

Time began: 6.00pm
Time ended: 6.53pm

COUNCIL CABINET
14 AUGUST 2013

Present Councillor Bayliss (Chair)
Councillors Banwait, Rawson, Repton, Russell and Tittley

In attendance Councillors Holmes, Jones and Pegg.

This record of decisions was published on 16 August 2013. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

42/13 Apologies

Apologies for absence were received from Councillors Afzal and Shanker.

43/13 Late Items Introduced by the Chair

Two late items were introduced by the Chair, namely:

- Property Rationalisation Project – Approach to Strategic Asset Reviews; and
- Property Rationalisation Project – Analysis Process for Strategic Asset Reviews.

It was explained that the matters were to be considered in order that the project could be progresses.

Decision

To consider the two reports relating to the Property Rationalisation Project as a consolidated item.

44/13 Receipt of Petitions

There were no petitions received.

45/13 Identification of Urgent Items to which Call In will not apply

There were no items.

46/13 Declarations of Interest

There were no declarations of interest.

47/13 Minutes of the meeting held on 10 July 2013

The minutes of the meeting held on 10 July 2013 were agreed as correct record and signed by the Chair.

Matters Referred

48/13 The PM10 Air Quality Consultation

The Council Cabinet considered a minute extract from the Planning, Housing and Leisure Overview and Scrutiny Board's meeting of 24 July 2012 in relation to the PM₁₀ Air Quality Consultation.

The minute extract detailed that the board had recommended that Council Cabinet support the revocation of the PM₁₀ Air Quality Management Area on the basis that any future operations on the site would be subject to self-monitoring and regular reporting to the Environment Agency.

Decision

To note minute 16/12 of the Planning, Housing and Leisure Overview and Scrutiny Board, including its recommendation to Council Cabinet, and to take the board's views fully into account in consideration of the reports of the Cabinet Member for Planning, Environment and Public Protection and the Strategic Director for Neighbourhoods relating to the proposed revocation of the Victory Road PM₁₀ Air Quality Management Area.

49/13 Property Rationalisation Project

The Council Cabinet considered two reports relating to the Property Rationalisation Project, namely:

- Property Rationalisation Project – Approach to Strategic Asset Reviews; and
- Property Rationalisation Project – Analysis Process for Strategic Asset Reviews.

The reports explained that a main element of delivery of a property rationalisation was the undertaking of an asset challenge process which sought to challenge the council's use of a particular property or asset. A five-stage approach was detailed, including gathering information, analysis, considering options, making decisions and implementing.

The analysis criteria was detailed including two distinct parts, these being (1) costs and income, and (2) suitability and sufficiency. A detailed criteria and scoring methodology was also considered.

Decision

1. To approve in principle the adoption of the analysis process covering:

- a. Cost and income;
 - b. Suitability and sufficiency; and
 - c. The detailed criteria and scoring methodology set out in the report;
2. To delegate authority to the Chief Executive and Strategic Director of Resources, following consultation with the Leader, to agree amendments to the analysis process, following the initial reviews.
3. To approve the use of the process set out in the report for the undertaking of all Strategic Asset Reviews;
4. To approve the area groupings of the city as the basis for undertaking area reviews, as set out in the report; and
5. To approve that the first area review will be centred around Allenton/Alvaston/Pride Park.

Key Decisions

50/13 Osmaston Vision – Delivery Partner Selection

The Council Cabinet considered a report on Osmaston Vision – Delivery Partner Selection.

The purpose of the report was to seek approval for the appointment of the preferred delivery partner for the regeneration of Osmaston, and to provide an update to members as approved on 22 November 2011.

It was reported that Council Cabinet had, in 19 July 2011, approved for the council to enter into a collaboration agreement with Rolls-Royce relating to the transfer to the council of a number of vacant Rolls-Royce owned sites in Osmaston. Members were informed that the procurement process detailed in the report of 22 November 2011 had been completed and that approval was now sought to appoint Keepmoat Ltd as the preferred delivery partner for the Osmaston regeneration.

Options Considered

A number of alternative options were detailed in the context of their regeneration impact, deliverability and timescales and financial implications. These included:

- Retendering;
- Leaving to Rolls-Royce;
- Individual site delivery;
- Third party investment; and
- Development agreements.

