

Time began: 6:00pm  
Time ended: 7.08pm

## **COUNCIL CABINET 13 November 2019**

Present	Councillor Poulter (Chair) Councillors Barker, M Holmes, Roulstone, Webb and Williams
In attendance	Councillors Atwal, Shanker and Skelton Carole Mills – Chief Executive Paul Simpson – Strategic Director of Corporate Resources Andy Smith – Strategic Director of People Rachel North – Strategic Director Communities and Place Emily Feenan – Director of Legal, Procurement and Democratic Services Heather Greenan – Director of policy, Insight and Communications Greg Jennings – Director of Development and Growth Nigel Brien – Head of traffic and Transport Laura Bandell – Communications Officer

This record of decisions was published on 15 November 2019. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

### **85/19      Apologies**

Apologies for absence were received from Councillors Eldret, Smale and Wood.

### **86/19      Late Items**

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late item on the grounds that it should be considered as a matter of urgency because the deadline for submission of the business case was 28 November 2019 and this was before the next scheduled meeting.

- Compliance with Contract and Financial Procedure Rules : Transforming Cities Fund

### **87/19      Receipt of Petitions**

There were no petitions

### **88/19      Identification of Urgent Items to which Call In will not apply**

There were no items.

## 89/19      Declarations of Interest

There were no declarations of interest.

## 90/19      Minutes of the Meeting Held on 9 October 2019

The minutes of the meeting held on 9 October 2019 were agreed as a correct record.

## Matters Referred

### 91/19      Recommendations from the Executive Scrutiny Board

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The Executive Scrutiny Board met and discussed items contained within the Council Cabinet Agenda. The report enabled the views and recommendations resulting from these discussions to be formally shared with Council Cabinet. These were submitted to Council Cabinet as Appendix 1, prior to commencement of the meeting.

#### **Decision**

To receive the report and consider the recommendations alongside the relevant report.

### 92/19      Recommendation from Children and Young People Scrutiny Board

The Council Cabinet considered a recommendation from the Children and Young People Scrutiny Board requesting that Council Cabinet ensure that Derby City Council was reviewing school place planning for SEND provision alongside school place planning for mainstream provision to meet the needs of the local area.

#### **Decision**

To note the recommendation from the Children and Young People Board because this was part of business as usual.

## Contract and Financial Procedure Matters

### 93/19      Compliance with Contract and financial Procedure Rules: Transforming Cities Fund

The Council Cabinet considered a report which sought approval to submit a bid for external funding and accept the funding if the bid is successful.  
The Executive Scrutiny Board recommended

1. that the Cabinet Member for Regeneration, Planning and Transportation writes to the Department for Transport, outlining our concerns about the lack of revenue funding in the Transforming Cities Fund and requests that this is reconsidered in relation to tranche 2 funding.
2. to Council Cabinet that the proposed transport infrastructure considers the existing infrastructure and includes fast and efficient cross city links and routes.

## **Decision**

1. To delegate authority to the Strategic Director of Communities and Place following consultation with the Cabinet Member for Regeneration, Planning and Transport and the Strategic Director of Corporate Resources to submit a bid to the Transforming Cities Fund Tranche 2, and any further development and submission for the Future Mobility Zone Fund, if the proposal successfully passes to the next stage of assessment, and to accept the anticipated award of funding, subject to acceptable grant conditions.
2. To delegate authority to the Strategic Director of Communities and Place following consultation with the Cabinet Member for Regeneration, Planning and Transport and the Strategic Director of Corporate Resources to make variations to the programme as necessary within the terms of any allocated grant and where they are supported by the Joint Derby Nottingham Mobility Programme Board.
3. To note the recommendations from the Executive Scrutiny Board.

## **Key Decisions**

### **94/19      Creation of a Single Early Years Inclusion Fund**

The Council Cabinet considered a report which stated that following consultation and very careful consideration, Council Cabinet on 10 October 2018, approved the reallocation of the enhanced resource funding provided to Central Community Nursery School (£142,055) and Lord Street Nursery School (£110,000) , totalling £252,055, to a single Early Years Inclusion Fund which Maintained Mainstream Settings and Private, Voluntary and Independent (PVI) settings could make applications to in order to provide additional support for early years children with SEND across the city.

