



Council Cabinet Response to Scrutiny Recommendations

SUMMARY

- 1.1 This report outlines the recommendations made by the Executive Scrutiny Board to Council Cabinet and Council Cabinet's responses to these recommendations. The relevant responses have been extracted (and condensed where appropriate) from the Council Cabinet Minutes and included in Section 4 of this report.

RECOMMENDATION

- 2.1 To note the responses from Council Cabinet recorded in the Council Cabinet Minutes.

REASON FOR RECOMMENDATION

- 3.1 To ensure that the Executive Scrutiny Board receives a response from Council Cabinet to the recommendations made.

SUPPORTING INFORMATION

Council Cabinet Meeting of 12 September 2018

4.1 57/18 Recommendations from the Executive Scrutiny Board

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The 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 2, prior to commencement of the meeting.

Council Cabinet Decision

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

Key Decisions

4.2 58/18 Derby Opportunity Area: Developing Emotionally Healthy Schools

The Executive Scrutiny Board resolved:

- To welcome the report.
- To recommend that Council Cabinet agree the recommendations contained within the report, subject to confirmation that Derby City Council retain ultimate ownership of the proposed Schools Mental Health Portal.

Council Cabinet Decision:

1. To give in principle approval to award a grant of up to £598,000 to Redwood Primary School to lead and co-ordinate a city wide emotionally healthy schools strategy in line with the proposals to the Derby Opportunity Area Board.
2. To delegate authority to negotiate and agree the final terms of the grant agreement between Derby City Council and Redwood Primary School to the Strategic Director for People Services following consultation with the Cabinet Member for Children and Young People and the Strategic Director for Corporate Resources.
3. *To accept the recommendation from the Executive Scrutiny Board that the recommendations be accepted subject to confirmation that Derby City Council retain ultimate ownership of the proposed Schools Mental Health Portal.*

4.3 59/18 Social Impact Bond for Children in Care and On the Edge of Care

The Executive Scrutiny Board resolved to recommend that Council Cabinet request an update on progress against intended outcomes at an appropriate time during the lifetime of the contract.

Council Cabinet Decision:

1. To approve completion of the procurement of a Social Impact Bond provider, with Nottingham City and Nottinghamshire County Councils, for the services for children outlined in paragraph 4.4 of the report.
2. To delegate authority to the Strategic Director for People Services, following consultation with the Strategic Director of Corporate Resources and Cabinet Member for Children and Young People, to approve the Council entering into such contractual arrangements as are necessary to give effect to the award as stated in 1 above.
3. To note the contractual arrangements as per paragraph 2.2 of the report would be subject to final confirmation of contributory funding from the Life Chances Fund.
4. To take into account the detail within this report in consideration of the separate recommendation to appoint a preferred bidder detailed within the supplementary exempt report.

5. *To accept the recommendation from the Executive Scrutiny Board to request an update on progress against intended outcomes at an appropriate time during the lifetime of the contract.*

4.4 **60/18 Derbyshire Business Support Grants Scheme**

The Executive Scrutiny Board resolved:

- To recommend that Council Cabinet amend the proposed scheme to reflect that all those 'liable' for business rates were entitled to access funding, rather than only those that 'pay' business rates, allowing businesses to apply to the scheme who currently receive 100 per cent relief.
- To recommend to Council Cabinet that publicity for the scheme reflects that voluntary sector organisations would also be entitled to apply for support.

Council Cabinet Decision:

1. To approve the acceptance by the Council of [up to £1.6million] of pooled business rates funds for allocation to the Derbyshire Business Support Grants Scheme ("DBSGS") to be administered by the Council's Economic Growth Service.
2. To approve the delegation of decision-making responsibilities for DBSGS projects to the Cabinet Member appointed to the DEGF Investment Panel, including approval of the detailed business case for each project.
3. To approve the revised Terms of Reference for the Investment Panel as detailed in Appendix 3 of the report.
4. To approve the decision making for urgent action be delegated to the Strategic Director of Communities and Place following consultation with the S151 Officer, Cabinet lead member responsible for DEGF, and Monitoring Officer (or their designated deputies in their absence).
5. To approve the allocation of retained business rates into the Council's approved Revenue Budget (and then Capitalise as appropriate) on the basis that there were no restrictions in regard to allocating the fund to capital or revenue spend.
6. To approve the cash flow of the fund from accumulation of Business Rates from Derby City Council in the first instance, and then Derbyshire County Council and the Counties remaining districts once agreement had been signed off by all the members.
7. To recommend Council to approve the delegation of decisions about any necessary amendments to the criteria and terms of reference of the Scheme to the D2 Chief Executives group on behalf of the D2 Joint Committee in agreement with the designated Section 151 Officer.
8. To recommend Council to delegate decisions about the management of the 25% of funds retained to the S151 Officer in consultation with the D2 Chief

Exec's Group.