Decision

1. To approve the appointment of Keepmoat Ltd as preferred delivery partner;
2. To delegate authority to the Chief Executive, following consultation with the Leader of the Council and the Strategic Director of Resources, to finalise details relating to the structure and operation of the Joint Venture Vehicle, and the associated legal documentation;
3. To approve in principle the approach to the first stage of residential development, on the Main Works Site, as outlined in the report;
4. To delegate authority to the Chief Executive, following consultation with the Leader of the Council, to progress the transfer of land from Rolls-Royce in line with the terms of the Collaboration Agreement approved by Council Cabinet on 19 July 2011, including finalising the remediation strategy for the Rolls-Royce sites; and
5. Subject to specific terms to be agreed in further reports to Council Cabinet, to approve in principle the use of funds identified through the Joint Venture Vehicle towards the refurbishment of school facilities at Osmaston Primary School.

Reasons

1. Following a detailed dialogue and subsequent appraisal process, Keepmoat had demonstrated that their submission represented the most advantageous tender which was compliant with the council's requirements. A long-term partnership approach was proposed, which would deliver the aims of the Osmaston Vision, and would provide a contribution towards the improvement of the primary school provision in Osmaston;
2. Proposals for the structure and operation of the Joint Venture Vehicle had been agreed with Keepmoat and the report sought approval to advance the necessary documentation and enter into agreement with Keepmoat. A more detailed description of the proposed structure and operation of the Joint Venture Vehicle and the procurement process was outlined in the report.
3. As described in the report to Council Cabinet 22 November 2011, a Joint Venture Vehicle would allow a shared-risk model that captured all the assets and benefits in order to focus efforts on the wider regeneration. It had the ability to deliver more than a pure housing solution and to collect together all resources to achieve the widest regeneration outcomes possible in the current market.
4. Keepmoat had proposed an outline solution for residential development which would deliver approximately 343 new homes on the site, including 20 per cent affordable housing on the main works site. The finer detail of this development

was to be worked up, but their submission demonstrated a solution which addressed the requirements of the community and the council is financially viable and deliverable.

5. Keepmoat had expressed a desire to run the design process for the residential development alongside the formulation of the remediation strategy in order that a planning application may be submitted towards the end of 2013.
6. A Collaboration Agreement between Rolls-Royce and the council was in place. Under the terms of this agreement, Rolls-Royce agreed to transfer their vacant sites to the council once remediation costs had been finalised and the Joint Venture Vehicle was formed. Rolls-Royce did not wish to be involved in the procurement process, but had received regular briefings in order to ensure their satisfaction with the process and the proposals.
7. Rolls-Royce had agreed to transfer the land to either the council or the Joint Venture Vehicle, along with a dowry to cover the costs of remediating the land. The dowry would be held by the council until required to pay remediation costs. It was vital that the figure for the dowry was set at a realistic figure to limit risks to the Joint Venture Vehicle, and therefore to the council. It was proposed that a joint approach to formulating the remediation strategy and determining a cost is undertaken between the council, Rolls-Royce and the delivery partner. The use of a collaborative approach should ensure that delays and discrepancies were minimised.
8. It was made a requirement of the invitation to submit final bids that bidders demonstrate where a contribution could be made from the Joint Venture Vehicle towards the regeneration in Osmaston, principally the primary school. The proposal from Keepmoat indicated that a contribution of £7,000 (index linked) per sold property could be made, subject to sale of properties.
9. In order to deliver the refurbishment of the school and other infrastructure improvements in the early stages of the regeneration programme it was proposed to borrow £2m in 2014/15 and 2015/6 with repayments over seven years of £365,000 per annum, to be repaid using the developer contributions, as the table below. The £2m would be split £1.5m to the Osmaston School and £0.5m to the Marble Hall. The repayments would be phased on the following basis

Year	Developer contribution
2014/15	0
2015/16	350000
2016/17	358750
2017/18	367719
2018/19	376912
2019/20	386335
2020/21	395993
2021/22	405893

These contributions equate to £7,000 per property (index linked), on 343 properties at an estimated build rate of 50 per annum, completions from 2016.