The reallocation of the Central Community Nursery School and Lord Street Nursery School enhanced resource funding to a single Early Years Inclusion Fund formed part of the strategic city-wide review to improve SEND provision in Derby. The aim was to help ensure that parents and carers of children with SEND had a wider choice of early years options available and were able to access local childcare places. The funding reallocation would result in the Early Years Inclusion Fund increasing to £502,000 and would create a more transparent and consistent approach to providing funding to meet the needs of children in early years settings.

The current allocation of enhanced resource funding to Central Community Nursery School and Lord Street Nursery School was based on a historic funding arrangement. The funding was allocated as a fixed sum to each of the nurseries and was not based on numbers of commissioned enhanced resource places or actual placements made.

Following Council Cabinet approval on 10 October 2018, the Council had been working very closely with the nurseries on planning the decommissioning of their enhanced resource provisions, including in relation to transitional funding arrangements to help support the nurseries.

As proposals were now in place to carefully manage the decommissioning of the enhanced resource provisions at Central Community Nursery School and Lord Street Nursery School, this report recommended approval to move to the next stage of the process which included publishing a statutory notice, and a further four week representation period, on the proposals to formally remove the enhanced resource provisions on 1 April 2020.

It was important to note that the proposed removal of the enhanced resource provisions from the two nurseries would not displace any children and overall early years SEND funding would not be reduced as a result of the funding reallocation.

#### The Executive Scrutiny Board

1. noted that with small numbers of children on roll and their short duration at a school, staff skills were key and asked that a significant proportion of these funds should be used to provide early advice and support to all settings at an early stage of concern about a child having SEND and more general training must be available at minimal cost for staff at all early years settings.
2. recommended to Council Cabinet that an up to date EIA is completed before the final decision is made to remove the enhanced resource provisions at Central and Lord Street Nursery, to assess the impact of this move.

#### Options considered

There was an option to not go ahead with the formal removal of the enhanced resource provisions at Central Community Nursery School and Lord Street Nursery School. The proposal, however, was to continue with the removal of the provisions at the two nurseries to release SEND funding for children in a wider choice of childcare settings and to create a more transparent and consistent approach to funding SEND support in early years settings.

#### Decision

1. To approve the publication of a statutory proposal and notice to formally remove the enhanced resource provisions at Central Community Nursery and Lord Street Nursery on 1 April 2020.
2. 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.
3. To approve the reallocation of the enhanced resource school funding provided to Central Community Nursery and Lord Street Nursery, totalling £252,055, to the Early Years Inclusion Fund from 1 April 2020.
4. To note the recommendations from Executive Scrutiny Board.

## **Reasons**

Following Council Cabinet approval on 10 October 2018, proposals had been developed to carefully manage the decommissioning of enhanced resource provision at Central Community Nursery School and Lord Street Nursery School. The funding released (totalling £252,055) would be added to a single Early Years Inclusion Fund which Maintained Mainstream Settings and Private, Voluntary and Independent (PVI) settings could make applications to in order to provide additional support for early years children with SEND across the city.

## **95/19      Purchase of a Residential Development to Provide 13 New Affordable Homes**

The Council Cabinet considered a report which sought approval to purchase a housing scheme to be funded from the Housing Revenue Account (HRA) capital programme and Right to Buy receipts (RtB).

The Council had been offered the opportunity to purchase 13 new build homes on a self-contained development located within the City.

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 recommended to Council Cabinet that it ensures that the homes are built to use all electric heating with air-sourced heat pumps and very high levels of insulation.

## **Options considered**

1. An option would be not to proceed with the purchase of the 13 homes. However, not doing so would compromise the Council's ability to meet its affordable development targets and provide much needed affordable housing. It also failed to minimise the potential repayment of RtB receipts to the Ministry of Housing Communities and Local Government (MHCLG).

2. An option would be to not proceed with the purchases and let the open market manage the development. Due to the size of the site there was no planning obligation to provide any affordable homes on the development and there would be no additionality of affordable homes to rent within the city.

## **Decision**

1. To agree the principle of acquiring the development as detailed in the report, funded through the HRA capital programme and RtB receipts at the price not exceeding the formal (RICS approved) valuation.
2. To delegate authority to the Strategic Director for Communities and Place following consultation with the Strategic Director of Corporate Resources to enter into all necessary agreements required to secure the acquisition of the properties.
3. To agree to the development being incorporated within the Councils housing stock and being managed by Derby Homes.
4. To note the recommendation from Executive Scrutiny Board.