9. To note the background to the establishment of the D2 Joint Committee for Economic Prosperity detailed in paragraphs 4.17 and 4.18 of the report, and to endorse the delegation for it to make decisions about the delivery of economic growth in accordance with its agreed terms of reference as per the decision of Council Cabinet in February 2014.

10. That subject to consultation with Derbyshire County Council as the accountable body to accept the recommendation from the Executive Scrutiny Board that the proposed scheme be amended to reflect that all those 'liable' for business rates were entitled to access funding, rather than only those that 'pay' business rates, allowing businesses to apply to the scheme who currently receive 100 per cent relief.

11. That subject to resolution 10 above to accept the recommendation from Executive Scrutiny that publicity for the scheme reflects that voluntary sector organisations would also be entitled to apply for support.

4.5 61/18 Improvements to the IHub and Support for an Advanced Manufacturing Research Pilot

The Executive Scrutiny Board resolved to welcome the report.

4.6 62/18 Becketwell Regeneration

The Executive Scrutiny Board made two recommendations whilst considering exempt detail contained within the report in private session.

Council Cabinet Decision

1. To approve the terms of the strategic property transactions the details of which were set out in the confidential report submitted to this meeting of Council Cabinet.
2. To approve the termination of the procurement exercise to secure an ice rink operator (as referred to in paragraph 4.6 of the report).
3. *To reject the recommendations from Executive Scrutiny Board.*

4.7 63/18 Highway Infrastructure Asset Management

The Executive Scrutiny Board resolved to note the report.

4.8 64/18 Variation to Waste Disposal Contract

The Executive Scrutiny Board resolved to note the report.

4.9 65/18 Compulsory Acquisition of Empty Homes

The Executive Scrutiny Board resolved to welcome the report.

4.10 **66/18 Building Safer and Stronger Communities**

The Executive Scrutiny Board resolved to recommend to Council Cabinet that the Safer and Stronger Outcomes Board should include a representative from the community and voluntary sector, either as the Chair of the Stronger Communities Board or as an additional representative on the Strategic Outcomes Board.

Council Cabinet Decision:

1. To establish a 'Safer and Stronger Strategic Outcomes Board' to align the strategic outcomes of both the 'Safer Communities' and 'Stronger Communities' Boards.
2. To authorise Officers to work with our Community and Voluntary Sector partners to establish a Stronger Communities Board, as part of the Leadership Board Governance.
3. To note the role of the new Safer Communities Board, that would identify and analyse future risk and threat.
4. *To accept the recommendation from the Executive Scrutiny Board that the Safer and Stronger Outcomes Board should include a representative from the community and voluntary sector, either as the Chair of the Stronger Communities Board or as an additional representative on the Strategic Outcomes Board.*

4.11 **67/18 Corporate Asset Management Plan 2018-2023**

The Executive Scrutiny Board resolved to note the report.

4.12 **68/18 A52 Wyvern Transport Improvements Scheme Update**

The Executive Scrutiny Board resolved:

- To recommend that Council Cabinet reject recommendations 2.2 and 2.3 and pause the project until such time as a full and frank assessment of the total cost and timescale for delivery has been completed.
- To recommend that Council Cabinet approach other partners in the project, including Highways England, to identify additional resources for completion of the A52 improvements.
- To recommend to Council Cabinet that all councillors are provided with information in relation to any delegated decisions taken as part of the project, to ensure appropriate democratic oversight.

Council Cabinet Decision:

1. To note the positive progress and the continuing challenges that the completion of the A52 Wyvern Transport Improvement Scheme was presenting.
2. To delegate authority to the Strategic Director of Communities and Place,

following consultation with the Cabinet Member for Regeneration and Public Protection and the Strategic Director of Corporate Resources to make necessary executive decisions to ensure that the project could continue to progress as effectively and efficiently as possible, at optimum cost, within the revised capital budget referred to in recommendation 2.3.

3. To approve an increase in the operational capital budget for the A52 Wyvern Transport Improvement Scheme from the current budget of £24.713m to a budget of £33m.
4. To approve the use of the Council's budget risk reserve to initially fund the additional £8.287m, with a full financial analysis to be carried out to identify a best value for money funding solution option that would minimise the impact on the Council's medium term financial plan.
5. *To accept the recommendations from the Executive Scrutiny Board to approach other parties in the project including Highways England, to identify resources for completion of the A52 improvements.*
6. *To reject the recommendation from the Executive Scrutiny Board in relation to reject recommendations 2.2 and 2.3 and pause the project until such time as a full and frank assessment of the total cost and timescale for delivery has been completed.*
7. *To reject the recommendation from the Executive Scrutiny Board that all councillors are provided with information in relation to any delegated decisions taken as part of the project, to ensure appropriate democratic oversight.*

Performance

4.13 69/18 Performance Monitoring 2018/19 – Quarter One Results

The Executive Scrutiny Board resolved to note the report.

