

Time Commenced – 18:02
Time Finished – 20:02

Corporate Scrutiny and Governance Overview and Scrutiny Board

11 April 2017

Present: Councillor Stanton (Chair)
Councillors Carr, Graves, Hassall, Hezelgrave, Jackson, Pegg, Poulter, Webb, Whitby and Williams

In Attendance: Janie Berry, Martyn Marples, Claire Davenport, Greg Jennings, John Massey, Gurmail Nizzer, Wayne Sills, Heather Greenan, Clare Harrison (Democratic Services).

82/16 Apologies for Absence

Apologies for absence were received from Councillors Bayliss, Graves and J Khan.

83/16 Late Items

An amended version of one of the papers included in the Council Cabinet Agenda was circulated to Members.

84/16 Declarations of Interest

There were no declarations of interest.

85/16 Minutes of the meeting held on 14 March 2017

Minutes of the previous meeting held on 14 March 2017 were agreed as an accurate record of the meeting.

86/16 Forward Plan

The Board considered the contents of the Forward Plan published on 14 March 2017. No new items were added to the Board's Work Programme.

The Board resolved to note the Forward Plan.

87/16 Performance Items and Performance Forward Plan

Members deferred to receipt of an update on the Council's Scorecard for 2017/18 and discussed performance around Council Tax and Business Rate collection.

The Head of Benefits and Exchequer Services outlined the key facts and the collection process for the Board. It was reported that there are a number of ways in which outstanding taxes can be collected that are set out in statute, including taking money from earnings, scheduled repayments, and enforcement action. Members queried if all preceptors were affected by a collection rate less than 100 percent and were informed that any shortfall is shared between the preceptors. It was further reported that Business Rate collection rates have been increasing year-on-year, but with a dip in 2016-17 which was explained due to a new assessment for the Ted Baker Distribution Centre which had to be carried forward. It was further explained that some of the 2016-2017 targets had not been achieved due to this and the Heritage Gate assessments coming online late in the year.

In relation to Council Tax collection, it was reported that as the city becomes more 'deprived' (the city had moved from 88th most deprived to 55th most deprived) and changes due to welfare reform, the collection rates had dropped for those classed as 'able to pay'.

Members were enlightened about some of the innovative ways that businesses have avoided being subjected to the empty property premium, including the use of snail farms, dinosaurs and Bluetooth boxes, which were explained in more detail for the Board by officers present. The Board was keen to see these dealt with where possible.

Officers outlined the current plan of actions to improve performance in the areas of Council Tax and Business Rate collection. It was reported that improved housekeeping; benchmarking and sharing best practice and learning with others; the introduction of new systems with better functionality, as well as maximising of business rates with the help of partners, including improving the performance of enforcement agents, were all part of the plan.

Members endorsed all that was being done to maximise the collection of Council Tax and Business Rates.

The Board resolved to:

- 1. Note the presentation and performance update; and**
- 2. Endorsed all that was being done to maximise the collection of Council Tax and Business Rates.**

80/16 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 12 April 2017 and made a number of comments and recommendations to Council Cabinet.

Item 8 - Property Improvement Capital Works Programme 2017/18

Members considered a Council Cabinet report of the Cabinet Member for Finance and Governance and Strategic Director of Communities and Place to

approve the Property Improvement capital programme of works for 2017/18. It was reported that it is essential that the Property Improvement Work Programme remains flexible to accommodate the outcomes of internal reorganisations, restructures, changing work patterns and operational commitments and is able to accommodate the outcomes of decisions linked to the council's property rationalisation project.

Members queried why works are scheduled for the Assembly Rooms security system, but not for lift maintenance, and that the lift maintenance is being done at Bold Lane Car Park, which is not a Council managed car park. Members were informed that Bold Lane Car Park is still owned and maintained by Derby City Council and that the lift work is not being done at the Assembly Rooms because of questions surrounding the longevity of the facility. It was clarified for the Board that the reason security works are going to be carried out at the Assembly Rooms Car Park is because people are still using the car park and that public safety is still an issue and security is a risk.

The Board advised that officers should make the reasons clear for works which have been prioritised and those that have been put on hold, so that members of the public can understand the reasons for decisions made.

Members also queried the continuation of some maintenance works on sites that are due to be demolished and asked officers to check that routine maintenance works are not being carried out at a cost to the Council when they are unnecessary because site demolition is planned or imminent.