## **Reasons**

1. The acquisitions would provide new affordable homes which would meet the needs of households on the waiting list.
2. To ensure the purchase of the development was undertaken in accordance with Council procedures ensuring due diligence throughout.
3. To ensure that the properties were correctly managed and maintained.

## **96/19      Compulsory Purchase Scheme – Compulsory Purchase of Properties in Castleward**

The Council Cabinet considered a report which described the work undertaken to progress the CPO Scheme proposal and outlined the key points from the Draft Statement of Reasons (dSoR) in Appendix 1 of the report. It set out the next steps and timescales for the compulsory purchase process, highlights the key risks associated with proceeding and sought approval for the capital and revenue budget implications of acquisitions.

In March 2019, Derby City Council secured £4.47m of Housing Infrastructure Fund (HIF) from Homes England to deliver further phases of new housing within the Castleward Urban Village (CUV) regeneration area. In order to achieve certainty of delivering a quantitative and qualitative improvement in housing provision at Castleward, and within the timescales required under the HIF agreement, this report sought approval to proceed with a Compulsory Purchase Order (CPO), alongside continued efforts to acquire interests by mutual agreement.

The Executive Scrutiny Board

1. noted that a number of businesses affected may have difficulty relocating to suitable alternative premises and, therefore, asked Council Cabinet to work with developers in other areas, such as Manor Kingsway and Heatherton extension (H9), to create the sorts of business spaces that appear to be in short supply in Derby.
2. recommended to Council Cabinet that it ensures that there is a provision in the business relocation funds for business marketing of new locations.

### **Options considered**

1. The option of not pursuing a CPO and relying on land acquisition by agreement was highly unlikely to achieve the required land assembly, in time or at all, to continue regeneration and deliver the number of new, high quality market and affordable homes required in the Local Plan. Development of the CUV would at best be piecemeal and risk delivering the Local Plan target and City Centre Masterplan objectives. The Council would also risk losing significant funding from Homes England's HIF.
2. The in-principle Council Cabinet approval of November 2018 authorised preparatory work for a CPO covering the whole of the Castleward Urban Village area, less Phases 1 and 2 that were complete / underway. Subsequent land referencing, valuation work and legal advice had concluded that a case was justified for the CPO Scheme for the Order Land shown in Appendix 2 of the report, which covered part of the CUV regeneration area. The longer term intention remained however, to continue regeneration and redevelopment of the wider area. The proposed CPO Scheme therefore remained as a designated phase of the wider CUV. By proceeding in this fashion; any demonstrable, future increase in redevelopment value of the wider CUV regeneration area arising and therefore benefiting from public investment in the regeneration of the Order Land, could be discounted when the Council subsequently seeks to continue acquisitions.

### **Decision**

1. To note the outcome of preparatory work approved by Council Cabinet in November 2018 and undertaken to date on the Compulsory Purchase Order relating to the Scheme, as set out in paragraphs 4.1 to 4.5 of the report.
2. To approve the dSoR in Appendix 1 of the report as providing the necessary reasons and justification for making the CPO and in particular being satisfied that the proposed purpose for which CPO was made justified interfering with the human rights of those with an interest in the land affected.
3. To authorise the Council:
  - to make a Compulsory Purchase Order ("the CPO") in respect of the land shown coloured pink ("the Order Land") on the plan contained at Appendix

