

Time Commenced – 18:00
Time Finished – 20:25

Executive Scrutiny Board

10 September 2019

Present: Councillor Hudson (Chair)
Councillors Ashburner, Care, Cooper, Evans, Pattison, Peatfield,
Shanker, Stanton, Willoughby

In attendance: Ian Fullagar – Head of Strategic Housing
Heather Greenan - Service Director for Policy, Insight, and
Communications
Greg Jennings – Director of City Development and Growth
David Kinsey - Head of Highways and Grounds Maintenance
Suanne Lim – Director of Early Help and Children's Social Care
Steven Mason – Democratic Services Officer
Rachel North – Strategic Director for Communities and Place
Simon Riley – Director of Financial Services
John Sadler – Strategic Asset Manager
Paul Simpson – Strategic Director of Corporate Resources
Catherine Williams – Head of Service – Regeneration Projects

25/19 Appointment of Chair

It was agreed that Councillor Hudson be appointed as Chair.

26/19 Apologies for Absence

Apologies for absence were received from Councillors Anderson and Eldret.

27/19 Late Items

There were none.

28/19 Declarations of Interest

There were none.

29/19 Minutes of the meeting held on 6 August 2019

The minutes of the meeting held on 6 August 2019 were agreed as a correct record.

30/19 Forward Plan

The Board considered the contents of the Forward Plan published on 10 September 2019.

No items were added to the future work programme.

Resolved to note the Forward Plan.

31/19 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 Council Delivery Plan Monitoring was considered as a performance item under minute 33/19 (Council Cabinet Agenda).

32/19 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 6 August 2019.

The Board resolved to note the report.

33/19 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 11 September 2019 and made a number of comments and recommendations to Council Cabinet.

Key Decisions

Item 9 – Derby and Derbyshire Safeguarding Children Partnership

The Board received a report of the Strategic Director for People Services seeking delegations in relation to the Derby and Derbyshire Safeguarding Children Partnership.

The purpose of the report was to provide an update regarding the establishment of the Derby and Derbyshire Safeguarding Children Partnership.

It was reported that following the permissions granted by Cabinet on 13 March 2019 a process was undertaken to determine which authority should host the combined partnership arrangements. It was also reported that this culminated in a decision by the Chief Officers of statutory safeguarding (Derbyshire County Council, Derby City Council, Derby and Derbyshire CCG, Tameside and Glossop CCG, Derbyshire

Constabulary) on 25 February 2019 that Derby City Council should host the business unit for the partnership.

Members noted that the proposed arrangements for delegation of functions between the local authorities would involve a delegation of functions under section 16J of the Children Act 2004 and that this would only allow for the delegation of Derbyshire County Council's functions specified in sections 16E to 16I of the Children Act 2004 to Derby City Council. It was also noted that the delegation of functions extended solely to the arrangements of the safeguarding partnership and not the overriding responsibility for ensuring the safeguarding of children in Derbyshire.

It was reported that a legal agreement would be established between the statutory partners to set out their shared responsibilities and accountability for the new Multi-Agency Safeguarding Arrangements (Derby and Derbyshire Safeguarding Children Partnership).

It was noted that the Executive of Derbyshire County Council would meet on 12 September 2019 when it was anticipated that it would determine to delegate those functions highlighted in the preceding paragraph to Derby City Council, including a formal request to the latter to accept the delegation to it.

The Executive Scrutiny Board resolved to agree that the results of the initial review of the new arrangements of the Derby and Derbyshire Safeguarding Partnership, planned for December 2019, be presented to the Children and Young People Scrutiny Review Board and that further updates be reported as part of the Boards ongoing work programme.

Item 10 – Changes to the Single Discretionary Award Scheme

The Board received a report of the Strategic Director of Corporate Resources seeking approval for the consultation arrangements in relation to changes to the Single Discretionary Award Scheme.

It was reported that the Single Discretionary Award Scheme brought together the application process for Discretionary Housing Payments (DHP) Council Tax Hardship (CTH) and the Local Assistance Scheme (LAS).

Members noted that the DHP component was funded by a grant from Central Government which in 2018/19 was £625,661 and in 2019/20 is £525,737, a reduction of £99,924 (16%). It was also noted that such a reduction needed to be reflected in the award criteria of the SDA Policy going forward.

It was reported that the funding for each financial year was announced in the last two months of the previous financial year and that with such late notification, the consultation requirement had made it very difficult to respond quickly to changes in the grant allocation. It was also reported that future versions of the SDA Policy must be sufficiently flexible to deal more easily with changes to future allocations from Central Government.

