

Time began: 6.00pm
Time Adjourned: 7.22pm
Time reconvened: 7.26pm
Time ended: 7.30pm

COUNCIL CABINET

15 March 2017

Present Councillor Banwait (Chair)
 Councillors Afzal, Bolton, Eldret, Repton and Shanker

In attendance Councillors M Holmes and Skelton
 Philip Hutchinson – Youth Mayor
 Tiny Simbani – Youth Mayor Elect
 Paul Robinson – Chief Executive
 Janie Berry – Monitoring Officer
 Martyn Marples – Director of Finance
 Gurmail Nizzer – Acting Director of Commissioning and Head
 of School Organisation
 David Gartside – Acting Director – Strategic Partnership,
 Planning and Streetpride
 Ian Fullagar – Head of Strategic Housing
 Maria Murphy – Director of Derby homes
 Catherine Williams – Head of Service Regeneration Projects
 Paul Page-Smith – Regeneration manager (Becketwell)
 Terry Ally – Media Officer
 Yvonne Wilkinson – Head of Communications and Consultation

170/16 Apologies

Apologies for absence were received from Councillors Hussain, Rawson and Russell.

171/16 Late Items

There were no late items. The Chair introduced and welcomed the Youth Mayor elect – Tiny Simbani. He also thanked Philip Hutchinson for his work as Youth Mayor and wished him well for the future.

172/16 Receipt of Petitions

There were no petitions received.

173/16 Identification of Urgent Items to which Call In will not Apply

There were no items.

174/16 Declarations of Interest

There were no declarations on interest.

175/16 Minutes of the Meetings Held on 8 and 15 February 2017

The minutes of the meeting held on 8 and 15 February 2017 were agreed as a correct record and signed by the Chair.

Matters Referred

176/16 Recommendations from Corporate Scrutiny and Governance Board

The Council Cabinet considered a report on Recommendations from Corporate Scrutiny and Governance Board. The Corporate Scrutiny and Governance 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. The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet.

Decision

To receive the report and note that the Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet.

Key Decisions

177/16 Infrastructure Programme Board Capital Programme

The Council Cabinet considered a report which set out the following proposed 2017/18 work programmes for approval:

- Highways & Transport (H&T),
- Vehicles Plant & Equipment (VP&E)
- Land Drainage & Flood Defences (LD&FD)

The programmes had been developed following consultation with Members, Neighbourhood Boards, transport related forums (where appropriate) and other key stakeholders. The H&T programme covered both revenue and capital funded projects but specifically set out in more detail the capital schemes.

There was also a specific recommendation to approve s106 spend as part of the H&T programme of works.

The H&T programme took into account the goals of Derby's long term transport strategy as set out in the third Local Transport Plan, LTP3.

In the VP&E programme, funding was prioritised against a replacement criterion which was based on the expected life of the different types of vehicles and equipment; and the operational demands/requirements of the service.

In the LD&FD programme, which although not set out within this report included the Our City Our River project, funding was prioritised towards works which managed and reduced the potential for and impacts of flooding to properties and infrastructure throughout the city. Schemes were prioritised using a matrix scoring system which considered the extent of potential flood, risk to people and property, loss of critical infrastructure network, and effects on biodiversity, together with an assessment of the economic benefits/costs. As the Lead Flood Authority for the district, the Land Drainage & Flood Defence team had an overarching lead role for the coordination of Flood Risk Management Authorities in the area, in order to manage flood risk from local sources across the city.

The three work programmes were managed and monitored by the Infrastructure Programme Board in accordance with the Finance Procedure Rules and the Corporate Governance Structure.

Options Considered

1. The development of the H&T programme had involved consideration of various options for the inclusion of projects. The draft programme recommended was considered to be the best fit to the objectives of LTP3, the local priorities of Members and Neighbourhood Boards and the mitigation of development, given the overall level of resources available.
2. The VP&E and LD&FD work programmes had been developed in consideration against corporate objectives, the Streetpride Service Standards and our statutory obligations. It was considered that they offered the maximum value for money considering the resources available.