51/13 Osmaston Vision: Elton Road Quadrant Community Led Housing Development

The Council Cabinet considered a report on Osmaston Vision : Elton Road Quadrant Community-led Housing Development. It was reported that on 17 October 2012, members agreed to support the proposed community-led development of 40 affordable homes by Osmaston Community Association of Residents (OSCAR) on land at vacant sites at Elton Road and Glossop Street, Osmaston (known locally as Elton Road Quadrant). The proposed Community Led Development (CLD) was to be delivered via a Community Ownership Model.

The report stated that finance to support the development was to be made available via a loan from the council to OSCAR and grant funding from the Home and Communities Agency (HCA). In order to access the HCA funding, it was a requirement that OSCAR became an Investment Partner (IP) and a Registered Provider (RP), and that OSCAR own the properties and the land on which they stand.

Members were advised that OSCAR had been working towards IP and RP status for more than six months, but the delay in achieving this status (which required HCA approval in its role as regulator of RPs) is preventing draw-down of the grant and start on site. Ultimately, this delay could result in a loss of funding.

In order to allow the development to commence, and to secure the funding, it was proposed that an interim solution be adopted, by which Derby Homes Ltd (DH) acted as the lead RP for the development, with a view to OSCAR taking on ownership of the properties in the future once they had obtained the necessary IP and RP status.

The cost implication to the council for the delivery of this development was unchanged. The amendments are to the ownership of the land, which would be transferred to DH, the development loan, which would be granted by the council to DH, and the payment of the HCA grant, which would be made by the HCA to DH. OSCAR would enter into a Partnership/Management Agreement with DH to record its continuing role in the development

Options Considered

A number of alternative options were detailed. These included:

- The council retaining the site until OSCAR achieved RP status;
- Inclusion of Elton Road and Glossop Street sites in the main Osmaston Regeneration Area Joint Venture Vehicle;
- Disposal of the site to a RP;
- The council retaining the site until the market improved or funding became available for RPs to develop; and
- Sale of the site on the open market.

Decision

1. To support a new approach to delivering the Community-led Development at Elton Road Quadrant by agreeing to:
 - a) Grant a long lease at nil consideration to Derby Homes Ltd on land at Elton Road and Glossop Street, with Derby Homes being required to develop the site out for affordable housing; and
 - b) Provide development finance for DH of c£1.78m, terms to be agreed;
 - c) Contribute £100,000 towards the remediation costs of the Glossop Street site;
 - d) Approve the disposal of remaining land on the Elton Road and Glossop Street sites for the purposes of constructing homes for outright market sale by Strata Homes, with surpluses in excess of Developer Profit to be reinvested in the Osmaston Regeneration Area;
2. To delegate authority to the Chief Executive following consultation with the Strategic Director of Resources and the Leader of the Council to finalise the specific elements of the project as outlined in the report; and
3. To recommend to Council the approval of the additional borrowing to facilitate the loan agreement with Derby Homes.

Reasons

1. Derby Homes involvement in the project as the Lead Registered Provider would enable the construction of 40 affordable homes to proceed without the loss of HCA funding. Furthermore, it would allow two brownfield sites to be developed to deliver homes to meet the needs of the local community. The provision of land at nil cost and a development loan from the council to Derby Homes will assist with the viability of the project; and
2. Due to the urgent and unforeseen nature of the amendment to the method of delivery of the Elton Road Quadrant development, certain specific details were yet to be finalised and delegated powers were required in order to support the delivery of this project.

52/13 Revocation of the Victory Road PM10 Air Quality Management Area

The Council Cabinet considered a report on the Revocation of the Victory Road PM10 Air Quality Management Area alongside the recommendations of the Planning Housing and Leisure Overview and Scrutiny Board detailed at minute 48/13.

A review of Particulate Matter (PM10) has been undertaken in the Sinfin area of the City, around Victory Road. This location was declared an Air Quality Management Area (AQMA) in August 2001, due to levels of PM10 exceeding national objectives.

The primary source of the high levels of PM10 was shown to be a local metal casting foundry which ceased operations in October 2005.

