

Time Commenced – 18:00
Time Finished – 19:50

Executive Scrutiny Board

12 March 2019

Present: Councillor Graves (Chair)
Councillors Ashburner, Eldret, Hassall, Hudson, Marshall, Potter,
Rawson, Russell, Stanton, Willoughby and Wood.

In attendance: Richard Antcliff (Director of Public Protection and Streetpride), Ian Fullagar (Head of Strategic Housing), Alex Hough (Acting Head of Democracy), Greg Jennings (Director of City Development and Growth), Don McLure (Strategic Director of Corporate Resources), Kirsty McMillan (Director of Integration and Direct Services (Adults)), Alison Parkin (Head of Finance), Andy Smith (Strategic Director of People Services) and Paul Page-Smith (Regeneration Manager).

91/18 Apologies for Absence

Apologies for absence were received from Councillors Jackson and J Khan.

92/18 Late Items

The Chair introduced the latest version of the Forward Plan, published on 12 March 2019, to be considered under minute 95/18.

Introduced to the Council Cabinet agenda as a late item was a report of the Strategic Director of People Services in relation to Adoption East Midlands.

93/18 Declarations of Interest

There were none.

94/18 Minutes of the meetings held on 12 and 26 February 2019

The minutes of the meetings were agreed as a correct record.

95/18 Forward Plan

The Board considered the contents of the Forward Plans published on 12 February 2019 and the 12 March 2019.

No items were added to the future work programme.

The Executive Scrutiny Board resolved to note the Forward Plan.

96/18 Performance Items and Performance Forward Plan

The Board received a report of the Chief Executive presenting the Executive Scrutiny Performance Forward Plan and allowing the Board to make amendments as necessary for items to be considered at future meetings.

A presentation on 'Income and debt recovery – People Services' was received by the Board.

Income and debt recovery – People Services

The Board received a report on income and debt recovery in children's and adult services.

It was reported that since 2017/18, £214,000 of funding was approved to invest in a full financial process review across People Services. The funding was intended to help address ongoing pressures on budgets by maximising income and debt recovery due to the authority, whilst ensuring vulnerable people were supported.

The Board heard that a range of measures had been introduced. These included implementing faster and more accurate residential care financial assessments; transferring responsibility for internal foster care payments from Accountancy to Business Intelligence; and, improving the accuracy of recovery of Continuing Healthcare (CHC) contributions from the Clinical Commissioning Group.

It was reported that residential care financial assessments were now being performed by Revenue and Benefit Visiting Officers, which were faster and more accurate, avoiding debt being accrued when a customer is first admitted to residential care. As a result, historic residential care debt had reduced from £2.1 to £1.6 million between July 2018 and February 2019.

The Board heard that the integration of payments to internal foster carers into a centralised IT system also offered significant benefits. For example, it ensured that payments were fully integrated with the case management system and allowed for improved internal controls. It was noted that this would be extended to all children in care payments as part of phase two of the project.

It was reported that new processes established with the Clinical Commissioning Group had allowed for a greater amount of CHC funding to be recouped contributing to the ongoing cost of care for eligible customers. It was noted that in 2017/18, £949,000 in health contributions were collected; in 2018/19 £689,000 had been collected to date, with a further £1.9 million scheduled. Finally, it was stated that £674,000 in unspent Direct Payments had also been reclaimed, with further improvements anticipated with the introduction of payment cards.

The Executive Scrutiny Board resolved to note the report.

97/18 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 meetings held on 12 and 26 February 2019.

The Board resolved to note the report.

98/18 Council Cabinet Agenda

The Board considered a report of the Chief Executive on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 13 March 2019 and made a number of comments and recommendations to Council Cabinet.

Late Items

Item 2 – Adoption East Midlands

The Board received a late report of the Strategic Director of People Services providing further detail on proposals for the establishment of a regional adoption agency for Derbyshire and Nottinghamshire.

It was noted that Council Cabinet had previously approved the principle of a regional adoption agency on 14 February 2018 and that this report was now seeking to delegate the negotiation of terms for an inter-agency agreement to the Strategic Director of People Services; the report also noted the transfer of staff to Nottinghamshire County Council under TUPE regulations, as the host authority for the agency. It was noted that a pilot arrangement was already in place had resulted in improvements in adoption timeliness and the quality of reports.

