

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 07 December 2016- Non-Key decisions

- 4.1 **104/16 Service Delivery Model for the Council's Care Homes and Day Centres Council Cabinet Decision**

The Corporate Scrutiny and Governance Board recommended that:

- the requirement for capital funds to deliver social care/extra care schemes should be considered when allocating capital receipts resulting from the sale of care homes and these should be directed towards delivering these schemes where possible.
- Following the closure of Wetherby Day Centre and positive feedback in relation to the alternative provision of day care services, the friends and family involved this should be approached to be potential ambassadors for the new model of delivery for day care services.

Council Cabinet Decision

1. To delegate authority to the Strategic Director of Place following consultation

with the Strategic Director of People, to sell five of the Council's care homes – Merrill House, Raynesway View, Coleridge, Arboretum House (including Morleston Day centre) and Bramblebrook to achieve the best possible outcome for the Council and to ensure that the existing residents are provided with a quality care service for the remainder of their lifetime, at no additional cost to them.

2. To note that further dialogue was required with organisations interested in Inspire and Aspect Day centres, following the soft market testing.
3. To note that any capital receipt from the disposal of the care homes would be earmarked in accordance with the corporate capital receipts policy.
4. To note the financial implications detailed in Appendix 1 paragraph 1.2 of the report to identify that further revenue/capital funding would be required should the Council decide to keep the properties rather than dispose of them.
5. *To accept the recommendations from the Corporate Scrutiny and Governance Board that:*
 - *The requirement for capital funds to deliver social care/extra care schemes should be considered when allocating capital receipts resulting from the sale of care homes and these should be directed towards delivering these schemes where possible.*
 - *Following the closure of Wetherby Day Centre and positive feedback in relation to the alternative provision of day care services, the friends and family involved this should be approached to be potential ambassadors for the new model of delivery for day care services.*

4.2 105/16 Publication of Draft Flood Risk Management Strategy and Baseline Strategic Environmental Scoping Report for Public Consultation

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet however, the Board agreed that a letter of cross party support should be sent to the Parliamentary Under Secretary of State for the Environment and Rural Life Opportunities to make representations to government to request additional funds for Derby for the delivery of the OCOR project.

Council Cabinet Decision

1. To agree the draft Local Flood Risk Management Strategy for public consultation.
2. To delegate authority to the Director of Communities and Place to make minor changes to the draft FRMS prior to adoption of the final FRMS.
3. *To accept the recommendation of the Corporate Scrutiny and Governance Board that a letter of cross party support should be sent to the Parliamentary Under Secretary of State for the Environment and Rural Life Opportunities and the local MPs, to make representations to government to request additional funds for Derby for the delivery of the OCOR project.*

4.3 **106/16 Revised Statement of Community Involvement**

The Corporate Scrutiny and Governance Board made no recommendations to Council Cabinet however requested a report back to a future meeting of the Corporate Scrutiny and Governance Board outlining any amendments made to the statement following the consultation.

Council Cabinet Decision

1. To note the consultation methods contained in the revised Statement of Community Involvement and to approve consultation seeking people's views on the amended document.
2. To authorise the Strategic Director for Communities and Place following consultation with the Cabinet Member for Communities and City Centre Regeneration to consider any comments received during consultation, to make amendments to the document and to formally adopt the Statement of Community Involvement.
3. *To accept the recommendation from the Corporate Scrutiny and Governance Board that a report be submitted to a future meeting of the Corporate Scrutiny and Governance Board outlining any amendments made to the statement following the consultation.*

4.4 **107/16 Cycle Hire Scheme**

The Corporate Scrutiny and Governance Board supported the provision of a cycle hire and the recommendations outlined in the report.

Council Cabinet Decision

1. To approve a public cycle hire scheme and the preferred delivery model (paragraph 4.11 of the report) for a public cycle hire scheme for Derby.
2. To accept the risks identified in the report (paragraph 4.12 of the report) and approve the advancement of the project to procurement and delivery.
3. To delegate to the Strategic Director of Communities and Place, following consultation with the Cabinet Member for Communities and City Centre Regeneration and, as appropriate, the Director of Finance and Director of Governance to enter into such contracts and ancillary documentation to allow the delivery of a cycle hire scheme for Derby.

4.5 **108/16 City Energy Savings Programme (CESP) – Warm Zone Funding**

The Corporate Scrutiny and Governance Board supported the scheme and the recommendations outlined in the report.

Council Cabinet Decision

1. To authorise a 1 year pilot project using the new funding model to determine the likely take-up by homeowners.

2. To reconfigure the funding model for the CESP programme to include Warm Zone funding with homeowner contributions, allowing participants to repay the initial costs to the Council over a period of 4 years free of interest, secured as a Local Land Charge.
3. To amend the current 2016/17 funding sources in the Council's Capital Programme in accordance with this report.