Decision

1. To approve the capital and revenue H&T work programme for 2017/18 and the allocation of capital budgets across the LTP strategy areas, as detailed in appendix 2A of the report.
2. To approve the s106 spend programme for the H&T work programme for 2017/18 as detailed in appendix 2B of the report, including that proposed by officers for use on the A52 Congestion Management scheme.
3. To approve the proposed VP&E work programme for 2017/18. This was detailed in appendix 3 of the report.
4. To approve the proposed LD&FD work programme for 2017/18. This was detailed in appendix 4 of the report.

5. To continue to give delegated authority to the Strategic Director for Communities and Place, following consultation with the relevant Cabinet Portfolio Member either the Cabinet Member for Neighbourhoods and Public Protection and/or Cabinet Member for Regeneration and Economy to respond to changing priorities throughout the year by introducing new schemes or bringing forward the implementation of some schemes at the expense of others.
6. To note the contents of the report in appendix 5 and approve the continuation of further detailed deterioration modelling to enable the production of a full business case for options to secure additional funds for highway maintenance.

Reasons

1. Approval of the work programmes prior to the start of the 2017/18 financial year would allow effective planning and programming of the detailed work programmes, with the objective of ensuring that schemes and initiatives from all three were delivered in the best possible way and achieve value for money. Further, early approval of the programmes would permit the identification of any risks to the delivery of schemes within them. This would enable us to review and monitor risks to ensure they do not escalate and where possible, eliminate them.
2. In the interests of the effective management of the programme, it was appropriate to maintain the delegated approvals as outlined in the Infrastructure Programme Board's Terms of Reference; to have the authority to review the three programmes and reallocate funding on the basis of the outcomes of investigations, feasibility studies and progress of other schemes. Any revisions to the Highways and Transport programme would still reflect the strategy and implementation plan set out in LTP3, whilst any reviews to either the Vehicles Plant & Equipment; or Land Drainage & Flood Defences programmes would continue to maintain the methodology of their initial development.
3. It was essential that these work programmes, particularly the Vehicles Plant & Equipment programme, remained flexible to accommodate the outcomes of internal re-organisations, restructures, changing work patterns and operational commitments. This approach would ensure that budgets continue to be focussed on key work areas.
4. A business case for increased highways investment would demonstrate that we take the maintenance of our highway assets seriously and understand the condition of them and the investment required to maximise their life and offer best value for money. This would help inform investment decisions and assist with future funding bids.

178/16 Concessionary Fares Proposals

The Council Cabinet considered a report which stated that a review of travel concessions on the Red Arrow and X38 bus services had been undertaken and subjected to public consultation. The review intended to determine whether both bus services fulfilled all the necessary requirements to remain within the concessionary fares scheme.

The report set out the responses received during the consultation and also the relevant matters to be considered in determining whether travel concessions should continue to be available on these bus services. It concluded that the Red Arrow bus service included enhanced amenity value and commands a higher fare than other services and hence should be excluded from the concessionary fares scheme. The report identified that the case for removing the X38 from the concessionary fares scheme was less clear cut and concluded that travel concessions should continue to be available on this service.

Options Considered

1. Do nothing. This would imply that the Council accepted that the fares charged for both bus services were comparable to alternatives and that it was therefore appropriate for the Council to continue to refund bus companies for concessionary travel.
2. Exclude both services from the concessionary travel scheme. The fares charged on the X38 were higher, though not significantly so, than fares charged on alternative routes, which meant that it did not seem appropriate to recommend exclusion from the concessionary travel scheme.

Decision

1. To exclude the Red Arrow bus service from the Derby and Derbyshire Concessionary Fares scheme. The decision to withdraw the service would be effective immediately but with fare reimbursements continuing until 30 June 2017.
2. To retain the X38 bus service within the Derby and Derbyshire Concessionary Fares Scheme.