In light of the closure of this foundry, the purpose of the review was to assess levels of PM10 around Victory Road, in order to decide whether the AQMA should be retained, amended or revoked.

The study showed that in the seven years since the foundry's closure, annual averages and 24-hour levels of PM10 had fallen significantly. Levels of PM10 around Victory Road c with national objectives.

In addition to undertaking the review, the public and statutory consultees were consulted on the proposals to revoke the AQMA relating to PM10.

Options Considered

A number of alternative options were detailed. These included:

- Maintaining the declared Air Quality Management Area;
- Amending the declared Air Quality Management Area; and
- Revoking the declared Air Quality Management Area but continue monitoring.

Decision

To revoke the Victory Road Air Quality Management Area for PM10.

Reasons

The case for revocation of the Victory Road AQMA was based upon scientific evidence which demonstrated that levels of PM10 around Victory Road no longer exceeded the national air quality objectives and were unlikely to in the future.

53/13 Management and Operation of the Council Golf Courses

The Council Cabinet considered a report on the Management and Operation of the Council Golf Courses. On 7 November 2012, Council Cabinet recommended that a soft market tendering exercise be undertaken on the Council's three golf courses and that subject to the response from this exercise, recommended that Head of Terms be drafted for approval. The three council courses under consideration were Allestree, Sinfen, and Markeaton Park pitch and putt.

At the Council Cabinet meeting on 7 November 2012, members also requested that an in-house operating model be developed so that it could be considered alongside the response from the soft market tendering exercise. As part of the soft market tendering exercise, interest was also sought on an option for Allestree Hall and the golf course to be part of a leisure development opportunity.

In conjunction with the Cabinet Member for Leisure and Culture the following key areas were identified as being the key drivers that would need to be considered and addressed as part of this process:

- An annual payment should be made to the council and as such no subsidy should be incurred
- Increased usage of the courses and increased participation in golf should be achieved
- Increased investment and improvements in the course and infrastructure should be achieved
- Full repair and maintenance liability should be the responsibility of the operator
- Transfer of risk should be achieved for the council
- Accessibility through affordable pricing and development of the game should be achieved

An information pack and questionnaire was distributed to 20 external organisations involved in managing municipal leisure and golf facilities. The questionnaire was used to assess the following criteria:

- Whether the organisation would be interested in managing and operating the council's golf courses
- What the ideal contract duration for managing and operating the golf courses would be for them
- What key factors would affect the organisation's willingness to tender for the golf contract with the council
- What the key 'must haves' for their organisation would be within the golf contract in order for them to deliver a successful contract with the council

All the organisations were asked to give a brief overview of their appropriate leisure development expertise and experience.

The council received six completed questionnaires from the 20 that had been issued. The council was updating the city's Outdoor Sports Strategy to ensure the existing and future needs of outdoor sport provision were assessed with recommendations. It was proposed that the outcome of this is taken into account before making any final decisions on golf provision.

Options Considered

1. The option of a wider leisure development has been considered as part of the appraisal process and Allestree Golf Course, with its location and infrastructure may provide the potential interest from the private leisure and hotel development sector. The response from the soft market test was insufficient to justify taking this forward at this time.
2. The option of closing one of the golf courses and retaining only one of the courses has been explored. This option was not considered viable as the net expenditure required to maintain the remaining park land would be significantly higher without the income generated from both golf courses.

3. Although the in-house operating model would make improvements to the service it would not provide the long-term solution. The option of the council retaining the management and operation responsibility would require significant capital investment in order to sustain both courses over the short to medium term. The requirement for capital investment and the need to reduce the on-going risk and liability was considerable and therefore could not be recommended as a viable option unless these were addressed.
4. The development of trust options would take time to progress and there were no guarantees that they would be able to generate the investment required in order to provide a long term solution for the golf facilities and therefore could not be recommended at this stage.

