

COUNCIL CABINET PLANNING, HOUSING AND LEISURE DECISIONS JUNE - JULY 2012 REPORT

SUMMARY

- 1.1 This report outlines the decisions made by Council Cabinet on items relating to the Planning, Housing and Leisure Board. Its aim is to keep members informed on decisions made on items relevant to the Board and to highlight the development of items that are ongoing and that members may wish to include in the work programme for future scrutiny.

RECOMMENDATION

- 2.1 To note decisions made by Council Cabinet.
- 2.2 To identify any future areas for scrutiny informed by decisions made by Council Cabinet.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that the Board is aware of decisions made by Council Cabinet that are relevant to the portfolio of Planning, Housing and Leisure (PHL).
- 3.2 To ensure that the Board is kept up to date with developments made in relevant ongoing work areas that may merit future scrutiny.

SUPPORTING INFORMATION

- 4.1 The following decisions relevant to the PHL Board portfolio have been made by the Council Cabinet in June 2012:

- Minute number 08/12 – Arrangements for Useable Right to Buy (RTB) Receipts

To approve that the Council signs an agreement with the Department for Communities and Local Government (CLG) to authorise the Council's use of the additional Right to Buy (RTB) receipts for the provision of additional affordable housing subject to approval of the terms and conditions of the agreement by the Director of Legal and Democratic Services.

- Minute number 09/12 – Derby Homes Working Outside Derby

1. To agree in principal to allow Derby Homes to operate outside of Derby.
2. To ask Derby Homes to submit to the Strategic Director of Adults Health and Housing and the Strategic Director of Resources a business plan for the new areas of business they wish to work in which should include;
 - * How the Council and Council tenants would benefit.
 - * What risks there would be and how they would be reduced.
3. That on receipt of the Business Plans from Derby Homes, the Strategic Directors of Adults, Health and Housing and Resources prepare a report for Council Cabinet for it to consider whether detailed approval should be given.
4. To consent to the Memorandum and Articles of Derby Homes being changed to reflect the approval in paragraph 1 above.

- Minute number 11/12 – Homes and Community Agency Empty Homes Funding

1. To authorise the Council to enter into the funding agreement contract with the Homes and Communities Agency (HCA) subject to approval by the Director of Legal & Democratic Services.
2. To authorise the Strategic Director of Adults Health and Housing to draw down the Homes and Communities Agency monies as and when the contract allowed.

4.2 The following decisions relevant to the PHL Board portfolio have been made by the Council Cabinet in July 2012:

- Minute number 20/12 – Neighbourhood Planning Supporting Local Communities

1. To agree the initial approach to supporting communities to undertake neighbourhood planning as set out in the report.
2. To recommend to Full Council that the Strategic Director of Neighbourhoods, in consultation with the Cabinet Members for Planning and Neighbourhoods, should be given delegated powers to determine applications to establish neighbourhood areas and neighbourhood forums.

- Minute number 21/12 – Adoption of Our City Our River Masterplan

1. To agree the changes to the Masterplan set out in Appendix 3 and to approve the amended Masterplan as a material consideration for development control purposes.
2. To approve the amended Masterplan as a basis for guiding more detailed work on the Our City Our River scheme over the next 30 months.