Reasons

1. The assessment of the Red Arrow bus service indicated that it was provided with significantly greater amenity value than other local bus services and commanded a fare significantly higher than alternatives.
2. Delaying the effective date for withdrawal of concessions until 30 June 2017 would enable the bus operator and passengers to make any necessary changes to their activities.
3. A detailed assessment of the X38 bus service supported by responses to the consultation has indicated that the service operates as a local bus service and

did not offer significantly higher amenity value compared to other local bus services.

179/16 Air Quality: Clean Air Zone and Complementary Measures

The Council Cabinet considered a report which stated that in 2015 Derby City Council was identified by DEFRA, along with four other cities, as having areas of air quality exceedance. Since then the Council had been working under a direction to deliver a Clean Air Zone, with a chargeable access restriction, by 2020. The timescale was very challenging and the Council would be required to respond to the demands set by DEFRA throughout the project.

In recent months the issue of air quality had been expanded by DEFRA, beyond the specifics of a Clean Air Zone, to include 'complementary measures'. Although as yet undefined these were likely to have impacts on asset strategies and operations of other Council Services, and impacts across the local community and businesses.

Air Quality had been headline news since the court case brought by Client Earth, which found serious fault with the approach of government. Air quality was also now a public health priority. Public Health England, estimate that exposure to air pollution had an effect equivalent to approximately 25,000 deaths per year in the UK. It has also been reported that 60,000 people per year were likely to suffer illness related to poor air quality.

The points above briefly explained the national policy context and why the Council was required to take action. The Council was required to work towards a submission indicating options for managing air quality that include a Clean Air Zone, with chargeable access restriction, and some possible complementary measures. Appendix 3 of the report showed the outline areas of a possible access restriction that were being considered as a 'provisional working option' and which could eventually be included in a submission to DEFRA. This would need to be fully modelled and tested over the next 12 months before the Council and DEFRA could be confident that it represented an acceptable approach for the city.

The Council needed to ensure that local businesses and residents understand that it was acting under the direction of DEFRA to implement a chargeable access restriction and complementary measures. The timetable, charges, and the vehicle types affected, were all defined by DEFRA. The Council was responding by seeking a locally proportionate solution, working with a wide range of partners to secure funding from DEFRA to assist affected individuals and groups with the transition. The provisional working option was intended only to suggest one possible solution for where a chargeable access restriction could be implemented.

Options Considered

The Council could delay engagement with DEFRA, and stakeholders on the draft proposals and wait until government published the Statutory Instrument; formally issuing the mandate to the Council, and for advanced modelling work to be completed, however with the current delays in the process it could be many months before this was complete. In the short to medium term this was likely to make it harder for the Council to access government funding for complementary measures. In the longer term it was possible that the Council may be at risk of failing to deliver the Chargeable Access Restriction and may face future (as yet undefined) financial penalties.

Decision

1. To note the provisional working option as presented and to authorise officers to commence consultation and engagement with the public and stakeholders to fully understand the potential implications arising.
2. To delegate approval to the Strategic Director, Communities and Place following consultation with the Cabinet Member for Neighbourhoods and Public Protection and the Director of Finance, to develop further any options for a chargeable access restriction to meet the DEFRA mandate and to submit bids and accept grant funding for the Clean Air Zone, associated chargeable access restriction and any complementary measures.

Reasons

1. The recommendations would allow the Council to make progress to comply with the direction requiring the implementation of a Clean Air Zone, with a chargeable access restriction, and complementary measures. The timescales set by DEFRA for implementation (before 2020) were very challenging. DEFRA funding would be available through a continuous process for bidding for packages and lots. The delegation of approvals would allow the Council to keep pace with the task and opportunities.
2. The provisional working option for a Clean Air Zone and chargeable access restriction for Derby was intended to be a proportionate and deliverable response. This would not necessarily be the final project submission. The final proposal was expected to be submitted for Council Cabinet approval in 2018.
3. The recommendation to make the public and particular stakeholder groups aware of the provisional working options would allow the Council to begin working with partners across various sectors. Grant funding would be made available to the Council and businesses for specific complementary projects. Access to funding would require joint working and cross-sector support. The provisional working options would begin to form the justification for future bids, and to ensure that the Council, local businesses and the wider community had opportunities to benefit from any available funding.

