

Time began: 2.00pm
Time ended:2.56pm

COUNCIL CABINET

5 July 2022

Present Councillor Poulter (Chair)
 Councillors Barker, Eyre, Hassall, J Pearce, Webb and
 Williams

In attendance Councillors AW Graves, Peatfield, Prosser and Skelton
 Paul Simpson – Chief Executive
 Rachel North – Strategic Director of Communities and Place
 Simon Riley – Strategic Director of Corporate Resources
 Emily Feenan – Director of Legal, Procurement and
 Democratic Services
 Alyson Koe External Communications Lead

This record of decisions was published on 7 July 2022. 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.

18/22 Apologies

An apology for absence was received from Councillor Smale.

19/22 Late Items

There were no late items.

20/22 Receipt of Petitions

There were no petitions.

21/22 Identification of Urgent Items to which Call In will not apply

The following items needed to be implemented immediately and therefore been exempted from call-in on the grounds of urgency.

Item 7 and 9 – Levelling Up Fund Round 2 Applications (Minutes nod 24/22 and 26/22)

The reason for urgency was that the bids had to be submitted by 6 July 2022. The Chair of the Executive Scrutiny Board had agreed the matters could be treated as urgent items and therefore not subject to call-in.

22/22 Declarations of Interest

There were no declarations of interest.

Matters Referred

23/22 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.

Key Decisions

24/22 Levelling Up Fund Round 2 Applications

The Council Cabinet considered a report which sought approval to submit 3 bids to Round 2 of the Government's Levelling Up Fund.

For each of the projects subject to the applications, the report summarised the strategic outcomes and benefits to the city centre regeneration ambition and the respective potential Council financial commitments, procurement/delivery strategies and subsidy control considerations.

The Executive Scrutiny Board made the following recommendations to Council Cabinet in relation to project Assemble:

- 1. Executive Scrutiny Board welcomes and supports the application to identify funds to develop project Assemble but notes that more work is to be done and requests that detailed plans be brought to Executive Scrutiny Board at the earliest opportunity; and**
- 2. given that any increase in costs or slippage in delivery would need to be met from local funds, Executive Scrutiny Board resolved to recommend that the council ensures that officers with the necessary skills, competence and experience to deliver major projects are in place within the council.**

Options Considered

The Council could consider submitting less than its allocation of three regeneration/culture focused bids in round two. However, all three projects set out in this report were unlikely to be delivered without additional external funding and we needed to maximise the potential benefit of the Levelling Up Fund for Derby (Derby City Council was not directly awarded any funding from the initial round of LUF).

Decision

1. To note the content of the report.
2. To note that a further confidential report relating to this Item was to be considered at Item 9 of the agenda of this meeting of Council Cabinet, which would ask Council Cabinet to agree the following recommendations:
 - a. To approve the submission of 3 applications to the Levelling Up Fund Round 2 for:
 - Assemble (New Learning Theatre), Assembly Rooms site
 - New Hotel, Becketwell
 - Friar Gate Goods Yard and Bridge.
 - b. To note that if a bid is successful, a report with full details would be brought back to Council Cabinet in relation to each scheme, and to seek approval to accept the funding, secure the relevant capital and revenue budgets (including match funding requirements), the contractual arrangements and conditions associated with the funding offer to enable it to be accepted.
 - c. To approve capital spend at risk of up to £0.7m to be added to the capital programme, funded by prudential borrowing to progress the Assemble (new Learning Theatre) to RIBA 2, in advance of the outcome of the bid, and the Council's internal Gateway 3 approval.
3. **To accept the recommendations from the Executive Scrutiny Board that in relation to project Assemble:**
 - **Executive Scrutiny Board welcomes and supports the application to identify funds to develop project Assemble but notes that more work is to be done and requests that detailed plans be brought to Executive Scrutiny Board at the earliest opportunity; and**
 - **given that any increase in costs or slippage in delivery would need to be met from local funds, Executive Scrutiny Board resolved to recommend that the council ensures that officers with the necessary skills, competence and experience to deliver major projects are in place within the council.**

Reasons

1. To enable the delivery of key projects identified within the Council's recently published Ambition document 'Towards a New Vision for Derby City Centre, to support the reinvention and regeneration of Derby's city centre.
2. To maximise the chances of securing Levelling Up Fund monies to overcome challenges associated with both the direct delivery costs and commercial viability of key regeneration projects in the city centre.

25/22 Exclusion of 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 items on the grounds that they 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 Decision

26/22 Levelling Up Fund Round 2 Applications

The Council Cabinet considered exempt information in relation to the Levelling Up Fund Round 2 Applications.

The Executive Scrutiny Board noted the report.

Options considered

The Council could consider submitting less than its allocation of three regeneration/culture focused bids in round two. However, all three projects set out in this report were unlikely to be delivered without additional external funding and we needed to maximise the potential benefit of the Levelling Up Fund for Derby (Derby City Council was not directly awarded any funding from the initial round of LUF).

Decision

1. To approve the submission of 3 applications to the Levelling Up Fund Round 2 for:
 - Assemble (New Learning Theatre), Assembly Rooms site
 - New Hotel, Becketwell
 - Friar Gate Goods Yard and Bridge.

2. To note that if a bid is successful, a report with full details would be brought back to Council Cabinet in relation to each scheme, and to seek approval to accept the funding, secure the relevant capital and revenue budgets (including match funding requirements), the contractual arrangements and conditions associated with the funding offer to enable it to be accepted.
3. To approve capital spend at risk of up to £0.7m to be added to the capital programme, funded by prudential borrowing to progress the Assemble (new Learning Theatre) to RIBA 2, in advance of the outcome of the bid, and the Council's internal Gateway 3 approval.

Reasons

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2. To maximise the chances of securing Levelling Up Fund monies to overcome challenges associated with both the direct delivery costs and commercial viability of key regeneration projects in the city centre.

MINUTES END