plan 2016-19

Members considered a report of the Report of the Leader of the Council on the Council plan and its role in delivering a robust and effective strategic planning framework out clearly what is going to be delivered, why, how this will be resourced and how progress will be monitored and evaluated. It was reported that the Council is currently consulting on this draft plan and that the plan reflects the need to do things differently with scarce resources.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 21 - Dedicated Schools Grant 2016-2017 to 2018-2019

Members considered a report of the Cabinet Member for Education and Skills on the proposals for the use of the Dedicated Schools Grant for Derby for the financial year 2016 -17 and indicative proposals for 2017-18 and 2018-19.

Members were informed that some of the deprivation factors have changed and that funds have been increased to provide growth to the Early Years sector, to increase hourly rates paid to the Private, Voluntary and Independent (PVI) sector by 6% and nursery classes in schools by 3%. It was reported that Early Years growth would result in some issues being prevented from escalating in future years.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 22 - Performance Monitoring 2015/16 – Quarter Three Results

Members considered a report of the Leader of the Council highlighting the progress of key performance measures included in the Council Plan and departmental business plans. These priority measures form the Council Scorecard for 2015/16 and reflect key performance / budget risks that Chief Officers and Members need to be reviewing outcomes against on a regular basis.

It was reported that at the end of quarter three (up to 31 December 2015), 76% of performance measures are forecast to meet or exceed their year end target which was an increase on 69% at the end of quarter 2. Members requested that a performance surgery should be held on the measures associated with 'Education Health Care Plans' (L&I PM26 and L&I PM27) as suggested in the report.

The Board resolved to recommend that a performance surgery is held on the measures associated with 'Education Health Care Plans' (L&I PM26 and L&I PM27) before the end of March 2016 with the outcomes being reported back through the Corporate Scrutiny and Governance Overview and Scrutiny Board.

Item 23 - 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. Members heard that approvals being sought for changes to the current programme include:

- The use of reserves of £300,000 from the Oracle and E Business reserves is reprioritised to fund the final Serco exit costs in 2016/17.
- A spend to save project on the conversion of 14,289 residential street lights to LEDs.
- Extension of 'Them You Me' Contract delivering a number of services associated with the digital regeneration agenda including Super Connected Cities, the Connect Project and delivery of wider digital city initiatives.
- The Big Word contract under the NHS Shared Business Service Framework for Interpretation and Translation Services and the tender and award of the Council's own Framework for British Sign Language Interpreters to meet the specific needs of Derby's Deaf Community.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 24 - Osmaston Vision – Marble Hall

A report of the Cabinet Member for Communities and City Centre Regeneration was considered which updated Members on the progress of the refurbishment and conversion of the Marble Hall, Nightingale Road. The project has refurbished a listed building at the heart of the deprived Osmaston community, creating managed workspace for new and growing businesses, day nursery provision, a catering training facility and a cafe.

Members were pleased to hear of the completion of the regeneration works and imminent opening of Marble Hall.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

Item 26 - Compulsory acquisition of empty homes

Members of the Board considered a report which seeks Cabinet approval to initiate compulsory purchase proceedings in relation to six long term vacant houses. It was reported that the houses have stood vacant for some years, have been neglected and are the source of nuisance to and/or complaint from local residents.

The Board resolved to support the recommendations to Council Cabinet outlined in the report.

MINUTES END