



EXECUTIVE SCRUTINY BOARD

11 December 2018

ITEM 7

Report sponsor: Strategic Director of Corporate Resources
Report author: Members' and Civic Services Manager

Council Cabinet Response to Scrutiny Recommendations

Purpose

- 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.

Recommendations

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

Reasons

- 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 December 2018

Matters Referred

4.1 137/18 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.

Council Cabinet Decision

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

Key Decisions

4.2 139/18 Approval of the Council Tax Support Scheme for 2019/20

The Executive Scrutiny Board resolved to note the report.

4.3 140/18 The New Assembly Rooms

The Executive Scrutiny Board resolved:

- To recommend that Council Cabinet withdraw the report and any decision on the future of the Assembly Rooms is deferred until such time that:
 - An economic impact assessment of the proposed refurbishment has been completed and a cost benefit analysis of both refurbishment and rebuild options had been considered by Council Cabinet.
 - A full public consultation had been carried out that directly compares both refurbishment and rebuild options.
- To recommend that the delegation outlined at recommendation 2.3 is rejected and that any decision in relation to the procurement of an operator for the venue is considered by Council Cabinet and the Executive Scrutiny Board.
- To recommend that the original public consultation in relation to the New Performance Venue is appended to the report for public scrutiny and for consideration by Council Cabinet prior to any decision being made.

Council Cabinet Decision

1. To approve the renewal works for the “New Assembly Rooms” as described in paragraph 4.11 of the report with a total capital cost of £24m (funding sources outlined in paragraph 7.1) and with the revenue implications outlined in paragraph 7.2 of the report.
2. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources and the Leader of the Council to take all actions necessary to deliver the proposed project, as outlined in paragraph 4.18 of the report.
3. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources and the Leader of the Council to determine the optimum choice of who would operate the venue, to take all actions necessary to secure an operator and to enter into all necessary contractual arrangements to deliver the project (paragraph 4.15 refers).
4. To note that the above recommendations were subject to the full approval of the Local Growth Fund 3 funding allocation (paragraph 7.1 of the report) by D2N2, the Local Enterprise Partnership.
5. To note the re-alignment of the £13m of capital receipts from the New

Swimming Pool to the New Assembly Rooms.

6. To reject the recommendations from the Executive Scrutiny Board

4.4 141/18 Community Manager Libraries – Review of Implementation Plan

The Executive Scrutiny Board resolved to note the report.

4.5 142/18 Enforced Sale of a Long Term Vacant and Neglected, Privately Owned House

The Executive Scrutiny Board resolved to note the report.

4.6 143/18 Investment in High Quality Office Development – One Cathedral Green, Full Street, Derby

The Executive Scrutiny Board resolved to welcome the report, whilst considering exempt detail in private session.

Budget and Policy Framework

4.7 144/18 Medium Term Financial Plan 2019/20 – 2022/23 – Update

The Executive Scrutiny Board resolved to defer scrutiny of the Medium Term Financial Plan 2019/20 – 2022/23 until the meeting of the Board scheduled for Tuesday 18 December 2018.

Contract and Financial Procedure Matters

4.8 145/18 Compliance with Contract and Financial Procedure Rules

The Executive Scrutiny Board resolved to note the report.

The press and public were excluded from the Council Cabinet meeting for the following items, as it was considered to involve the likely disclosure of exempt information:

Key Decisions

4.9 Enforced Sale of a Long Term Vacant and Neglected, Privately Owned House

The Executive Scrutiny Board noted the report.

4.10 Investment in High Quality Office Development – One Cathedral Green, Full Street Derby

The Executive Scrutiny Board resolved to welcome the report.

Contract and Financial Procedure Matters

4.11 Long Term Waste Management Contract

The Executive Scrutiny Board made four recommendations to Council Cabinet whilst

in private session.

Council Cabinet Decision

1. To approve the recommendations set out in paragraphs 2.1 to 2.7 of the report.
2. *To reject the recommendations of the Executive Scrutiny Board*

Public/stakeholder engagement

- 5.1 This item is included on the Executive Scrutiny agenda at the request of the Board.

Other options

- 6.1 None

Financial and value for money issues

- 7.1 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 implications

- 8.1 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.
- 8.2 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.

Other significant implications

- 9.1 Personnel; IT; Property and Asset Management; and, Risk 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.
- 9.2 Effective scrutiny benefits all Derby people and the very nature of the Scrutiny Board's work means that equality issues are addressed.
- 9.3 The recommendations contribute to Corporate objectives and priorities for change by striving to ensure Derby and its people enjoy a thriving sustainable economy, good health and wellbeing and an active cultural life.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	N/A	
Finance	N/A	
Service Director(s)	N/A	
Report sponsor		
Other(s)	David Walsh, Head of Democracy	07/01/2019

Background papers:	Council Cabinet Minutes and Reports, 12 December 2018
List of appendices:	None