The Board queried the implications for employees in transferring to the proposed regional adoption agency, particularly in relation to terms and conditions. It was stated that although Nottinghamshire County Council were the host authority, it was intended that staff would remain based in Derby and that terms and conditions would be broadly unchanged to what they are now.

Councillors also questioned the financial implications if the per unit cost of adoption orders could not be reduced in line with the forecasted savings in 2020/21 and 2021/22, and also sought reassurance on how the agency's performance would be recorded following an OFSTED inspection and whether there would be implications for Derby. It was reported that responsibility for the experience of looked after children remained with Derby City Council and would be considered as part of existing inspection arrangements.

It was noted that the report was being considered as a late item by Council Cabinet as arrangements needed to be in place from 1 April 2019.

The Executive Scrutiny Board resolved to note the report.

Key Decisions

Item 9 – Neighbourhood Working

The Board received a report of the Strategic Director of Communities and Place proposing a new model for neighbourhood working, which included broader public protection responsibilities; the reintroduction of devolved funding to wards and an increase in the number of Public Protection Officers (PPOs) from nine to 20.

It was reported that each ward would have a named and identified PPO and that the council would be seeking additional powers from the Police in order to tackle environmental crime and anti-social behaviour. In addition, PPOs would be delegated additional parking enforcement powers. It was intended that the new model would allow Neighbourhood Officers and Local Area Coordinators to focus on capacity building within communities.

The Board requested further information on the additional powers that would be sought from the Police and suggested that they should be reflected more clearly in the report. Moreover, councillors questioned the level of income raised by fines issued by PPOs in recent years. It was reported that in 2017/18 £23,385 worth of fines were received and to date in 2018/19 this figure was £41,035. It was noted that the business case for new model was predicated on a significant increase in the level of income generated from Penalty Charge Notices.

The Board raised questions as to the allocation of PPOs and the extent to which their work would be dictated by neighbourhood priorities. Councillors welcomed proposals to tackle low-level crime and anti-social behaviour, but stressed the importance of effective oversight of the use of powers delegated from the Police. Councillors also noted that 6.2 of the report was factually inaccurate, stating that PPOs had previously operated in wards across the city.

The Executive Scrutiny Board resolved:

- **To note the factual error at 6.2 of the report and to recognise that existing Public Protection Officers have operated in other wards across the city.**
- **To request that, subject to Cabinet approval, a performance review is received by the Board twelve months after the implementation of the new model for neighbourhood working.**

Item 10 – Infrastructure Programme Board capital programmes

The Board received a report of the Strategic Director of Communities and Place detailing the proposed capital work programmes for 2019/20 for Highways and Transport; Vehicles, Plant and Equipment; and, Flood Defence.

The Executive Scrutiny Board noted the report and requested that the full business case for the Local Air Quality Plan, which was due to be submitted to the Government by 23 March 2019, was circulated.

The Executive Scrutiny Board resolved to request that the full business case, seeking approval for the Local Air Quality Plan, is circulated to members of the Board for information.

Item 11 – Southern Derby Growth Zone strategic approach

The Board received a report of the Strategic Director of Communities and Place which provided an update on progress related to the Southern Derby Growth Zone. The report sought delegated approval for the submission of a business case to the Housing Infrastructure Fund and acceptance of any funding received.

It was noted that this funding was required to support major infrastructure projects related to housing developments at Infinity Park Garden Village and Boulton Moor, in the form of a new road junction and link road off the A50 and a new primary school respectively. It was reported that the Southern Derby Growth Zone would deliver up to 4,750 new homes, 5,000 new jobs and an estimated 4 million square feet of employment floor space. However, in order to allow the developments to progress public sector intervention was necessary.

The Executive Scrutiny Board resolved to note the report.

Item 12 – Purchase of a residential conversion to provide eight new affordable homes

The Board received a report of the Strategic Director of Communities and Place seeking approval for the acquisition of a converted commercial premises to provide six two bedroom apartments and two three bedroom apartments in close proximity to the city centre. The need for additional affordable housing for those in identified housing need was emphasised to the Board, as well as the necessity to spend Right to Buy receipts.

The Executive Scrutiny Board resolved to note the report.