The Executive Scrutiny Board resolved to note the report.

Item 11 – Derby City Road Skid Resistance Policy

The Board received a report of the Strategic Director of Communities seeking approval for a policy on skid resistance on the city's highway network.

It was reported that skid resistance was an important property relating to the safety of highway users, particularly in damp or wet conditions. It was also reported that over the course of a road's life, the surface could lose some of its characteristics associated with grip.

Members noted that effective maintenance of the highway network included the requirement to systematically monitor the skid resistance of the road surface and to take a proactive approach to maintain this across the network to an appropriate standard.

It was reported that a robust policy (Document AMF-20) and process would ensure that the Council could adequately adhere to its duty of care under the Highways Act 1980 and enable the public to travel safely on the highway network.

It was noted that an operational document had been developed (Document AMF-21), which provided a step by step approach to identifying skid deficient sites and the process for deciding their subsequent treatment through a prioritisation process, in accordance with the requirements of the Well Managed Highway Infrastructure Code of Practice: October 2016.

The Executive Scrutiny Board resolved to recommend to Council Cabinet that consideration be given to assessing skid resistance in areas designed for pedestrians and cyclists, especially in the city centre and district centres and places with non-standard surfaces.

Item 12 – Derby City's Resilient Highway Network

The Board received a report of the Strategic Director of Communities and Place seeking approval for the adoption of a Resilient Highway Network.

It was reported that the Transport Resilience Review (Department for Transport 2014) recommended that local highway authorities should, "Identify a 'resilient network' to which they would give priority, in order to maintain economic activity and access to key services during extreme weather". It was also reported that this had been further reinforced as a recommendation within the Well-Managed Highway Infrastructure Code of Practice: October 2016.

Members noted that Derby had self-assessed as a Band 3 Authority on the Incentive Fund, in that the Council was making significant progress towards effective asset management practices in maintaining its highway assets. It was also noted that it ensured capital funding provided by the Department for Transport for highway maintenance was at the optimum level.

It was reported that defining a resilient network was a key requirement of the Incentive Fund, so that investment in that part of that network may be prioritised alongside other asset management activities.

The Executive Scrutiny Board resolved to note the report.

Item 13 – Expanding Foster Provision – Enabling Access to Suitable Properties to Facilitate Foster Care

The Board received a report of the Strategic Director for Communities and Place seeking approval to run a pilot relating to the acquisition or re-allocation of additional accommodation for the specific use of foster caring families.

It was reported that the pilot would entail either Derby Homes Ltd (DH) acquiring, or the Council, funded from the Housing Revenue Account (HRA), acquiring or re-allocating, up to 3 properties over a 2-year period. It was also reported that the properties would be made available for foster carers or prospective foster carers who were unable to expand or commence foster care provision due to the lack of suitable accommodation.

The Executive Scrutiny Board resolved to note the report.

Item 14 – Castleward Urban Village – Future Phases

The Board received a report of the Strategic Director for Communities and Place seeking approval for a new primary school at Castleward as a critical step in the delivery of further housing in Castleward and the adjacent former DRI site and approval for the use of un-ringfenced right to buy receipts and HRA funding to enable delivery of further phases of housing development including the acquisition of a number of affordable homes.

The Executive Scrutiny Board resolved:

- 1. to recommend to Council Cabinet that the design of the school allows for its expansion up to 2 form entry, which is the Council's preferred size for primary schools; and**
- 2. to recommend to Council Cabinet that the design of the streets close to the site be reviewed to ensure that they are as friendly as possible for families and children walking or cycling to the school.**

Item 15 Becketwell Regeneration

The Board received a report of the Strategic Director for Communities & Place seeking approval under Contract and Financial Procedures rules to amend the funding arrangements for Becketwell Regeneration.

The Executive Scrutiny Board resolved:

1. to recommend to Council Cabinet that the high rise elements of the new build be required to include any appropriate recommendations from the Grenfell Tower inquiry, even if these have not been transferred into building regulations; and
2. to recommend to Council Cabinet that sprinkler systems be required to be included in buildings within the scheme.

Item 16 – Purchase of a Residential Development to Provide 14 New Affordable Homes

The Board received a report of the Strategic Director for Communities and Place seeking approval to purchase a housing scheme to be funded from the Housing Revenue Account (HRA) capital programme and Right to Buy receipts (RtB).

It was reported that the Council had been offered the opportunity to purchase 14 new build homes on a self-contained development located within the City.

