



EXECUTIVE SCRUTINY BOARD
12 March 2019

ITEM 7

Report sponsor: Strategic Director of Corporate Resources
Report author: Democratic 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 13 February 2019

Matters Referred

4.1 176/18 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

4.2 177/18 - Revision of the National Non Domestic Rates Policy for the Award of Discretionary Rate Relief

The Executive Scrutiny Board resolved to note the report.

4.3 178/18 - Derby City Scheme for the Admission Arrangements for Infant, Junior, Primary and Secondary Schools 2020-2021

The Executive Scrutiny Board resolved to note the report.

4.4 179/18 – Adult Social Care Fees and Charges 2019/20

The Executive Scrutiny Board resolved to note the report.

4.5 180/18 – Project Mulberry – Investment in high quality warehouse and office to support the transport engineering supply chain at Infinity Park

The Executive Scrutiny Board resolved to welcome the report.

4.6 181/18 – New Swimming Pool Complex at Moorways – Next Steps

The Executive Scrutiny Board resolved:

- To recommend that Council Cabinet remove the delegation detailed at recommendation 2.5 and to request that the final designs were subject to Council Cabinet approval.
- To recommend that Council Cabinet remove the delegation detailed at 2.10 and to request that the operational model of the venue was subject to Council Cabinet approval.

Council Cabinet Decision

1. To note the indicative sketches, images, features and indicative costs of the preferred enhanced leisure water feasibility study option.
2. To approve progressing the concept and detailed design for the preferred enhanced leisure water option and to award the contract to Mace Consultancy Ltd (Mace) to provide project management support to do this work.
3. To approve the submission of a new planning application which was needed to construct the new Swimming Pool Complex with enhanced leisure water.
4. To recommend to Council, an increase in the capital programme for the project of £9 million to provide a capital budget of £42 million and that the Capital Programme 2019/20-2021/22 be re-profiled accordingly, to deliver the new

Swimming Pool Complex with enhanced leisure water.

5. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director of Corporate Resources, the Cabinet Member for Strategy and Policy, the Cabinet Member for Finance and Procurement and the Cabinet Member for Leisure, Culture and Tourism to approve the final designs for the new Swimming Pool Complex with enhanced leisure water.
6. To note that a construction contract was awarded to Bowmer and Kirkland (B&K) following a tender process. The construction contract was structured on the basis of two distinct phases: the pre-construction phase (B&K were currently performing this phase of the contract) and the Swimming Pool Complex construction phase.
7. Subject to Council approval of the capital programme budget and the approvals required in paragraphs 2.2, 2.3 and 2.5 of the report, to approve the award of the construction phase of the construction contract to B&K to deliver the new Swimming Pool Complex.
8. To note that Mace was awarded a contract to provide project management support for the delivery of the new Swimming Pool Complex. Mace had provided project management for the project to date and that as the current contract with Mace had now come to an end and to ensure continuity of support it was now necessary to reappoint Mace project management during the build and handover phase.
9. Subject to the Council approval of the capital programme budget and the approvals required in paragraphs 2.2, 2.3 and 2.5 of the report, to approve the appointment of Mace under the terms of the ESPO Framework Agreement 2664 Lot 1B to provide project management support for the delivery of part three of the project to build and handover the new Swimming Pool Complex.
10. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Strategic Director for Corporate Resources, the Cabinet Member for Strategy and Policy, the Cabinet Member for Finance and Procurement and the Cabinet Member for Leisure, Culture and Tourism to determine the operational model for the venue, to take all actions necessary to secure an operator and to enter into all necessary contractual arrangements to deliver the project.
11. To note that the future of Queen's Leisure Centre would be subject to further work including consultation and a future Council Cabinet report, with the current expectation that it would close when the new Swimming Pool Complex opens.
12. To note and accept the risks associated with continuing with this project as identified in the report in paragraph 9.5 of the report.
13. *To reject the recommendations from Executive Scrutiny Board to remove the*

delegation detailed at recommendation 2.5 and to request that the final designs were subject to Council Cabinet approval and to remove the delegation detailed at 2.10 and to request that the operational model of the venue was subject to Council Cabinet approval.

Budget and Policy Framework

4.8 182/18 - 2018/19 Quarter 3 Forecast of Outturn for General Fund, Capital Budgets, Dedicated Schools Grant, Collection Fund and Housing Revenue Account

The Executive Scrutiny Board resolved to note the report.

4.9 183/18 - Medium Term Financial Plan 2019/20 – 2022-23, Revenue and Capital Final Budget Setting for 2019/20, Treasury Management Update and Strategy 2019/20, Housing Revenue Account Final Budget Setting 2019/20, Dedicated Schools Grant 2019/20, Capital Strategy and Pay Policy

The Executive Scrutiny Board resolved to note the report.

4.10 184/18 - Report on the Robustness of Estimates and on the Adequacy of Reserves

The Executive Scrutiny Board resolved to note the report.

Performance

4.11 185/18 - Performance Monitoring 2018/19 – Quarter Three Results

The Executive Scrutiny Board resolved to note the report.

Other

4.12 186/18 - Review of Derby City Council Governance System

The Executive Scrutiny Board resolved to recommend that Council Cabinet amend the report to include a recommendation that Council explore the possibility of moving to all-out, four yearly elections, in conjunction with the review of Derby City Council's governance system.

Council Cabinet Decision

1. To authorise the Strategic Director of Corporate Resources to develop a Committee System based on the following working principles:
 - Achieve greater councillor engagement in decision-making;
 - No increase in the number of meetings;
 - No increase in costs;
 - Avoid unnecessary delays in decision-making so that any change is at least comparable to the Leader and Cabinet model;
 - Including call-in within the functions of the new committee structure;
 - To allow all councillors to put items on the agenda of committees;
 - Fit for purpose officer delegation scheme, with councillor involvement only in significant officer decisions.

2. To agree that local electors should be consulted prior to any final decision being made.
3. To agree to seek the commitment of Council on 27 February 2019 to the development of a Committee System in line with the two recommendations set out in 2.1 and 2.2 of the report.
4. *To accept the recommendation from Executive Scrutiny Board to amend the report to include a recommendation that Council explore the possibility of moving to all-out, four yearly elections, in conjunction with the review of Derby City Council's governance system.*

Council Cabinet Meeting of 28 February 2019

Matters Referred

4.13 195/18 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 Decision

4.14 197/18 – LONG TERM WASTE CONTRACT

The Executive Scrutiny Board made nine recommendations to Council Cabinet whilst in private session.

Council Cabinet Decision

1. To approve the recommendations set out in paragraphs 2.21 to 2.11 of the report.
2. *To accept recommendations 1, 6 and 8 and reject recommendations 2, 3, 4, 5, 7, and 9 from 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)	Alex Hough, Acting Head of Democracy	04/03/2019

Background papers:	Council Cabinet Minutes and Reports, 13 February 2019 Council Cabinet Minutes and Reports, 28 February 2019
List of appendices:	None