Item 13 – Establishment of the Derby and Derbyshire Safeguarding Children Partnership

The Board received a report of the Strategic Director of People Services seeking approval for the establishment of new multi-agency safeguarding arrangements across Derby and Derbyshire, following revised statutory guidance which removed the requirement for local safeguarding arrangements and instead requires local authorities, Chief Officers of Police and Clinical Commissioning Groups to work together to protect the welfare of children in the area. As a result, shared safeguarding arrangements were being established across Derby and Derbyshire.

It was reported that subsequent to the publication of the report, it had been confirmed that Derby City Council would be the host authority for the proposed partnership.

The Executive Scrutiny Board resolved to note the report.

Item 14 – Healthwatch Derby funding arrangements

The Board received a report of the Strategic Director of People Services seeking approval to vary the terms of an existing funding arrangement with Healthwatch Derby until such time as the central government funding allocation were confirmed, following the expiry of the existing agreement on 31 March 2019.

The Executive Scrutiny Board resolved to note the report.

Item 15 – Becketwell regeneration

The Board received a report of the Strategic Director of Communities and Place containing proposals for the next stages of the redevelopment of the Becketwell site. The report sought approval for the disposal of council owned land; the acquisition of further land to allow development of the site; and, the demolition of existing buildings on the site.

It was reported that the project had reached a critical phase, with public consultation on the proposals due to be launched on 8 March. It was stated that the proposals would create a new look and feel for the area through a mixed use development that would attract footfall, economic activity and vibrancy in a key part of the city centre.

It was anticipated that a planning application would be submitted in May 2019 and demolition of the former Debenhams building expected by mid-Summer. Under the current timeline, construction of residential buildings was due to start by early 2020.

The Board discussed whether there was any possibility of the former Debenhams building being retained, noting its architectural merit. It was reported that environmental damage to the building and its unsuitability for residential housing made this very unlikely, but that the aesthetic it offered to Victoria Street would be considered as part of the new designs.

The Executive Scrutiny Board resolved to note the report.

Item 16 – Compliance with Contract and Financial Procedure Rules

The Board considered a report of the Strategic Director of Corporate Resources outlining a number of items that required reporting and approval by Council Cabinet under Contract and Financial Procedure rules.

It was reported that approvals were being sought for the following items:

- To approve the use of £0.035m reserves for the Physical Activity and Social Isolation Service;
- To approve a late addition of £0.100m to the 2019/20 Housing Revenue Account capital programme;

- To inform Cabinet of the new Future High Street Fund released by the Government in December 2018 and seek approval to submit an Expression of Interest to the Future High Street Fund by the 22 March 2019;
- To approve the increase to the capital programme scheme of £1.652m for the Homeleigh Way S106 Chellaston school contribution in order to increase published admission numbers from 265 to 300 and to also provide sufficient capacity for the Academy to admit its normal area applications, as pupil numbers are projected to increase in coming years;
- To approve the additional funding awarded for 2019/20 Adult Services Winter pressures – Adult Social Care Grant of £1.149m. This is a ‘one off’ payment and was confirmed in the Chancellor’s Local Government Final Finance Settlement on 29 January 2019;
- To approve the additional funding awarded to support Adult and Children's services in 2019/20 of £1.962m. This is a ‘one off’ payment and was confirmed in the Chancellor’s Local Government Final Finance Settlement on 29 January 2019;
- To approve the acceptance of one off Brexit funding from Government of £0.210m for 2018/19 and 2019/20 awarded to support preparations for Brexit;
- To approve an amendment to the 2019/20 – 2021/22 capital programme for the slippage of the Chellaston Park play area.

The Executive Scrutiny Board resolved to note the report.

Item 17 – Exclusion of the Press and Public

The Board considered a resolution to exclude the press and public for the consideration of exempt detail contained within two reports discussed earlier on the Council Cabinet agenda.

The Executive Scrutiny 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 items on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 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.

Item 18 – Becketwell regeneration

The Board received exempt detail in the report of the Strategic Director of Communities and Place relating to contractual arrangements as part of the proposed next stages in the redevelopment of the Becketwell site.

The Board made no further recommendations.

Item 19 – Purchase of a residential conversion to provide eight new affordable homes

The Board received exempt detail in the report of the Strategic Director of Communities and Place, providing further information on the proposed purchase of a

former commercial premises which had been converted to provide six two bedroom apartments and two three bedroom apartments at a location close to the city centre.

The Board made no further recommendations.

MINUTES END