



## **Council Cabinet Response to Scrutiny Recommendations**

### **SUMMARY**

- 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.

### **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 Executive Scrutiny Board receives a response from Council Cabinet to the recommendations made.

### **SUPPORTING INFORMATION**

#### **Council Cabinet Meeting of 08 November 2017**

##### **4.1 58/17 Recommendations from Corporate Scrutiny and Governance Board**

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The 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 73/17 Council Tax Support Scheme (CTS) for 2018/19**

The Executive Scrutiny Board resolved to note the report.

### **4.3 74/17 Acquisition of Temporary Accommodation**

The Executive Scrutiny Board made no recommendations to Council Cabinet, however, requested a further report to be brought to a future meeting of the Board on the use temporary accommodation.

### **4.4 75/17 New Swimming Pool Complex at Moorways**

The Executive Scrutiny Board requested Council Cabinet to give further consideration to

1. The risks of not finding a suitable operator, particularly the financial risks around the Council running the facility in this event, including pressure on future annual budgets and putting the council close to the VAT threshold for financial exemption which could have significant knock-on effects for future capital projects; and
2. Enabling people from across the city to access the Moorways site by public transport, particularly those on lower incomes.

## **Decision**

1. To note that public engagement on the RIBA stage 3 designs occurred, between 25 September and 8 October 2017, and that the majority of respondents fed back very positively on all the key aspects of the engagement. See Appendix 4 of the report.
2. To approve the RIBA stage 3 developed design for the proposed new Swimming Pool Complex at Moorways based on the proposed enhanced facility mix of a 50m swimming pool, learner pool, leisure water, fitness suite, studios, café and other ancillary facilities to develop a more commercial leisure offer and to approve progressing the detailed designs for the new Swimming Pool Complex.
3. To note the phased approach for the planning strategy for the new Swimming Pool Complex; the pool being phase 1 and the wider site phase 2 as outlined in paragraph 4.14 of the report and to approve continuing to develop phase 1.
4. To recommend Council to increase the capital programme for the project by £13,000,000 to provide a capital budget of £33,000,000, which was within the maximum envelope value of £35,000,000 and that the 2018/19 - 2019/20 Capital Programme be re-profiled accordingly.
5. To note that £400,000 per annum was added to the MTFP 2017/18-20 for the new Swimming Pool Complex to provide the revenue budget for the projected subsidy for the facility. Current analysis indicated that this would be sufficient if the facility was delivered by either a Trust or an Outsourced option. The budget

figures in the report made the assumption that the operation of the facility was through one of these two options and should this not be the case the revenue budgets would need to be revisited within a future MTFP process.

6. Subject to Council approval of the capital programme budget and the approvals required in paragraphs 2.2 and 2.3 of the report, to approve proceeding with the procurement of a build contractor for the new Swimming Pool Complex at Moorways at the end of November 2017, and to delegate authority for the award of the contract for the building works 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.
7. To approve proceeding with Part Three of the contract with MACE (Tender Reference: TD1155) to progress with the build and handover of the new Swimming Pool Complex subject to successful planning approval, procurement of a preferred build contractor, and the approval of the increased capital budget. To note that a variation to the contract would need to be progressed to reflect the current value of the project and that there would be an increased fee agreed with MACE based on the revised value of the project.
8. To note and accept the risks associated with continuing with this project as identified in the report.
9. *To accept the recommendation of the Executive Scrutiny Board requesting Council Cabinet to give further consideration to*
  - *The risks of not finding a suitable operator, particularly the financial risks around the Council running the facility in this event, including pressure on future annual budgets and putting the council close to the VAT threshold for financial exemption which could have significant knock-on effects for future capital projects: and*
  - *Enabling people from across the city to access the Moorways site by public transport, particularly those on lower incomes.*

#### **4.5 Budget and Policy Framework**

##### **76/17 Budget Outturn Quarter 2, 2017/18**

The Executive Scrutiny Board made no recommendations to Council Cabinet, however, made a request to the Director of Finance that future reports clearly identify at an earlier stage when savings targets are known to be undeliverable.

#### **4.6 Performance**

##### **77/17 Performance Monitoring 2017/18 – Future of Derby Pledges September 2017, Quarter Two Results and Mid Year Target Review**

The Executive Scrutiny Board resolved to note the report.

## 4.7 Contract and Financial Procedure Matters

### 78/17 Contract and Financial Procedure Matters

The Executive Scrutiny Board resolved to request that the Director of Finance:

1. Reprint the documentation relating to business write-offs for the Council Cabinet meeting to be held on 8 November 2017 to include business names, date information and further details on trends (to be exempt if necessary); and
2. That future reports should include full details including dates and timescales and the scale of debt to ensure more in-depth analysis to take place and to allow the possible introduction of early interventions and preventative work to advise and assist businesses, reduce company closures and liquidations and ultimately reduce business rates write-offs.

*Further details were provided [to Council Cabinet] relating to business write-offs including business names and date information.*

### Decision

1. To approve delegated authority to bid for the available funds, set out in section 4.1 of the report.
2. To approve the write off of irrecoverable Business Rates set out at paragraph 6.5 of the report.
3. *To accept the recommendation from the Executive Scrutiny Board to request the Director of Finance to make sure that future reports included full details including dates and timescales and the scale of debt to ensure more in-depth analysis could take place and to allow the possible introduction of early interventions and preventative work to advise and assist businesses, reduce company closures and liquidations and ultimately reduce business rates write-offs.*

### 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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**For more information contact:**  
**Background papers:**  
**List of appendices:**

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Council Cabinet Minutes and Reports 04 October 2017.  
Appendix 1 – Implications

## Appendix 1

### 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.