Members noted that these homes would form part of the Council's affordable housing stock and would be managed by Derby Homes (DH), the Council's Arm's Length Management Organisation.

The Executive Scrutiny Board resolved to note the report.

Item 17 – Compulsory Acquisition of Empty Homes

The Board received a report of the Strategic Director for Communities and Place seeking approval to initiate compulsory purchase proceedings in relation to 5 long-term vacant properties where the owners have not sufficiently demonstrated that they will be occupied in the near future.

It was reported that the Council's Empty Homes Strategy aimed to facilitate the renovation and re-occupation of vacant dwellings; thereby contributing towards meeting local housing demand. It was also reported that the actions would also help tackle any anti-social and environmental nuisance that neglected properties could present.

Members noted that the re-use of these homes would contribute towards the Council's New Homes Bonus income.

The Executive Scrutiny Board resolved to note the report.

Item 18 – Disposal of Allestree Hall and Future Operation of Allestree Park

The Board received a report of the Strategic Director for Corporate Resources in relation to the disposal of Allestree Hall and future operation of Allestree Park.

It was reported that following a marketing exercise, a preferred bidder has been identified for the purchase of Allestree Hall.

The report set out both the details of the disposal and the implications of the preferred bidders' proposals for the future operation of Allestree Park and golf course.

**The Executive Scrutiny Board resolved to note the report.
Contract and Financial Procedure Matters**

Item 19 – 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:

- to approve a procurement exercise for the supply and installation of telecare equipment by Carelink into Derby Homes owned homes;
- to approve the flexibility to award individual contracts commissioned as part of the Commissioning 4 Change Programme with regard to vulnerable adults;
- to provide an update to Cabinet on the 2016 loan to Derbyshire County Cricket Club and to approve a revised repayment profile for the loan, with the final repayment instalment being made on or before 31 December 2024;
- to approve the acceptance of additional grant funding of £1.464m of European Regional Development Fund funding from Ministry of Housing, Communities and Local Government; and
- to update Cabinet on the progress of the Munio IIA- Derwent Parade Outfall European Regional Development Fund application for approximately £1m funding support and to secure delegated approval to accept the European Regional Development Fund grant associated with the Munio IIA application, should the bid appraisal process be successful.

The Executive Scrutiny Board resolved to note the report.

Performance

Item 20 – Council Delivery Plan Monitoring

The Board received a report of the Chief Executive seeking approval for a monitoring framework and targets in relation to Council Delivery Plan Monitoring.

It was reported that in July 2019, Council approved the Council Plan 2019 – 2023, with Cabinet approving the supporting Council Delivery Plan (CDP) in the same month.

The report presented Cabinet with a consolidated performance framework, which pulled together priority performance measures, priority projects and strategic risks, in line with the themes of the 2019/20 CDP:

- A city with big ambitions.
- A city of health and happiness.
- A council focused on the things that matter.

Members noted that the framework would be subject to regular review to make sure it remained focused on the Council's priority areas for improvement and the prevailing strategic risks. It was also noted that reporting would start in October 2019 with an update on the objectives and actions from the CDP at the end of quarters 2 (Q2) and Q4.

The Executive Scrutiny Board resolved to note the report.

Item - 21 Exclusion of the 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 22 – Purchase of a Residential Development to Provide 14 New Affordable Homes

The Board considered exempt detail in the report of the Strategic Director for Communities and Place seeking approval to purchase a housing scheme to be funded from the Housing Revenue Account (HRA) capital programme and Right to Buy receipts (RtB).

The Executive Scrutiny Board resolved to note the report.

Item 23 – Compulsory Acquisition of Empty Homes

The Board considered exempt detail in the report of the Strategic Director for Communities and Place seeking approval to initiate compulsory purchase proceedings in relation to 5 long-term vacant properties where the owners have not sufficiently demonstrated that they will be occupied in the near future.

The Executive Scrutiny Board resolved to note the report.

Item 24 - Disposal of Allestree Hall and Future Operation of Allestree Park

The Board considered exempt detail in the report of the Strategic Director for Corporate Resources in relation to the disposal of Allestree Hall and future operation of Allestree Park.

The Executive Scrutiny Board resolved to note the report.

Item 25 – Becketwell Regeneration

The Board considered exempt detail in the report of the Strategic Director for Communities & Place seeking approval under Contract and Financial Procedures rules to amend the funding arrangements for Becketwell Regeneration.

The Executive Scrutiny Board resolved to note the report.

MINUTES END