- 2 of the report under Section 17 of the Housing Act 1985 (as amended) for the purposes of achieving a qualitative or quantitative housing gain; and
- in acquiring new right as necessary under Section 13 Local Government (Miscellaneous Provisions) Act 1976 for the purposes of facilitating the development of the Order Land referred to above.
4. To delegate authority to the Strategic Director of Corporate Resources, following consultation with the Cabinet Member for Regeneration and Public Protection, the Cabinet Member for Adults, Health and Housing and Cabinet Member for Governance and Licensing to:
    - i. take all necessary steps to secure the making, confirmation and implementation of the CPO, including making further amendments by way of finalising the dSoR, the publication and service of all relevant notices and the presentation of the Council's case at any future Local Public Inquiry;
    - ii. approve terms for the acquisition of legal interests (including new rights) by agreement including for the purposes of resolving any objections to the CPO;
    - iii. take all necessary steps to resolve any compulsory purchase compensation claims, including, if necessary, by way of making (or responding to) a reference to the Upper Tribunal (Lands Chamber); and
    - iv. agree terms for the subsequent transfer of land to Compendium Living as described in paragraphs 4.18 and 4.19 of the report.
  5. To approve the addition of £8.482m to the capital programme and the proposed funding as detailed in paragraph 7.2 of the report.
  6. To note and accept the risks associated with progressing the work proposed in this report as identified in paragraph 4.23 of the report.
  7. To approve the inclusion in the MTFP of the permanent £40k revenue budget pressure at paragraph 7.10 of the report.
  8. To approve the treatment of any temporary revenue budget implications that may arise from the asset management strategy during the holding period as detailed in paragraph 7.11 of the report.
  9. To note the recommendations from the Executive Scrutiny Board.

## **Reasons**

1. Housing-led regeneration at Castleward Urban Village (CUV) was a priority project in Derby's City Centre Masterplan 2030 and critical to achieving the housing targets in the Derby City Local Plan (2011-2028). Early phases of



development at CUV were completed without the requirement for the Council to exercise its compulsory purchase powers. The Local Plan specifically envisages the use of compulsory purchase powers to deliver the wider CUV if required.

2. The acquisition of property interests by agreement was the Council's preferred option. The use CPO powers would be used as a last resort to secure the assembly of land, as required. A local authority contemplating the use of CPO powers was expected to seek to acquire land by negotiated settlement prior to and concurrently with implementing the CPO. The Council had, and would continue to, put considerable effort into engaging with all known owners of land or interests that would be directly affected by the CPO (as set out in section 5 of the report). In giving this authority for the use of the CPO power the Council was demonstrating that it was willing to use its CPO powers in order to deliver the housing scheme that underpins the CPO.
3. A Draft Statement of Reasons (dSoR) (see Appendix 1 of the report) had been prepared in connection with the making of a CPO entitled the Derby City Council (Castleward) Compulsory Purchase Order 2019. The dSoR sets out the Council's justification for the use of the CPO powers provided in section 17 Housing Act 1985 and section 13 Local Government (Miscellaneous Provisions) Act 1976. The CPO was necessary in order to assemble the land required for the proposed residential development of the land to deliver at least 512 new dwellings within the Order Land.

## 97/19 Investment in High Quality Office Development

The Council Cabinet considered a report which sought approval for direct investment by the Council in c. 42,900 sq. ft. of new high quality offices on Full Street. The developer/site owner proposed a revised high quality office scheme in response to changes to the original business case approved by Council Cabinet in 2018. The investment would help deliver the Council's aspirations for new offices within the City Centre by enabling stalled development proposals for offices to go ahead.

The project would create quality workspace for new and existing businesses, helping to address the investment market's failure to fund the supply of larger, high quality office units in the City Centre. Whilst the overall purpose of the project was to support much needed office provision, development of this prominent brownfield site would support the wider regeneration of the Cathedral Quarter.

The report summarised the findings of the feasibility work and the rationale for the investment and sought approval to forward fund a high quality commercial development that provided for income generation with a positive rate of return. The confidential report also considered at this meeting set out the details in the investment appraisal for the project.

The project proposed that the Council would acquire new offices, as a forward purchase, requiring £12.104m of Council investment to be funded through serviced finance borrowing.

The Executive Scrutiny Board recommended to Council Cabinet that it ensures that the building is constructed to a very high environmental standard to ensure that it has a long life with a minimal in-use carbon footprint and that the structure is adaptable for future changes of use (e.g. to residential, retail, storage, etc.) as building purposes change over time.

### **Options Considered**

Other options had been considered and were outlined in the confidential report.

### **Decision**

1. To approve the terms of the property transactions the details of which were set out in the confidential report later on the agenda for this meeting.
2. To note the recommendations from the Executive Scrutiny Board.