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet but requested that:

- 1) Officers should provide clear reasons for works which have been prioritised and those that have been put on hold, so that members of the public can understand the reasons for decisions made;**
- 2) Officers check that routine maintenance works are not being carried out at a cost to the Council when they are unnecessary because site demolition is planned or imminent.**

Item 9 - Adult Learning Service Course Fees 2017/18

Members considered a report of the Cabinet Member for Cabinet Member for Education and Skills and Strategic Director for People Services to approve the fee structure for the 2017/18 academic year from 1st August 2017 to 31st July 2018. It was reported that it is proposed that the fee structure will not be changed for the 2017/18 academic year.

The Board resolved to note the report.

Item 10 - Schools Capital Programme 2017/18

Members considered a Council Cabinet report of the Cabinet Member for Cabinet Member for Education and Skills and Strategic Director of People Services to approve the Schools Capital Programme priority schemes for 2017/18.

Members welcomed the additional funding but queried how the Council achieves best value from construction work. The Board was informed that the Council uses a number of mechanisms including frameworks, open tendering and mini competitions to appoint contractors depending on the size of the job and timescales involved. It was recognised that the cost of work done through frameworks is generally more expensive but enables quick delivery where needed.

Members asked about the adequacy of team resources to achieve best value contracts for the delivery of schemes. It was reported that team numbers were maintained to ensure an adequate level delivery through peaks and troughs but that last minute funding allocations would always cause issues with deliverability.

The Board also raised concern about classroom sizes and ensuring that they adequately sized for support staff and increasing class sizes. It was clarified for the Board that the Council always ensures that classrooms are built to the maximum recommended classroom size.

The Corporate Scrutiny and Governance Board requested a letter be send to the DfE with thanks for the additional funding allocation, but with a request for this to be delivered earlier in future to allow for more timely deliverability.

Item 11 - New Swimming Pool Complex

Members considered a Council Cabinet report of the Cabinet Member for Governance and Finance; the Cabinet Member for Leisure, Culture and Tourism; and the Strategic Director for Communities and Place to make several approvals in relation to the development of a new Swimming Pool Complex for the City at Moorways.

Members had various discussions in relation to the sustainability of the proposed facility; including the impact on similar facilities being delivered at Derby Arena; commercial opportunities to support the viability of the site; governance options and the development of other options to try and reduce any subsidies required for the operation of the facility. The Board made a number of recommendations as a result of these discussions.

The Board also expressed concern around project management risks and continuity during the life of the project but was reassured that the project team consists of a large number of experienced staff and is being supported by experienced project managers from our partner organisations.

Members were also concerned about the delegation at section 4.24 of the report which asks Cabinet to approve delegating authority to the Strategic Director in consultation with the relevant Cabinet Members to make changes to the Procurement Strategy as a result of outcomes from the options appraisal to review the operating model for leisure, culture and tourism services within the Council. Members recommended that any fundamental changes to the procurement strategy be reported back to the Scrutiny Board. The Board endorsed the project proposals and look forward to seeing the project progress.

The Board resolved to endorse the project proposals and recommend to Council Cabinet that:

- 1) Every effort should be made to achieve at least a cost neutral (if not profitable) operation of the pool/leisure facility at Moorways;**
- 2) All options are considered in relation to on site commercial opportunities which could support the viability of the site;**
- 3) All options/alternatives for governance of the facility are given serious consideration;**

Any fundamental changes to the procurement strategy as a result of outcomes from the options appraisal to review the operating model for leisure, culture and tourism services within the Council be reported back at a future meeting of the Board.

Item 12 - The Future Of Derby – Cabinet Pledges And Council Delivery Plan 2016-19

Members considered a report of the Leader of the Council and Chief Executive to approve the Council Cabinet member pledges detailed in the draft Council Delivery Plan and encourage residents to feed back their views on the draft Council Delivery Plan through their ward councillors.

Members queried the way in which they should feedback both their own comments and comments from ward members on the absence of a public consultation exercise and were informed that this would be looked at communicated to all Members in due course.

The Board also queried how this information could be used to scrutinise the Council's actions and resolved that the best way to do this would be use the pledges and delivery plan to inform future scrutiny work programmes.

The Board requested further information on how to feedback comments and resolved to use the Cabinet Pledges and Council Delivery Plan 2016-19 to inform future scrutiny work programmes.

Item 13 - Contract and Financial Procedure Matters Report

Members considered a 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.

In relation to the acceptance of a grant from the Local Growth Fund outlined at paragraph 10 of the report, some Members expressed concern over the public perception of the use of funding to deliver public realm works in the city centre and wanted to recommend a cautious approach to this.

The Board resolved to note the report.

MINUTES END