Contract and Financial Procedure Matters

4.14 70/18 Compliance with Contract and Financial Procedure Rules

The Executive Scrutiny Board resolved:

- To recommend that Council Cabinet utilise £3.2 million anticipated from the 2019/20 Business Rates Retention Pilot to support the 'closing the gap' agenda.
- To recommend that Council Cabinet circulate details of bids submitted to strands 2 and 3 of the D2 Business Rates Pilot 2018/19 Pooled Fund to members under the exempt section of the Cabinet agenda.

Council Cabinet Decision:

1. To approve the addition of the London Road Bridge scheme and associated funding to the Highways and Transport capital programme in 2018/2019 as outlined in paragraph 4.1 of the report.

2. To approve the addition of the City Centre CCTV replacement (Phase 1) scheme and associated funding to the Vehicles Plant and Equipment capital programme in 2018/2019 as outlined in paragraph 4.4 of the report.
3. To approve the Revenue Contribution to capital of £80,000 for the City Centre CCTV replacement (Phase 1) scheme in 2018/2019 as outlined in paragraph 4.4 of the report.
4. To approve the use of £281,000 from the Public Health Reserve as part of a grant award to Ripplez to fund the Pause Programme in the People Directorate for a further 18 months up to 31 March 2020, as outlined in paragraph 4.7 of the report.
5. To approve a grant award to Ripplez of £440,000, £281,000 of this, would be funded from the Council as outlined in paragraph 4.7 of the report.
6. To approve the submission of a bid to Government for the 2019/2020 Derbyshire County Wide Business Rate Pilot as outlined in paragraph 4.14 of the report.
7. To delegate authority to the Strategic Director of Communities and Place, following consultation with the Strategic Director of Corporate Resources and Cabinet Member for Regeneration and Public Protection to submit bids to the D2 Business Rates Pilot 2018/19 Pooled Fund and where successful to negotiate and accept funding agreements as outlined in paragraph 4.20 of the report.
8. *To reject the recommendations for the Executive Scrutiny Board.*

Council Cabinet Meeting of 20 September 2018

4.15 82/18 Recommendations from the Executive Scrutiny Board

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The 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 2, prior to commencement of the meeting.

Council Cabinet Decision

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

Contract and Financial Procedure Matters

4.16 84/18 Long Term Waste Management Contract

The Executive Scrutiny Board made five recommendations whilst considering exempt detail contained within the report in private session.

Council Cabinet Decision

1. To accept the recommendations set out in the report.
2. *To reject recommendations 1 to 4 from the Executive Scrutiny Board.*
3. *To accept recommendation 5 from the Executive Scrutiny Board to ensure that a summary of proceedings detailing discussion of the Long Term Waste Management Contract at the Executive Scrutiny Board, is provided to Council Cabinet prior to making its decisions on the recommendations included in the report.*

OTHER OPTIONS CONSIDERED

5.1 None.

This report has been approved by the following officers:

Legal officer	N/A
Financial officer	N/A
Human Resources officer	N/A
Service Director(s)	N/A
Other(s)	David Walsh – Head of Democracy

For more information contact:	Alex Hough – Democratic Services Manager 01332 643643 alex.hough@derby.gov.uk
Background papers:	Council Cabinet Minutes and Reports 12 September 2018 Council Cabinet Minutes and Reports 20 September 2018
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 Costs associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Legal

- 2.1 Rule OS23 of the Council's Constitution relate are relevant to this report in its final submissions to Council Cabinet. Rule OS23 states that the Council or Council Cabinet shall consider the report of the overview and scrutiny board within one month of it being submitted to the proper officer.
- 2.2 Legal implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Personnel

- 3.1 Personnel implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

IT

- 4.1 IT implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Equalities Impact

- 5.1 Effective scrutiny benefits all Derby people and the very nature of the Scrutiny Board's work means that equality issues are addressed.

Health and Safety

- 6.1 None directly arising from this report.

Environmental Sustainability

- 7.1 None directly arising from this report.

Property and Asset Management

- 8.1 Asset management and acquisition implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Risk Management

- 9.1 Risks management implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Corporate objectives and priorities for change

- 10.1 Our aim is to work together so that Derby and its people will enjoy a thriving sustainable economy, good health and well-being and an active cultural life.