### **Reasons**

1. To enable the delivery of a high quality office development in this prime location and stimulate the office market within the city centre. Taking forward this development would support the delivery of the City Centre Masterplan 2030 objectives and aspirations of Derby City's Local Plan.
2. Based on the outcome of feasibility work, investment appraisals and professional advice the proposal would generate a positive return on investment sufficient to repay corporate borrowing. The investment was self-financing and would generate a positive surplus in the medium to long term.
3. The accommodation would be extensively marketed during the construction period to secure lettings in readiness for the building opening so as to reduce the risks to the Council's investment purchase.
4. The development of 42,900 sq. ft. of grade A office space was anticipated to generate valuable economic benefits, including 345 permanent full time jobs (these were likely to be a mixture of relocated jobs within the City and newly created jobs), £8.5m pa additional Gross Value Added (GVA was an industry standard measure of economic activity), additional business rates of up to £346k pa and opportunities for local labour and skills training (apprenticeships) during the construction period.

## **Budget and Policy Framework**

98/19      2019/20 – Quarter 2 Financial Monitoring for  
General Fund, Capital Budgets, Dedicated Schools

## Grant, Collection Fund and Housing Revenue Account

The Council Cabinet considered a report which summarised the Council's forecasted financial outturn position to 31 March 2020 based on the financial position as at 30th September 2019.

**Revenue budget:** The Council was currently forecasting an overspend of £5.483m against our base budget requirement of £220.609m. This was an improvement on the £5.830m overspend reported at the end of Quarter 1. The demand pressure reported in respect of Children's Services in Quarter 1 had stabilised demonstrating the impact of a number of the interventions introduced within this service area. Pressures in children's services were being experienced by the majority of Councils across England. Excluding this demand led pressure within Children's Services the Council was forecasting a £1.117m surplus in respect of all the other areas of Council activity. For the remaining six months of the year budget holders would continue to exercise tight management of their costs and to look at opportunities to maximise income. Equally, it was expected that a number of the Council's demand management interventions would deliver further savings over the next six months. Recent Government announcements on funding for 2020/21 indicated additional funding in future years that would be sufficient to address any recurrent costs pressures identified within the 2019/20 monitoring. As such, care would be taken in respect of management actions to reduce the overspend in the next 6 months that it did not just cost shunt into next year or have unintended consequences on future years' service delivery to residents and businesses.

**Capital budget:** Capital expenditure to date was £28.327m and our forecast was estimated at £129.916m against an approved capital budget of £181.031m. The Capital Programme had been updated for both re-profiling and revisions to funding assumptions – these were detailed in the report.

**Reserves:** The General Reserve balance remained at £10.933m and our Earmarked Reserves had a future years' forecast balance of £25.428m. Since Quarter 1 the planned usage of reserves had been reviewed in respect of supporting the Capital Programme in future years. This had increased the projected earmarked reserves balances from £14.9m (Quarter 1) to £25.428m (Quarter 2). This had improved the financial resilience of the Council. However, any residual overspend at the end of 2019/20 will reduce the reserve level.

**Treasury Management:** Total debt was £430.955m and total investments were £71.428m compared to £443.573m and £67.838 as at 31 March 2019. No new borrowings had been made or were anticipated to be made in the year. Total debt had reduced by £12.618m including the repayment of PWLB debt totalling £11.038m.

**Dedicated Schools Grant (DSG):** The total grant of £234.766m had been allocated to schools and retained educational services. There was an overspend forecast on the High Needs Block of the DSG of £2.6m. DSG Reserve Balances were reported at £2.8 million at the start of the financial year, and were likely to be exhausted by the end of the financial year. There was the likelihood that either this year or next year a deficit recovery plan would need to be agreed.

**Collection Fund:** Council Tax billed for the 2019/20 financial year was £120.19m, of which £65.23m, 54.04%% had been collected. Business Rates billed for the 2019/20 financial year is £94.12m of which £50.02m, 53.07% had been collected.

**Housing Revenue Account (HRA):** The full year forecast projected a planned use of the HRA reserve of £4.507m.

**Performance on sundry debt collection and movement on arrears outstanding:** The value of Sundry Debts to be collected was £9.167m. This represented an increase of £2.279m on the figure reported in the 2019/20 Quarter 1 report. This was mainly due to when services were provided during the year.

Further analysis and explanations of key variances were provided in section 4 of the report.

