

Report of the Strategic Director of Resources

**Council Cabinet Decisions made in February 2014 relating to the
Corporate Scrutiny and Climate Change remit**

SUMMARY

- 1.1 This report outlines the decisions made by Council Cabinet on items relating to the Corporate Scrutiny and Climate Change Board (CSCC). 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 on-going 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.

REASON FOR RECOMMENDATION

- 3.1 To ensure that the Board is aware of decisions made by Council Cabinet that are relevant to the portfolio of CSCC Board.
- 3.2 To ensure that the board is kept up to date with developments made in relevant on-going work areas that may merit future scrutiny.

SUPPORTING INFORMATION

- 4.1 The following decisions relevant to the CSCC Board portfolio have been made by the Council Cabinet in December 2013:

4.2 164/13 Osmaston Vision – Marble Hall

The Council Cabinet considered a report on Osmaston Vision – Marble Hall. The report sought to update Members on the refurbishment and conversion of the Marble Hall, Nightingale Road, and sought a number of approvals relating to the progression of the project. The project would refurbish a listed building at the heart of Osmaston community, creating managed workspace for new and growing businesses,

healthcare facilities, nursery provision and a cafe.

4.3 Decision

1. To approve the transfer of the ownership of the property known as The Commercial Block, Nightingale Rd, Derby along with amenity land from Rolls-Royce to Derby City Council for a nominal sum (£1).
2. To accept a financial contribution from Rolls-Royce towards the refurbishment of the building, and to delegate authority to the Chief Executive, following consultation with the Leader of the Council, to finalise details relating to the level of this contribution and preparation of the associated documentation.
3. To delegate authority to the Chief Executive, following consultation with the Leader of the Council to enter into a build contract with a contractor to be selected via Open Tender to carry out the refurbishment and conversion works.
4. To delegate authority to the Chief Executive, following consultation with the Leader of the Council and the Strategic Director of Neighbourhoods, to finalise details relating to the governance and management arrangements for the completed building (see Appendix 3 of the report).
5. To delegate authority to the Chief Executive, following consultation with the Leader of the Council to enter into a Facilities Management contract with a provider to be selected via an EU State Aid compliant procurement process (either by using an eligible Framework or Open Tender) to carry out the day to day management and operation of the building.
6. To recommend Council to approve the borrowing of £1.5million towards the refurbishment costs of the building from the D2N2 Growing Places Fund, to be repaid by rental income generated.
7. To recommend Council to approve the corporate unsupported borrowing of £0.5m to allow the Marble Hall project to commence in advance of receipt of Developer Contributions via the Osmaston Regeneration Partnership in future years, and to amend the 2013/14 -2015/16 capital programme.

4.4 Reasons

1. Transfer of the building from Rolls-Royce to the Council would enable refurbishment works to commence, and would enable the Council to progress the project to completion and occupation and bring a listed building back into use.
2. The financial support offered by Rolls-Royce provided an essential contribution to the viability of the project, and to ensure a sustainable future for a listed building which was central to the heritage of Osmaston and Derby.
3. An open tender for the procurement of a specialist refurbishment contractor would

ensure that the necessary works were carried out by expert and experienced contractors for a project of this nature, and within the necessary timescales as required under the ERDF regulations.

4. A Management Association and Facilities Management were essential to support the long term operation of the building on behalf of the Council. They would ensure the building had long term viable future, both in relation to the day to day operation of the building, but also to ensure a long term future for the structure of the building without any future cost implication to the Council. This structure would enable community representation in the management of the building.
5. As described in the report to Council Cabinet on 14 August 2013, the Marble Hall project would be partially funded using Developer Contributions of £7,000 (index linked) per property delivered via the Osmaston Regeneration Partnership Joint Venture Vehicle. In order to allow early delivery of this project, in advance of the delivery of housing, additional corporate borrowing was required which must obtain Council approval in accordance with financial procedure rules.

4.5 165/13 Proposed Joint Committee for Economic Prosperity

The Council Cabinet considered a report on the Proposed Joint Committee for Economic Prosperity. The purpose of the report was to seek approval to establish, with Derbyshire County Council and all District and Borough Councils in Derbyshire, a Joint Committee to deliver economic growth and prosperity across the geographical county of Derbyshire and to appoint the Council's representative on the Joint Committee. The Joint Committee would take responsibility for all functions and funding delegated to it by the D2N2 Local Economic Partnership, through its new 'single pot' of Government and EU funding.

The new Joint Committee would not take any of the Council's powers and statutory requirements to undertake a regular Local Economic Assessment and produce an Economic Regeneration Strategy, nor would it supplant the responsibilities of the existing arrangements through the Derby Renaissance Board.

4.6 Decision

1. To approve the establishment of a Joint Committee for Economic Prosperity with Derbyshire County Council and the 8 District and Borough Councils in Derbyshire.
2. To approve, in principle, the draft Terms of Reference, Arrangements and Rules of Procedure for the Joint Committee attached to the report, subject to final approval by the Chief Executive following consultation with the Leader of the Council.
3. To recommend Council to appoint the Leader of the Council as representative on the Joint Committee.

4.7 Reasons

1. D2N2 would be the recipient of Government and EU Funding, and it required a mechanism to devolve this to the two Counties and Cities, in terms of decision making and acting as an accountable body.
2. If the Council does not participate in this exercise as recommended, we could miss the opportunity to draw down Government and EU Funding from D2N2.

4.8 **167/13 Proposed Disposal of Rosehill Business Centre, Normanton Road, Derby**

The Council Cabinet considered a report on the Proposed Disposal of Rosehill Business Centre, Normanton Road, Derby. The Rosehill Business Centre (RBC) was built in 1992 to provide managed workspace for young and ethnic minority businesses in the Rosehill and Pear Tree area. The RBC project was a joint venture between the Council and Derbyshire Enterprise Board (DEB), a private sector investor, on parcels of land owned by each party.

It was proposed to dispose of the asset by way of a Private Treaty sale. To this effect a commercial property agent had been jointly instructed to act on behalf of the joint Freehold owners (DCC and Derbyshire First Investments Limited). It was envisaged that a sale would be completed before the end of the financial year 2013/14.

Approval was sought to the disposal of the Council's interest in the Rosehill Business Centre.

4.9 Decision

1. To approve the disposal of the Council's legal interest in Rosehill Business Centre.
2. To delegate authority to the Chief Executive, following consultation with the Leader of the Council to:-
 - a) agree the final terms of the disposal of the Council's legal interest in the Rosehill Business Centre and;
 - b) the split of the sale proceeds with the Derbyshire First Investments Limited.

4.10 Reasons

1. To facilitate the disposal of the property and to assist in achieving the objectives of the Property Rationalisation programme.
2. To allow the sale process to be effective and efficient allowing us to react in a short timescale in response to the information received throughout the period of negotiation.

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)	Mahroof Hussain - Scrutiny Officer

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Background papers:	None
List of appendices:	Appendix 1 – Implications

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.

Property and 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.