

Time Commenced – 18:00
Time Finished – 19:27

Executive Scrutiny Board

14 January 2020

Present: Councillor Anderson (Chair)
Councillors Care, Cooper, Eldret, Evans, Hudson, Pattison, Peatfield,
Shanker, Stanton, Testro

In attendance: Richard Antcliff – Director of Public Protection and Streetpride
Jane Kirby – D2EGF Manager
Steven Mason – Democratic Services Officer
Simon Riley – Director of Financial Services
Kas Sahota – Improvement Officer
Stephen Turner - Derby Enterprise Growth Fund Manager

66/19 Apologies for Absence

Apologies for absence were received from Councillor Ashburner.

67/19 Late Items

There were none.

68/19 Declarations of Interest

There were none.

69/19 Minutes of the meeting held on 17 December 2019

The minutes of the meeting held on 17 December 2019 were agreed as a correct record.

70/19 Forward Plan

The Board considered the contents of the Forward Plans published on 17 December 2019 and 14 January 2020.

No items were added to the future work programme.

Resolved to note the Forward Plans.

71/19 Executive Scrutiny Board Performance Plan 2019/20

The Board received a report of the Chief Executive presenting the Executive Scrutiny Performance Plan for 2019/20 and allowing the Board to make amendments as necessary for items to be considered at future meetings.

The Board received a presentation on Neighbourhood Working.

It was reported that 17 Public Protection Officers (PPOs) had been recruited and trained to act as visible guardians across the city. It was also reported that a City Centre Safer and Cleaner Plan was being developed to shape and co-ordinate activity across key public spaces and that a new 'Citywide Problem Solving Model' was being developed to prevent and tackle crime, antisocial behaviour and environmental crime.

Members noted that through continued partnership working the Council was looking to establish a new 'City Centre Community Safety Hub' with Derbyshire Police and the University of Derby. It was also noted that the Council would also be looking to co-locate services in the neighbourhoods.

It was reported that the recruitment of a City Centre Manager would provide the team with more capacity to shape and coordinate activities in key city centre locations, to address street scene issues.

Members discussed where PPOs would be based, Ward patrol rates, PPO delegated powers, how their work would be co-ordinated with Neighbourhood Boards, Councillors and the Police and how the activity of the PPOs would be monitored.

The Board resolved to note the report.

72/19 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Strategic Director of Corporate Resources which allowed the Scrutiny Board to receive responses from Council Cabinet on recommendations made at the previous Board meeting held on 17 December 2019.

The Board resolved to note the report.

73/19 Council Cabinet Agenda

The Board considered a report of the Strategic Director of Corporate Resources on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 15 January 2020 and made a number of comments and recommendations to Council Cabinet.

Key Decisions

Item 8 - Council Tax Base for 2020/21

The Board received a report of the Strategic Director of Corporate Resources on approval of the Council Tax Base for 2020/21.

It was reported that the Council had a legal requirement to calculate a Council Tax base for each financial year and to notify its Council Tax base to both The Police and Crime Commissioner for Derbyshire and Derbyshire Fire & Rescue Authority. It was also reported that the Council Tax base must be calculated between 1 December and 31 January in the preceding financial year and notified to The Police and Crime Commissioner for Derbyshire and Derbyshire Fire & Rescue Authority by 31 January of the preceding financial year.

Members noted that the Council Tax base was an estimated figure of the number of domestic properties expressed in terms of 'band D' equivalents in the Council's area during the financial year concerned. It was also noted that this was used to determine a headline charge for band D properties in the city and that charges for other bands were calculated as defined fractions of the headline charge.

It was reported that the proposed Council Tax base for 2020/21 was 69,592.06 band D equivalent properties, compared with the 2019/20 Council Tax base of 68,679.00. It was also reported that the increase in the tax base would result in more Council Tax being collectable for the 2020/21 financial year.

Members noted the review of single person discount awards and the increase in Council Tax chargeable on some empty properties from 1 April 2020.

The Executive Scrutiny Board resolved to note the report.

Item 9 - Approval of the Single Discretionary Award Policy for 2020/21

The item was withdrawn.

Item 10 – Draft Air Quality Action Plan

The Board received a report of the Strategic Director of Communities and Place on approval of the Draft Air Quality Action Plan.

It was reported that a draft Air Quality Action Plan (dAQAP) had been produced in accordance with Derby City Council's statutory requirements under the Environment Act 1995 and the associated Local Air Quality Management (LAQM) assessment and reporting regime.