Included in the revenue forecast were planned savings and mitigating savings of £7.183m. This equated to 100% of the savings target set by Council for 2019/20. The limited number of unachievable savings within the 2019/20 budget had been addressed through the identification of additional savings and/or income.

A summary of the net revenue forecast by directorate was set out in the report, with further detail on the restated budget set out in section 4.2 of the report:

The Executive Scrutiny Board noted the report.

## **Decision**

### **1. To note**

- The revenue projected outturn and key budget variances set out in the report in section 4 and the savings to be delivered in the year in section 4.25.
- The capital programme forecast and actual capital expenditure incurred during the quarter summarised in section 4.30 of the report.
- The Council's reserves position, as set out in section 4.50 and Appendix 1 of the report.
- The Council's treasury position and performance in the quarter, as set out in section 4.53 of the report.
- The forecast Dedicated Schools Grant position summarised in section 4.57 of the report.
- The Council Tax and Business Rates Collection Performance as set out in section 4.58 of the report.

- To note the Housing Revenue Account Performance and projected outturn as set out in section 4.63 of the report.
  - To note the changes already approved under scheme of delegation to the capital programme detailed in Appendix 2 of the report.
2. To approve Business Rates write-offs of £0.868m as uncollectable and outlined in section 4.62, with details in appendix 5 of the report. A confidential paper later on the agenda outlined further details.
  3. To approve changes to the 2019/20 - 2021/22 capital programme outlined in section 4.30 and detailed in Appendix 3 of the report.
  4. To approve the use of the PFI lifecycle reserve to fund PFI lifecycle costs as detailed in section 4.39 of the report.
  5. To approve the change of funding for the A52 from reserves to borrowing as detailed in section 4.40 of the report and to recommend Council to approve the additional borrowing.
  6. To approve the use of the borrowing savings within the treasury management budget from the waste plant to apply against the revenue pressures for alternative waste disposal detailed in section 4.42 of the report.
  7. To approve the change in the funding profile for the Assembly Rooms after confirmation of £0.975m of Business Rate Retention Programme grant funding and therefore a change to the funding profile as detailed in section 4.44 of the report.
  8. To approve the setup of a commuted sum reserve for the maintenance of Victory Road detailed in section 4.44 of the report.
  9. To approve the use of additional S106 contributions as detailed in section 4.49 of the report.

## 99/19 Treasury Management Mid – Year Report 2019/20

The Council Cabinet considered a report which stated that the Council was required under the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the "CIPFA TM Code") to approve the treasury management mid-year and outturn reports.

The mid-year report outlined the Treasury Management activity for the period 1 April 2019 to 30 September 2019, comprising:

- Summary of the Financial Markets to date in 2019/20
- Forecast Outturn 2019/20
- Borrowing Activity
- Deposits
- Prudential Indicators.

The Executive Scrutiny Board noted the report.

## **Decision**

1. To note the forecast outturn position of £0.9m underspend.
2. To note the position statement on Treasury Management Activity, and compliance against the Prudential Indicators, for the period 1 April 2019 to 30 September 2019.
3. To recommend Council to approve the Treasury Management mid-year report.

## **100/19 Medium Term Financial Plan 2020/21 – 2022/23 – Consultation Report**

The Council Cabinet considered a report which outlined proposals for the Council's new three year Medium Term Financial Plan (MTFP) including detailed plans for a balanced budget for 2020/21. It also set out additional savings identified as part of our financial plans across the next three years - 2020/21 to 2022/23 - and sought approval to start appropriate consultation to deliver these savings.

The Executive Scrutiny Board recommended to Council Cabinet that

1. in relation to page 28 of the report - Communities and Place proposed new savings – Public Protection and Streetpride – Staffing Efficiencies – Land, Flood and Drainage Reduction – 3 FTEs and in light of the recent flooding emergency and the potential for future flooding, that there is no reduction in staff in this department.
2. a detailed breakdown be provided of the investment on highways mentioned in paragraph 4.14.3 of the report, how this money will be spent and a programme for these activities.
3. it ensures that officers explore the opportunity to sell the Council's professional and technical services to others before reducing technical staff, especially those whose expertise may be difficult to replace.
4. it ensures that the Council has the officer capacity to develop bids, such as those listed in 4.14.16 of the report, which will result in the improvement to the appearance and resilience of Derby.

