

Time Commenced – 18:00
Time Finished – 19:21

Corporate Scrutiny and Governance Overview and Scrutiny Board

05 September 2017

Present: Councillor Stanton (Chair)
Councillors Bayliss, Barker, Carr, Eldret, Hezelgrave, M
Holmes, Jackson, J Khan, Pegg and Poulter

In Attendance: Christine Durrant, Mark Taylor, Gordon Stirling, Ian Fullagar,
Peter Ireson, Heather Greenan, Sarah Walker, Clare Harrison
(Democratic Services).

Press and public: None

Members in Attendance: Councillor Bolton

16/17 Apologies for Absence

Apologies for absence were received from Councillors Graves and Webb.

17/17 Late Items

An updated version of the Contract and Financial Procedure Matters report was circulated to the Board.

18/17 Declarations of Interest

There were no declarations of interest.

19/17 Minutes of the meeting held on 11 July 2017 and Minutes of the Call-In held on 01 August 2017

Minutes of the previous meetings held on 11 July 2017 and the Call-In held on 01 August 2017 were agreed as an accurate record.

20/17 Forward Plan

The Board considered the contents of the Forward Plan published on 08 August 2017. No new items were added to the Board's Work Programme.

The Board resolved to note the Forward Plan.

21/17 Performance Items and Performance Forward Plan

The Board considered a report of the Cabinet Member for Finance and Governance in relation to the Derby Pledges and Quarter One Results.

It was reported that As at June 2017, three Pledges are completed, 44 Pledges are 'on track' and three Pledges are showing 'minor slippage' and that at the end of quarter one (up to 30 June 2017), 74% of performance measures in the Council Scorecard are forecast to meet or exceed their year-end target.

Members were informed that the scorecard was reviewed and refreshed in June 2017 and improvement report with actions being taken to address areas not in line with expected performance was produced. The Head of Performance reassured the Board that the scrutiny performance forward plan pulls out the majority of issues that require further consideration.

Members were further informed that two measures on numbers admitted to residential or nursing care now have provisional targets for the scorecard.

The Cabinet Member for Safeguarding and Children and Young People reported to the Board that one of the city's Children's Homes has slipped into Ofsted's 'requires improvement' category and therefore the pledge target to ensure all of Derby's children's homes are judged good or outstanding by Ofsted by April 2017 was missed.

It was reported that a performance surgery in relation to sickness absence was still being planned and would likely be held in October.

The Board resolved to note the report.

22/17 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 11 July 2017. The Board expressed disappointment that Council Cabinet had not been able to accept its recommendations in relation to the Libraries Strategic Review.

The Board resolved to note the report.

23/17 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 06 September 2017 and made a number of comments and recommendations to Council Cabinet.

Item 8 - Proposal to merge Brackensdale Infant and Brackensdale Junior Schools to form a primary school

Members considered a Council Cabinet report of the Cabinet Member for Education and Skills and Strategic Director of People Services asking Cabinet to approve the publication of a statutory notice on the proposal to 'merge' Brackensdale Infant and Brackensdale Junior Schools to form an all-through primary school from January 2018. A further recommendation asked Council Cabinet to delegate authority to determine the proposal to the Strategic Director of People Services if no objections are received and, if objections are received, to bring a further report to Council Cabinet for a decision.

Members raised concerns over the existing provision of specialist SEN support at the school and were keen to see this protected. Members also raised concerns about the school budget and ensuring that this is maintained at an appropriate level. Some Members of the Board had considered this proposal in detail at an earlier meeting of the Children and Young People's Scrutiny Review Board and commented that they were reassured on a number of concerns raised, including those around budget issues and SEN provision. The Executive Scrutiny Board concluded that they felt the merger was a positive move for both schools, however, wanted to ensure that the two issues raised were monitored and reviewed by the CYP Scrutiny Review Board at a future date.

The Board made no recommendations to Council Cabinet but requested that the Children and Young People's Scrutiny Review Board monitor and review the SEN and budget concerns at a future meeting following the schools merger.

Item 9 - Responding to Ofsted's inspection of services for children in need of help and protection, looked after children and care leavers

Members considered a report of the Cabinet Member for Safeguarding and Children and Young People and Strategic Director for People to note the key highlights from the Ofsted report; current position with regards to the SIF inspection programme; and review and approve the proposed action plan, which addresses Ofsted recommendations.