The Council Cabinet considered a report which stated that it was essential that more and more customers were encouraged to use digital services instead of continuing to make requests for service through non-digital routes, such as face to face, post, or telephone. This was known as increasing the 'digital take-up' for our services.

Derby Homes deliver the housing management and maintenance service for Derby City Council and through their customer service strategy and were aiming to move towards a predominantly on-line customer service over the next two/three years.

The report proposed to incentivise tenants to move to digital services and subsequently enable savings to be made in the way that customers make requests for services, make payments and keep to appointments.

The report also explained how the criteria would extend to promote the importance of being a responsible tenant and good neighbour. In turn, this would reduce the costs involved of taking action for tenancy issues.

Options Considered

1. No scheme – this would have limited impact on accelerating the number of tenants on digital means and would slow the progress of efficiency savings.
2. A draw for eligible tenants. Derby Homes previously ran a draw each year for eligible tenants, but this was withdrawn as tenants felt that the rewards only benefited a few, were not achieving their goal of reducing arrears and would be allocated on a random basis rather than directly rewarding good tenants. The proposed scheme was clear that all tenants would benefit if they qualified.

Decision

To approve in principle, subject to the outcome of consultation, the introduction of an incentive scheme as described in paragraphs 4.4 to 4.6 of the report to run over two years from 1 April 2017 – 31 March 2019.

Reasons

1. To enable officers to undertake consultation on the scheme with tenants.
2. To increase the likelihood of tenants moving to digital services, encouraging on line and direct debit as the preferred payment methods, keeping appointments and generally being a responsible tenant and good neighbour to deliver efficiency gains and modernise service delivery.
3. Evaluation of the scheme would be undertaken in the second year and recommendations brought forward on the outcomes of the scheme.

181/16 Acquisition of Homes in Priority Areas

The Council Cabinet considered a report which stated that Arboretum was the most deprived ward in Derby. It was therefore the clear choice for any intervention activity intended to address deprivation and improve quality of life.

The part of Arboretum immediately to the north of the former Baseball ground, as identified in appendix 2 of the report, had been identified as particularly problematic. It contained a large number of poor quality, low cost, private rental homes with associated problems of urban decline.

Nevertheless, there remained a demand for good quality properties in this area. The acquisition of properties in this area, enabling their refurbishment and letting at an affordable rent could therefore meet housing need, improve housing conditions and support a more stable community.

The area had a range of property types for sale ranging from 2 to 4 bed houses, predominantly of low cost terraces. Inspections had been carried out on some of these to establish an indicative works cost to bring the properties to a suitable standard for use as affordable rental homes. The analysis indicated that the acquisition and improvement of properties could be carried out in a cost-effective way.

The report recommended the approval of an acquisition programme in the area. Purchase and improvement costs could be met through a provision in the HRA business plan and the properties could be managed and maintained by Derby Homes.

The area initially selected for intervention should be considered a pilot area. If successful it could be replicated in other parts of the ward or city.

Options Considered

1. To do nothing – this option would not address the issues relating to the housing quality within this area.
2. Consider the above project but as a market rent intervention instead of low cost rent. The additional rent raised through applying market rent would be approximately 10-15% more than affordable rents which would be available to support borrowing to fund purchases. Right to Buy receipts would not be available for market rent properties and given the low rentals in this area such a scheme would be marginal, given the repairs that would be needed to bring average purchases up to a standard acceptable by the Council.
3. The Council could purely intervene in the area by taking enforcement action under the Housing Act 2004. Local Authorities have a duty to take enforcement action to secure necessary improvements where Category 1 (serious) hazards were present, and the discretion to intervene where category 2 hazards were present. However it was not considered that an approach based purely on housing enforcement would support the wider Community engagement, confidence and stability in the area, or improve its reputation as described in paragraphs 4.12 and 4.13 of the report.