## **Decision**

1. To note:
  - The current medium term financial position as outlined in section 4.6 and detailed in Appendix 1 of the report including the balanced position for 2020/21.

- The Directorate commentary, along with details of the proposed new savings and pressures at Directorate level outlined from 4.8 to 4.10 with further detail at Appendix 2 of the report.
  - The current list of savings options outlined in Appendix 2 of the report with an estimated reduction in posts by 48.23 full time equivalent (FTE) posts.
  - The current estimated service pressures outlined in Appendix 3 of the report.
  - The reserves position outlined in section 4.11 and Appendix 4 of the report.
  - The indicative capital programme as outlined in section 4.14 and Appendix 5 of the report.
  - Proposals to increase Council Tax by 3.99% for 2020/21 (including the 2% social care precept) outlined in section 4.15 of the report.
  - The Change Derby programme focus areas outlined in Section 4.16 of the report.
2. To approve the start of appropriate consultation with citizens and other stakeholders, including collective consultation if appropriate, to deliver these savings and the preparation of equality impact assessments flowing from any decision to implement some or all of these savings.
  3. To reject recommendation 1 from Executive Scrutiny Board.
  4. To accept recommendations 2, 3 and 4 from the Executive Scrutiny Board.
    - that a detailed breakdown be provided of the investment on highways mentioned in paragraph 4.14.3 of the report, how this money will be spent and a programme for these activities.
    - to ensures that officers explore the opportunity to sell the Council's professional and technical services to others before reducing technical staff, especially those whose expertise may be difficult to replace.
    - to ensures that the Council has the officer capacity to develop bids, such as those listed in 4.14.16 of the report, which will result in the improvement to the appearance and resilience of Derby.

## Performance

### 101/19 Council Delivery Plan Monitoring – Quarter 2

The Council Cabinet considered a report which stated that in July 2019, Council approved the Council Plan 2019 – 2023, with Council Cabinet approving the

supporting Council Delivery Plan in the same month. The underpinning performance framework and priority targets were approved in September 2019.

The report presented a consolidated overview of performance; bringing together priority performance measures, projects and strategic risks, in line with the Council Plan themes along with progress on Delivery Plan actions.

At the end of Q2 (September 2019), 59% of our priority performance measures were forecasted to improve from the positions reported at the end of March 2019, with 77% of our supporting Delivery Plan actions being evaluated as 'on track'. 62% of the 21 priority projects were rated as either 'green' or 'amber/green,' and for our twelve strategic risks, 94% of controls were assessed as established.

A summary of notable performance issues was set out in paragraphs 4.3 to 4.14, with a full assessment of performance by Council Plan theme at Appendix 1 of the report.

The Executive Scrutiny Board noted the report.

### **Decision**

To note the latest performance position, paying particular attention to our strategic risks and emerging priorities for improvement.

## **102/19 Exclusion of the Press and Public**

**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 item on the grounds that it involved 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**

### **103/19 Purchase of a Residential Development to Provide 13 New Affordable Homes**

The Council Cabinet considered exempt information in relation to the purchase of a residential development to provide 13 new affordable homes.

The Executive Scrutiny Board noted the report.

### **104/19 Compulsory Purchase Scheme – Compulsory Purchase of Properties in Castleward**

The Council Cabinet considered exempt information in relation to the compulsory purchase of properties in Castleward.

The Executive Scrutiny Board noted the report.



## **105/19 Investment in High Quality Office Development – One Cathedral Green, Full Street, Derby**

The Council Cabinet considered exempt information in relation to investment in high quality office development – one Cathedral Green, Full Street, Derby.

The Executive Scrutiny Board noted the report.

### **Options considered**

These were set out in paragraphs 6.1 to 6.3 of the report.

### **Decision**

To approve the recommendations set out in paragraphs 2.1 to 2.6 of the report.

### **Reasons**

These were set out in paragraphs 3.1 to 3.3 of the report.

## **106/19 Business Rates Write Offs**

The Council Cabinet considered exempt information in relation to Business Rates Write Offs – addendum to the 2019/20 – Quarter 2 Financial Monitoring for General Fund, Capital Budgets, Dedicated Schools Grant, Collection Fund and Housing Revenue Account.

The Executive Scrutiny Board noted the report.

**MINUTES END**