It was recognised that some improvements were required but that the overall results of the Ofsted inspection were positive. Councillor Eldret, the Chair of the Children and Young People's (CYP) Scrutiny Review Board confirmed that they had looked at this in detail and there were no substantive issues with the action plan and that they would monitor its progress. Councillor Eldret also confirmed that the CYP Review Board has agreed a topic review on the recruitment and retention of social workers and the number of agency social workers employed by the Council.

The Board resolved to congratulate officers and the Cabinet Member on the results of the recent Ofsted Inspection.

Item 10 - Purchase of residential scheme to provide affordable housing funded through the Housing Revenue Account

Members considered a Council Cabinet report of the Cabinet Member for Housing and Urban Renewal and Strategic Director for Communities and Place to approve the purchase of a new build housing scheme off plan subject to contract detail included in the report. The report also sought the approval to delegate authority to the Strategic Director for Communities and Place to enter into all necessary agreements required to secure the acquisition of the properties and approve the scheme to provide affordable homes and their inclusion within the management portfolio of Derby Homes.

The Executive Scrutiny Board was in general support of the scheme but queried the use of DCC owned land to maximise value for the delivery of affordable housing. Members felt that the focus should be on identifying Council-owned parcels of land instead of identifying alternative land development opportunities. The Board also questioned the need to build larger private homes in the city which would attract higher Council tax rates. The economic value to the Council of Right to Buy was also raised as an issue.

The Board resolved to support the proposals.

Item 11 - Derby Silk Mill Redevelopment – Lease and External Funding Arrangements

Members considered a Council Cabinet report of the Cabinet Member for Leisure, Culture and Tourism and Strategic Director for Communities and Place seeking Cabinet approval for the grant of a new lease to Derby Museums Trust for the Silk Mill and all ancillary documentation necessary to give effect to Derby Museums Trust's occupation of the Silk Mill site and to meet the requirements of HLF and ACE in respect of that lease.

The Board was informed that Derby Museums Trust has secured significant 'in principle' funding for the redevelopment of the Silk Mill as the Museum of Making, including £9.4m from the Heritage Lottery Fund (HLF) and £2.5m from Arts Council England (ACE). The Council has also secured £4m funding towards the redevelopment project, of which £3.7m will come from the Local Growth Fund 3 (LGF).

It was reported that a key condition of the funding from both HLF and ACE is that Derby Museums Trust either owns the freehold or has an 'appropriate' lease in place for the Silk Mill. Members were informed that it is therefore proposed that a new lease that meets the requirements of HLF and ACE is granted to Derby Museums Trust.

Members discussed the insurance arrangements for the building and collection, including the new Rolls Royce engine gifted to the collection in case of any major event such as flooding. Officers were unsure if the new Rolls Royce engine had been gifted to the Museums Trust or to the Council's collection.

The Executive Scrutiny Board recommended that officers check whether the insurance arrangements for the collection require updating to include the new Rolls Royce engine.

Item 12 - Budget Outturn Quarter 1, 2017/18

Members considered a Council Cabinet report of the Cabinet Member for Finance and Governance and report of the Chief Executive which summarised the overall financial position at the end of June 2017 against the budget approved by Council on 15 February 2017. The Board was informed that the Council's budget position is as follows:

- Revenue budget: The full year forecast projects a pressure of £3.552m against approved budget of £214.978m due to slippage in savings targets. Action plans to manage identified cost pressures are being developed by relevant DMT's;
- Capital budget: Capital expenditure is £8.592m, 8.19% of the total original approved capital budget of £104.935m. This is due to timing as the majority of schools expenditure occurs during the summer months and highways capital expenditure occurs during the third and fourth quarter;
- Reserves: the General Reserve balance remains at £8.8m;
- Treasury: Total debt was £458.4m and total Investments were £90.2m and no new borrowings have been made in the year;
- Dedicated Schools Grant (DSG): The total grant of £215.188m has been allocated to schools and retained educational services, the centrally retained element is expected to be fully spent by the end of the year;
- Collection Fund: Council Tax billed for the 2017/18 is just over £106m, of that we have collected £29.5m, which is 27.79%. Business Rates billed for the 2017/18 is around £93.3m and of that we have collected £24.77m, which is 26.47%.
- Housing Revenue Account (HRA): The forecast remains as budgeted, to achieve a surplus of £2.138m

Members raised concerns around the Revenue Budget overspend and what measures are being taken to ensure that spending gets back on track. The Council's Acting Director of Finance informed the Board that there would be more detailed narrative at Quarter 2 and that by this point it would become much clearer if there are real issues or if spending has started to even out.