Decision

1. To agree the acquisition and improvement of a number of residential properties over the next 3 years in accordance with provision allowed for within the approved HRA plan. The acquisition properties were to be located primarily, but not exclusively, within the intervention area shown in Appendix 2 of the report.
2. To authorise the Strategic Director of Communities and Place, following consultation with the Director of Governance and Monitoring Officer to undertake valuations and negotiations to purchase suitable properties in accordance with recommendation 2.1 of the report.
3. To undertake where necessary the full refurbishment of the acquisitions to ensure they achieved the decent homes standard and were attractive to let. Properties to be let at affordable rents.

Reasons

1. The purchase, improvement and on-going management of properties within this area would improve the overall housing stock. In conjunction with other renewal activities and neighbourhood management, this would help uplift the area and reduce resident churn, so helping to create a more stable, stronger and cohesive community.
2. Acquiring additional properties in a cost-effective way would also help deliver our broader housing objective of maintaining the supply of good quality affordable homes.

182/16 Connected Cycle City Proposed Cycle Route Improvements

The Council Cabinet considered a report which stated that in January 2016 the Council submitted an initial bid for a share of £5.8m Local Growth Fund (LGF1) to the D2N2 Local Enterprise Partnership (LEP) to support sustainable transport.

Following discussions with D2N2, a full business case had been developed to support a joint application for funding from all four local transport authorities within the D2N2 LEP. Derby's share of the grant funding was £800,000. This funding supported improved cycle connectivity from the city centre to the Royal Derby Hospital and planned housing growth to the west. Approval was now sought to accept the funding and include in the capital programme.

Options Considered

A further option was not to pursue cycle network improvements. This would, however, result in the loss of funding and would not support the Council's air quality, health and sustainable transport aspirations.

Decision

1. To accept the D2N2 LEP Local Growth Funding grant of £800,000 subject to agreeable grant conditions.
2. To add the scheme totalling £1,003,000, including anticipated match funding, to the capital programme.
3. To authorise the Strategic Director of Communities and Place, following consultation with the Cabinet Member for Neighbourhoods and Public Protection and, as appropriate, the Director of Finance and Director of Governance to let contracts to deliver the proposed cycle network improvements.
4. To delegate approval to the Strategic Director of Communities and Place and the Director of Finance to agree the final grant conditions

Reasons

To support the timely delivery of cycle network improvements.

183/16 Review of Charged Parking Areas within the City

The Council Cabinet considered a report which identified a number of areas where it was recommended that changes needed to be made to existing parking arrangements to better manage on street parking. Each identified location was known to have challenges with regard to the volume of on street parking that currently took place and it was considered that new, amended or additional parking controls would increase parking opportunities and improve access to premises.

The proposals included the introduction of new parking charges and limited waiting restrictions, changes to existing parking restrictions and the rationalisation of parking areas in some locations.

Options Considered

None.

Decision

1. To approve in principle the proposed changes to parking controls as set out within the report.
2. To authorise the Strategic Director, Communities and Place, following consultation with the Cabinet Member for Neighbourhoods and Public Protection and subject to the approval of capital funding, to

- Following detailed design to agree the proposed changes to on street parking arrangements on Cathedral Road, Derwent Street and Gower Street and to then undertake statutory consultation
- Undertake statutory consultation/advertisement of the proposed introduction of on street parking controls, supported by charges, on streets around Ascot Drive and within West Meadows Industrial estate.

Reasons

1. The proposals aimed to address existing parking issues in specific locations across the city improving access to property, increasing parking opportunities and ensuring effective management of parking.
2. The recommendations sought approval to progress the various parking initiatives with agreement of some elements of detail being delegated. The proposals would require the introduction of traffic regulation orders which must be subject to formal statutory consultation and public advertisement. The authority to make traffic regulation orders including the consideration of any objections was a function that was delegated to officers.