It was also reported that the dAQAP provided a list of proposed measures designed to address the main sources of air pollution within Derby City Council's designated Air Quality Management Areas (AQMAs).

Members noted that the dAQAP measures were distinct from, but complementary to, the measures already proposed under the Local Plan for Roadside NO₂, which

focussed solely on Stafford Street. It was also noted that the measures in the dAQAP covered a much wider area.

It was reported that Internal and external stakeholder engagement as well as cross-party political involvement had taken place as part of the AQAP development process.

It was also reported that the dAQAP now needed to go out to public consultation and then, once agreed and finalised, would be submitted to DEFRA for approval.

It was noted that once finalised, Departmental ownership of each measure would be required in order to progress delivery of the AQAP. However, many of the measures were already contained within relevant work programmes.

Members noted that the modelling used in the assessment which formed the basis of the proposed measures in the plan, was carried out in early 2019. It was also noted that the modelling assumed full delivery of the Clean Bus Technology Fund and emission improvements that would have been secured by changes to the Taxi Licensing Policy. Members noted that the Clean Bus Technology Fund would not now be fully delivered and that the measures that were approved by the Taxi Licensing Committee had effectively pushed back the timescales for compliance with vehicle emissions standards/age. Some Members were concerned that both of these changes had taken place since the modelling had been carried out.

Members discussed the planned A38 works and noted that the possible implication of those works was not reflected in the plan.

The Executive Scrutiny Board resolved:

- 1. to note the report;**
- 2. to recommend to Council Cabinet that the draft plan be amended to take into account the possible implications of the A38 works on air quality;**
- 3. to recommend to Council Cabinet that the consultation be delayed until the report has been amended to take full account of the Taxi Licensing situation, the A38 works and the bus fleet status;**
- 4. to recommend to Council Cabinet that the plan includes an additional section/paragraph covering reduction in travel as another way of reducing pollution; and**
- 5. to recommend to Council Cabinet that it prioritises the actions, wherever possible, to achieve Council targets in other areas as well as air quality. For example, modal shift will reduce congestion and improve exercise levels, whereas electric cars will not.**

Item 11 – Derby Enterprise Growth Fund

The Board received a report of the Strategic Director of Communities and Place on approval of the Derby Enterprise Growth Fund Loan.

It was reported that the DEGF Investment Panel on 26 November 2019 recommended the advance of a £313,000 loan to a company, subject to the completion of satisfactory due diligence.

Members noted that the revised Terms of Reference for the Derby Enterprise Growth Fund (DEGF) Investment Panel were approved by Cabinet on 12 September 2018. It was also noted that as a result of this revision, DEGF Panel recommendations with a value above £250k required formal ratification by Cabinet and Financial Procedure Rules required all loans to external bodies to be approved by Cabinet.

It was reported that this recommendation made by Panel was subject to due diligence and contracting. It was also reported that if approved by Cabinet, the loan would be offered under commercial terms at market rates. It was noted that the actual interest rates would be determined as part of the due diligence process based on an assessment of risk as advised by the independent Due Diligence Report. It was also noted that the loan term was expected to be over 3 years to achieve full repayment, and that this would be confirmed as part of the loan terms after the due diligence process.

It was reported that the project should create 25 full time jobs which would be used to support the delivery of DEGF contracted outputs required by the Regional Growth Fund (which funded the creation of the DEGF). It was also reported that these were conservative outputs and were likely to be higher.

The Executive Scrutiny Board resolved to note the report.

Contract and Financial Procedure Matters

Item 12 – Compliance with Contract and Financial Procedure Rules

The Board received a report of the Strategic Director of Corporate Resources seeking approval under Contract and Financial Procedure Rules for the following:

- Acceptance of a grant from Public Health England to deliver the Preventing Violent Behaviour programme in Newton's Walk Pupil Referral Unit.
- Addition of £0.920m to the capital programme for the DE-Carbonise scheme.

The Executive Scrutiny Board resolved:

- 1. to note the report; and**
- 2. to recommend to Council Cabinet that the additional DE-Carbonise funding be used as a way of giving further publicity to this scheme.**

Item 13 – Exclusion of Press and Public

A resolution to exclude the press and public was put to the vote and carried.

The 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 paragraph 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.

Key Decisions

Item 14 – Derby Enterprise Growth Fund Loan

The Board considered exempt detail in the report of the Strategic Director for Communities and Place seeking approval of the Derby Enterprise Growth Fund Loan.

The Executive Scrutiny Board resolved to note the report.

MINUTES END