The Executive Scrutiny Board resolved to note the report and continue to monitor the Budget Outturn at Quarter 2.

Item 13 - Performance Monitoring

This item was considered under the Executive Scrutiny Board Agenda item on Performance.

The Board resolved to note the report.

Item 14 - Contract and Financial Procedure Matters Report

Members considered a replacement Council Cabinet report of the Leader of the Council and Chief Executive outlining a number of items that require reporting to and approval by Council Cabinet under Contract and Financial Procedure rules. The replacement report included an additional item on the Market Hall repairs, refurbishment and remodelling.

Members queried the additional funds required for the Cattle and Wholesale Market, the level of funds already committed for this and why extra funded is needed. Members asked for further detail on the breakdown of what the additional funds is required for and felt that the Cabinet should be aware of this before committing to add a further £300k to the capital programme for this. The officers did not have this detail to hand but agreed to put this together to submit to Council Cabinet with this report to the meeting of 06 September.

The Board requested that a breakdown of the £300k required to terminate existing leases and complete demolition of the wholesale market be provided for Council Cabinet before a decision is taken to add this amount to the Capital Programme. To this end the Director of Communities and Place agreed to provide a more detailed exempt report alongside this report to Council Cabinet to give Executive Members a more detailed breakdown for additional funds required.

It was resolved to request that the Director of Communities and Place provide Council Cabinet with a breakdown of the £300k required to terminate existing leases and complete demolition of the wholesale market prior to a decision being taken to add this amount to the Capital Programme.

Item 15 – Deployment of Public Protection Officers to tackle waste enforcement issues

Members considered a Council Cabinet report of the Cabinet Member for Neighbourhoods and Public Protection asking Members to note the actions and improvements achieved by seconding Public Protection Officers from Nottingham City Council to deal with fly-tipping, littering and other waste enforcement issues in a pilot area in Derby. The report also sought approval to rollout the targeted enforcement approach to other identified hot spot areas within the city as set out in the report.

The Board was in support of the scheme but had concerns that rolling this out across the city would dilute the effectiveness of the scheme. Members were also concerned that the number of officers may have reduced from 5 to 4 and that the Council should look to employing its own officers if the scheme was proving to be successful and cost effective.

The Executive Scrutiny Board resolved to request:

- 1) That the Cabinet Member ensures that the rollout of the scheme does not impact on the effectiveness of the scheme by giving enforcement officers too much to do;**
- 2) That a more detailed report on the effectiveness of the scheme be taken to a future meeting of the Communities Scrutiny Review Board;**
- 3) If the pilot scheme proves to be successful and cost-effective, that the Council should look at employing its own enforcement officers to deliver the service;**
- 4) That other localised issues (such as pavement parking) could also be included for enforcement in the scheme if this is to be continued and expanded.**

Item 17 – EXEMPT - Purchase of residential scheme to provide affordable housing funded through the Housing Revenue Account

Members considered a Council Cabinet report of the Cabinet Member for Housing and Urban Renewal and Strategic Director for Communities and Place to approve the purchase of a new build housing scheme off plan subject to contract detail included in the report.

The Executive Scrutiny Board considered this item under Item 10 on the Council Cabinet Agenda.

Item 18 – EXEMPT - Derby Silk Mill Redevelopment – Lease and External Funding Arrangements

Members considered a Council Cabinet report of the Cabinet Member for Leisure, Culture and Tourism and Strategic Director for Communities and Place seeking Cabinet approval for the grant of a new lease to Derby Museums Trust for the Silk Mill.

The Executive Scrutiny Board considered this item under Item 11 on the Council Cabinet Agenda.

MINUTES END