184/16 Becketwell Regeneration – Way Forward

The Council Cabinet considered a report which stated that the regeneration of the Becketwell area was a key priority in Derby's City Centre Masterplan 2030. The Council was proposing interventions to tackle the long-term decline in this strategically important part of the city centre and bring forward development. The report sought approval for the proposed strategic direction for the regeneration of the Becketwell area, and for a first phase of work.

Following a period of feasibility work and options analysis undertaken with support from expert advisors, the recommended approach was to continue a programme of site assembly and site preparation works and the procurement of development partners to bring forward scheme/s to regenerate and redevelop the area, primarily for leisure, residential and retail purposes.

Duckworth Square

Results of the initial feasibility work had identified that there was an outline business case for a leisure offer unique to Derby, well suited to the former Duckworth Square site. Over the next 12 months the proposal was to procure an operator for a leisure facility, complete site investigations and preparation works and undertake initial design of the scheme to firm up costs. These steps would confirm the final business case required to demonstrate the viability of the scheme.

Former Debenhams Building

The Council was acquiring the former Debenhams building and a small number of properties on Green Lane / Macklin Street as part of the demise. Immediately

following purchase, measures would be put in place to secure the properties followed by controlled removal of the risks identified in initial survey work. The site would also be marketed immediately following acquisition to identify a suitable development proposal. In the interim the Council would proceed with pre-demolition surveys and would begin to progress a planning application to allow demolition of the building if marketing indicates that demolition was the preferred solution.

Wider Site

Alongside proposals for Duckworth Square and Debenhams, the Council would promote improvements to the physical fabric of the wider Becketwell area, including public realm and property enhancement schemes.

Options Considered

1. Do nothing.

The site was identified as a key regeneration priority within the City Centre Masterplan 2030. The area had witnessed continued social, economic and physical decline over the past two decades as various attempts by the private sector had failed to come to fruition owing to viability issues. The site was therefore the subject of market failure. Doing nothing was not an option given the goals of the City Centre Masterplan 2030.

2. Residential Led Scheme

Remained a viable option as evidenced by Cushman & Wakefield's Becketwell Development Options Report. This was a high density proposal defined by the use of a duplex housing approach, and private "mews" courts, to achieve a relatively high density development.

This high density residential option was not being pursued currently as market analysis and feasibility work carried out in 2016 had revealed that a leisure driven solution in association with a mixed use development, including some residential , commercial and potentially retail on Victoria Street secured a more holistic outcome for the Becketwell Regeneration.

Decision

1. To approve the proposed strategic direction for the Becketwell area as detailed in paragraphs 4.18 – 4.24 of the report.
2. To approve a procurement exercise for an operator of a leisure facility for the former Duckworth Square site and to delegate approval to the Strategic Director for Communities and Place following consultation with the Cabinet Member for Regeneration and Economy to approve any surveys and pre-construction works required to ready the Duckworth Square site for development.

3. To note that Officers would bring a further report to Council Cabinet following the operator procurement process and site investigations, which demonstrated a full business case for constructing and operating the scheme proposed for Duckworth Square.
4. To delegate approval for the demolition of the former Debenhams building (subject to planning approval) to the Strategic Director for Communities and Place following consultation with the Cabinet Member for Regeneration and Economy.
5. To approve the marketing and sale of the former Debenhams site following the Council's acquisition, with terms delegated to the Strategic Director for Communities and Place following consultation with the Cabinet Member for Regeneration and Economy.
6. To approve a departure from the Council's current Capital Receipts policy and ring-fence receipts resulting from the disposal of Council owned assets related to this project to support Becketwell regeneration and delivery of the City Centre Masterplan priorities.
7. To amend the Capital Programme 17/18 to 19/20 to reflect the project budget described in Appendix 1 of the report.
8. To approve the use of up to £200,000 from the Assembly Rooms Insurance money to fund the revenue costs associated with the delivery of proposals in the report. An equivalent element from the Eagle Market receipt would be used to replace these funds pound for pound.

