



Council Cabinet Response to Scrutiny Recommendations

SUMMARY

- 1.1 This report outlines the recommendations made by the Corporate Scrutiny and Governance 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.

RECOMMENDATION

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

REASON FOR RECOMMENDATION

- 3.1 To ensure that the Corporate Scrutiny and Governance Board receives a response from Council Cabinet to the recommendations made.

SUPPORTING INFORMATION

Council Cabinet Meeting of 12 April 2017

4.1 195/16 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.

Council Cabinet Decision

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

Key Decisions

4.2 **196/16 Property Improvement Capital Works Programme 2017/18**

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet but requested that:

- Officers should provide clear reasons for works which have been prioritised and those that have been put on hold, so that members of the public can understand the reasons for decisions made;
- Officers check that routine maintenance works are not being carried out at a cost to the Council when they are unnecessary because site demolition is planned or imminent.

Council Cabinet Decision

1. To approve the Property Improvement capital programme of works for 2017/18 as detailed in appendix 2 of the report.
2. To continue to give delegated authority within the limits set out in the Terms of Reference (ToR) (Terms of Reference limits were consistent with those set out in the Financial Regulations) to the Strategic Directors of Communities and Place and People Services (as appropriate) following consultation with the relevant Cabinet Member, to enable them 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.
3. To continue to give delegated approval to the Property Management Programme Board as per its Terms of Reference.
4. To increase delegations to the Property Management Programme Board to allow for budget changes to be made on projects that span more than 1 financial year as long as the total project budget had been approved and that the changes did not exceed the approved budget.

4.3 **197/16 Adult Learning Service Course Fees**

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet on this item.

4.4 **198/16 Schools Capital Programme**

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet but requested a letter be sent to the DfE with thanks for the additional funding allocation, but with a request for this to be delivered earlier in future to allow for more timely deliverability.

4.5 **199/16 New Swimming Pool Complex**

The Corporate Scrutiny and Governance Board resolved to endorse the project and proposals and recommend to Council Cabinet that

1. Every effort should be made to achieve at least a cost neutral (if not profitable)

operation of the pool/leisure facility at Moorways;

2. All options are considered in relation to on site commercial opportunities which could support the viability of the site;
3. All options/alternatives for governance of the facility are given serious consideration;
4. Any fundamental changes to the procurement strategy as a result of outcomes from the options appraisal to review the operating model for leisure, culture and tourism services within the Council be reported back at a future meeting of the Board.

Decision

1. To approve continuing to develop the feasibility study for the wider site at Moorways.
2. To approve progressing the design for the proposed new Swimming Pool Complex at Moorways based on the proposed enhanced facility mix of a 50m swimming pool, learner/leisure pool, fitness suite, studios, café and other ancillary facilities to develop a more commercial leisure offer.
3. In order to progress with the works identified in paragraph 2.2 of the report, to approve progressing the detailed designs for the Swimming Pool Complex up to a maximum capital cost of £35,000,000.
4. To approve proceeding with the procurement of a demolition contractor and the design for the demolition of the Sports Hall and the Swimming Pool at Moorways and to delegate authority to the Strategic Director for Communities and Place following consultation with the Director of Finance, the Cabinet Member for Governance and Finance and the Cabinet Member for Leisure, Culture and Tourism to award the contract for the demolition works.
5. To approve the Procurement Strategy, detailed in paragraphs 4.19 – 4.25 of the report for a main construction contractor and to delegate authority to the Strategic Director for Communities and Place following consultation with the Cabinet Member for Governance and Finance and the Cabinet Member for Leisure, Culture and Tourism to make any changes.
6. To approve proceeding with Part Two of the contract with MACE (Tender Reference: TD1155) to progress with the recommendations outlined in paragraphs 2.1 to 2.5 of the report.
7. To note that the Facility Planning Modelling (FPM) exercise carried out by Sport England in December 2015 demonstrated that to build a Swimming Pool Complex at Moorways would assist in meeting the swimming demands of the City. In determining the facility mix of the new venue, key local factors had also been taken into consideration such as those identified in paragraph 4.5 of the report and subject to the outcome of the feasibility study detailed in paragraph 2.1 of the report; Members were requested to approve locating the proposed Swimming Pool Complex at Moorways.

8. To approve expenditure up to a value of £1,760,000 to cover the cost of demolition works, additional professional fees for Part Two of the project, for the detailed business case development and other Council commitments.
9. To re-profile the 2017/18 – 2019/20 Capital Programme to include the budget required for the next steps of the proposed Swimming Pool Complex at a value of £1,760,000 in 2017/18.
10. To note the proposed financial strategy to identify the potential additional funding detailed in paragraph 1.3 in Appendix 1 of the report and the additional financial analysis required on the operational business case to provide the overall affordability of the new facility.
11. To note and accept the risks of moving to the next stage of the project as detailed in the report.
12. To accept the recommendations from Corporate Scrutiny and Governance Board that
 - Every effort should be made to achieve at least a cost neutral (if not profitable) operation of the pool/leisure facility at Moorways;
 - All options are considered in relation to on site commercial opportunities which could support the viability of the site;
 - All options/alternatives for governance of the facility are given serious consideration;
 - Any fundamental changes to the procurement strategy as a result of outcomes from the options appraisal to review the operating model for leisure, culture and tourism services within the Council be reported back at a future meeting of the Board.

Budget and Policy Framework

4.6 200/16 The Future of Derby – Cabinet Pledges and Council Delivery Plan

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet, but requested further information on how to feedback comments and resolved to use the Cabinet Pledges and Council Delivery Plan 2016/19 to inform future scrutiny work programmes.

4.7 201/16 Contract and Financial Procedure Matters

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet on this report.

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)	David Walsh – Democratic Services Manager

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Background papers:	Council Cabinet Minutes and Reports 05 October 2016.
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 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

- 2.1 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.
- 2.2 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.

Personnel

- 3.1 Personnel implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

IT

- 4.1 IT implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Equalities Impact

- 5.1 Effective scrutiny benefits all Derby people and the very nature of the Scrutiny Board's work means that equality issues are addressed.

Health and Safety

- 6.1 None directly arising from this report.

Environmental Sustainability

- 7.1 None directly arising from this report.

Property and Asset Management

- 8.1 Asset management and acquisition implications associated with implementing the recommendations associated with this report would need to be determined by relevant officers following decisions made by Council Cabinet.

Risk Management

- 9.1 Risks 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.

Corporate objectives and priorities for change

- 10.1 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.