4.6 **109/16 Proposals to Increase Pupil Places at The Bemrose School**

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

4.7 **110/16 Tenancy Strategy**

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

4.8 **111/16 A52 Wyvern Transport Improvement Scheme – Confirmation of Funding to Purchase Land and Commence Scheme Construction**

The Corporate Scrutiny and Governance Board supported the compulsory purchase of empty homes.

Council Cabinet Decision

1. To authorise the Council to make Compulsory Purchase Orders under the Acquisition of Land Act 1981 (pursuant to the power under section 17 of the Housing Act 1985) for the acquisition of the houses, together with the associated land, as identified in Appendix 2 of the report for the purposes of their renovation and reoccupation as housing accommodation.

4.9 **112/16 Compulsory Purchase of Empty Homes**

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

4.10 **113/16 Private Rented Sector Final Offer Policy**

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

4.11 **114/16 Strategies and Policies for Collection of Debts**

The Corporate Scrutiny and Governance Board recommended that

1. Options to publish the details of individuals who choose not to pay debts accrued should be explored.
2. The possibility of reporting the non-payment of debts/rates to Credit Reference Agencies should be explored.

Council Cabinet Decision

1. To approve the:
 - a) Collection Strategy,
 - b) Council Tax Recovery Policy,
 - c) Business Rates Recovery Policy and
 - d) Sundry Debt and Miscellaneous Income Policy
2. To delegate any future operational amendments to the strategy or any of the policies listed at above, including consequential amendments arising from changes to statutory or case law, to the Chief Executive following consultation with the Director of Finance.
3. *To accept the recommendations from the Corporate Scrutiny and Governance Board*
 - *Options to publish the details of individuals who choose not to pay debts accrued should be explored.*
 - *The possibility of reporting the non-payment of debts/rates to Credit Reference Agencies should be explored.*

4.12 115/16 Writing off Council Tax, Business Rates and Sundry Debts

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

4.13 116/16 Hardship Relief Policy

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

4.14 117/16 Contract and Financial Procedure Matters

The Corporate Scrutiny and Governance Board recommended that:

- options be explored in relation to the alternatives for debt recovery, such as the compulsory purchase of empty/deserted business premises.
- future Contract and Financial Procedure Matters Reports should include further contextual detail where figures may appear inexplicably high without the inclusion of this detail.

Council Cabinet Decision

1. To approve writing off the business rates debts, totalling £518,653.18, as detailed in section 4 and Appendix 2 of the report.
2. To approve the award of £23,000 to Derby City Mission, as detailed in section 5 of the report.
3. To give delegated approval to the Strategic Director of Communities and Place to award grant in relation to trafficking and modern day slavery and safeguarding, as detailed in section 6 of the report.

4. To give delegated approval to award grant to the Normanton and Sinfyn Neighbourhood Boards, as detailed in section 7 of the report.
5. To delegate approval to the Strategic Director of Communities and Place to bid for external funding from the Controlling Migration Fund, as detailed in section 8 of the report.
6. To approve changes, including additions, to the capital programme, as detailed in section 9 and Appendix 3 and 4 of the report.
7. To award a contract to GF Tomlinson's - with a total value of £246,000, which will be funded from the Property Design and Maintenance Budget – to install a coating system to the glass at the Guildhall Market, as detailed in section 10 of the report.
8. To approve the use of the existing EMPAll competitive framework to direct award a contract for the design and project management of the Council House ground floor reconfiguration to Wates Construction Ltd., funded by the use of the Property Rationalisation Revenue Reserve, as detailed in section 11 of the report.
9. To approve the tendering for the contract, at a cost of up to £150k per annum, to provide a new nurse led triage service, and to delegate contract award to the Strategic Director of Communities and Place, as detailed in section 12 of the report.
10. To approve an increase in the budget for the Victory Road project from £7,350,000 to £8,582,350 and to amend the 2016/17 – 2018/19 capital programme accordingly.
11. To note that the additional costs will be mainly funded by £1,032,350 external contributions (Rolls-Royce), and a transfer of budget from the Traffic and Transportation Capital Programme to the Regeneration Capital Programme, a real cost to the Council of £100,000.
12. *To accept the recommendation of the Corporate Scrutiny and Governance Board that:*
 - *options be explored in relation to the alternatives for debt recovery, such as the compulsory purchase of empty/deserted business premises.*
 - *future Contract and Financial Procedure Matters Reports should include further contextual detail where figures may appear inexplicably high without the inclusion of this detail.*

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.