Reasons

1. To support the delivery of the objectives of the City Centre Masterplan 2030.
2. To deliver a new leisure development and the regeneration of the Becketwell area of the city centre.

185/16 Derby and Nottingham Metropolitan Strategy

The Council Cabinet considered a report which updated Council Cabinet on the response to the consultation on the Derby-Nottingham Metro Strategy and sought approval, in principle, for the adoption of the strategy and joint implementation arrangements with Nottingham City Council.

The draft Metro Strategy sets out a range of key themes that it was proposed that Derby and Nottingham City Councils' work on collaboratively, and in partnership with key stakeholders, to bring a range of benefits to residents and businesses.

Options Considered

Not to develop the strategy would mean that the benefits identified in this report would not be delivered.

Decision

1. To note the response to the consultation on the Metro strategy set out within the report.
2. To review the contents of the draft Metro Strategy as set out in Appendix 2 of the report, and approve its adoption, subject to the inclusion of changes to reflect the feedback from the consultation.
3. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Cabinet Member for Strategy and Policy, to sign off the final version of the strategy.
4. To authorise the Strategic Director for Communities and Place to work in collaboration and partnership with Nottingham City Council to develop initiatives in line with the Metro strategy and bring reports to Council Cabinet as appropriate.

Reasons

To make provision for the development of necessary processes required to continue as part of the collaborative approach set out under the Metro Strategy, which was subject to public consultation in 2016.

Contract and Financial Procedure Matters

186/16 Contract and Financial Procedure Matters

The Council Cabinet considered a report which dealt with the following items which required reporting to and approval by Council Cabinet under the Contract and Financial Procedure rules.

- Contract procurement (which has an estimated total value of over £75,000)
- Carry forward of Community and Devolved budget underspends.
- Changes to the current 2016/17 Capital programme.

Decision

1. To approve the delegated authority to award a contract, with a value likely to be in excess of £75,000, to a suitable energy provider to form a White Label Energy Arrangement, to the Strategic Director of Communities and Place and the Director of Finance, following consultation with the leader, as detailed in section 4 of the report.
2. To approve the carry forward of any unspent Community and Devolved budgets, from 2016/17 to 2017/18, as detailed in section 5 of the report.

3. To approve changes including additions to the capital programme in section 6 and Appendix 2 & 3 of the report.
4. To approve the acceptance and application of the Local Levy funding from the Environment Agency as detailed in paragraph 6.4 of the report.

187/16 Exclusion of the Press and Public

To consider a resolution to exclude the press and public during consideration of the following item

“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”

At 7.22pm due to a member of the public refusing to leave, the meeting was adjourned under Council Cabinet Procedure Rule CCP25 and Council Procedure Rule CP83 to allow the public gallery to be cleared.

The meeting resumed at 7.26pm.

Key Decision

188/16 Derby Advice – Service Proposal from Derby Homes

The Council Cabinet considered a report which stated that the Council’s Medium Term Financial Plan (MTFP) contained a proposal to end the general fund contribution to Derby Advice (£158,000), which would end the provision of welfare rights advice to non-council tenants.

The report detailed a proposal put forward by Derby Homes to take over the delivery of this service on behalf of the Council. In the absence of a solution it was unlikely that the service to non-council tenants would be able to continue in the future.

Options Considered

These were set out in paragraphs 5.1 and 5.2 of the report.

Decision

1. To approve the transfer of the Derby Advice service to Derby Homes.
2. To note the potential TUPE transfer of Derby Advice Employees to Derby Homes, subject to the outcome of consultation with the affected employees.

3. To delegate authority to the Strategic Director for Communities and Place and the Managing Director of Derby Homes to secure agreement on VR/VER liabilities and transitional funding requirements.

Reasons

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

MINUTES END