3. To delegate responsibility for making any further minor changes to the Masterplan to the Strategic Director of Neighbourhoods in consultation with the Cabinet Member for Planning, Environment and Public Protection.
 4. To allocate up to £100,000 of revenue funding from the Trading Account contingency reserve and to allocate £250,954 Housing Planning Delivery (capital) Grant.
 5. To add the Our City Our River scheme to the capital programme and approve scheme commencement.
 6. To lobby Government to increase the level of Defra funding available to deliver the scheme.
 7. To note that further reports will be brought to Cabinet as the scheme progresses.
- Minute number 24/12– Appointment of the Contractor for the Multi Use Sport Arena
1. To approve the appointment of Bowmer & Kirkland as the preferred contractor for the multi use sport arena and Morgan Sindall as the reserved preferred contractor.
 2. To give delegated authority to the Strategic Director of Neighbourhoods to, if necessary, enter into with a preliminary contract with the preferred contractor, in order to obtain the approval of the Environment Agency to the design and methodology for the building foundations and ascertain their cost.
 3. To give delegated authority to the Strategic Director of Neighbourhoods in consultation with the Strategic Director of Resources and the Cabinet Member for Leisure and Culture to finalise the contract details and award the contract to the preferred bidder, subject to:
 - Final Approval of the foundation designs by the Environment Agency
 - Cost of the approved solution for the foundations keeping within the overall budget set for the arena.
 - There being no challenge to the award during the standstill period or any challenge being withdrawn or not pursued.
- Minute number 25/12 – Derby Non HRA Housing Private Finance Initiative Project
1. To approve the appointment of The Riverside Group Limited as the Council's Preferred Bidder to deliver the Housing PFI Project.
 2. Subject to final Government approval of the Pre-Preferred Bidder FBC, to approve the acquisition of the Max Road Site (formerly the Rhino Public House) to allow the site to be used to deliver 11 of the 104 new build units for the Project.
 3. To approve commencement of the schemes as detailed in the Final Business Case.
 4. To note that the final cost details, set out in the FBC which will be confirmed at financial close, are in line with the affordability limits delegated to the Strategic Director for Resources by Council Cabinet on 10 January 2012.

5. Subject to final Government approval of the Pre-Preferred Bidder FBC, to delegate authority to the Strategic Director for Resources in consultation with the Cabinet Member for Housing and Advice Services to agree the PFI credit requirement with the Homes and Communities Agency, provided that the affordability position is no worse than reflected in the FBC.
 6. To authorise the Director of Legal and Democratic Services and/or other Legal Officers authorised to seal documents under the Council's Constitution to sign and seal all necessary contract documentation once the final cost details have been approved by the Strategic Director of Resources, or nominated representative.
- Minute number 27/12 - Local Sustainable Transport Fund Award
 1. To accept the £4.9220m grant award from the Department for Transport Local Sustainable Transport Fund, £1.8458m capital and £3.0762m revenue.
 2. To approve the addition of £1.8458m, from the local sustainable transport fund award to the Capital programme over 2012/13 to 2014/15.
 3. To approve commencement of the LSTF 'Derby Better Ways to Work' programme and schemes.
 4. To approve commencement of procurement activities with a value greater than £75,000.
 5. To approve the establishment of a 'Derby; Better Ways to Work' grant award scheme in line with delegated approvals.

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) Other(s)	N/A Philip O'Brien – Statutory Scrutiny Officer
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Background papers:	<p>Council Cabinet – Minutes 13 June 2012</p> <p>Council Cabinet Reports 13 June 2012 :</p> <ul style="list-style-type: none"> • Arrangements for Useable Right to Buy (RTB) Receipts • Derby Homes – Work Outside Derby • Homes and Community Agency Empty Homes Funding <p>Council Cabinet – Minutes 11 July 2012</p> <p>Council Cabinet Reports 11 July 2012:</p> <ul style="list-style-type: none"> • Neighbourhood Planning – Supporting Local Communities • Adoption of Our City Our River Masterplan • Appointment of the Contractor for the Multi Use Sport Arena • Derby Non-HRA Housing Private Finance Initiative Project • Local Sustainable Transport Fund Award
List of appendices:	Appendix 1 – Implications

Appendix 1

IMPLICATIONS

Financial and Value for Money

- 1.1 None arising directly from this report.

Legal

- 2.1 Section 21 (3) of the Local Government Act 2000 requires that the power of an overview and scrutiny committee to review or scrutinise a decision made but not implemented includes power to recommend that the decision be reconsidered by the person who made it.

Personnel

- 3.1 None arising directly from this report

Equalities Impact

- 4.1 Effective scrutiny benefits all Derby people.

Health and Safety

- 5.1 None arising directly from this report

Environmental Sustainability

- 6.1 None arising directly from this report

Asset Management

- 7.1 None arising directly from this report

Risk Management

- 8.1 None arising directly from this report

Corporate objectives and priorities for change

- 9.1 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.