Decision

1. To further explore the option of externalising the management and operation of the Allestree and Sinfin golf courses, and the Markeaton pitch and putt course.
2. That prior to making any final decision on the management and operation of the three council courses a further report be brought to Council Cabinet taking into account the outcomes of the council's Outdoor Sports Strategy. Should this report be recommending the appointment of a preferred organisation to operate and manage the golf courses it should also include the main terms and conditions of the proposed lease and contract with the council.
3. To approve the following Head of Terms which will form the basis of the assessment that will inform the procurement of an external operator to manage and operate the Council's golf courses;
 - To operate the courses at no cost to the council and make an annual payment to the council which is RPI linked.
 - To increase the number of people playing municipal golf.
 - To increase investment and improve infrastructure of the courses.
 - To transfer the repair and maintenance liability of the golf buildings.
 - To offer affordable pricing to the customer.
 - To increase participation and develop the game of golf.
4. To note that the in-house interim management arrangements for the golf courses will be maintained while further options are explored.

Reasons

1. The soft market tendering exercise identified there was sufficient external interest from the market to progress and undertake a full procurement exercise to explore further the appointment of a preferred partner organisation to manage and operate the council's golf courses.

2. The assessment of the in-house operating model required significant levels of capital investment and this made the in-house options a less viable option going forward for the council.
3. The external management and operation of the council's golf courses had the potential to provide a long term solution that could transfer and reduce the risk to the council with the potential to attract investment to ensure the longer term viability of the courses.
4. This approach ensured that the council demonstrated best value for money and also secured a long term operating agreement that will be sustainable and improves access to the golf courses and the pitch and putt facilities in the city.
5. Limited leisure development interest was received for Allestree Hall and those that expressed an interest were keen to limit their on-going liabilities and therefore this was not considered a viable option going forward for the council.
6. This approach enabled external consultants who had been employed to update the city's Outdoor Sports Strategy to make recommendations, which could be considered before any final decision on the management and operation of the two golf courses was made.

54/13 Contract Housing Related Support

The Council Cabinet considered a report on Contract Housing Related Support. This report sought approval to award the contract for the provision of housing related support services from 1 October 2013. On the 30 January 2013, the council agreed its Medium Term Financial Plan, which included savings from the housing related support budget in both 2013/14 and 2014/15. On 20 March 2013, Council Cabinet agreed a revised strategy to achieve the required budget reductions, including the commissioning priorities and subsequent procurement programme.

As agreed by Council Cabinet, an EU compliant competitive tendering exercise was used to procure the required housing related support services for the council.

The council currently had a contract with a number of providers to deliver housing related support and these contracts expired at the end of September 2013. The contract award proposed in the report would replace previous contracts and also help deliver the required budget savings.

It was highlighted that the Adults and Public Health Overview and Scrutiny had considered the tendering process at its meeting on 12 August 2013 in the context of questions raised by members at the Council meeting on 17 July 2013. The board had found that the process followed during the procurement was appropriate and consistent with the council's decision making principles.

Options Considered

The Cabinet could decide not to award the contract, or to re-run the tender programme. This was not being recommended as the procurement process was

able to secure suppliers for all four lots who met the quality threshold and whose bid price was within the available budget.

In addition, Council Cabinet agreed a limited number of existing housing related support contracts were offered contract extensions to the end of September 2013, following the termination of all previous contracts at the end of March 2013, to maintain a portfolio of high priority services during the procurement programme. Delays in awarding the tender could mean a gap in the provision of accommodation and support for people at risk of homelessness from October 2013.

Decision

To approve the award of the contract for the provision of housing related support to the following organisations:

Lot 1: Emergency Crisis Interventions Young People – award to go to the Riverside Group

Lot 2: Emergency Crisis Interventions Domestic Abuse – award to go to Refuge

Lot 3: Recovery and Re-ablement Medium Intensity – award to go to Action Housing and Support

Lot 4: Recovery and Re-ablement High Intensity – award to go to the Riverside Group.

The total cost to the Council for all four bids was £795,000 per annum and an initial contract would be offered from 1 October 2013 to end of March 2016, with an option to extend subject to satisfactory performance.

Reasons

The council was not required to provide housing related support service by statute, but recognised the valuable role that these preventative services played in keeping vulnerable people living independently in the community. The council did have a statutory duty to prevent homelessness and these services would assist the council in discharging its duty. Agreeing to proceed with the contract award would enable vital service to be available in Derby and also to help deliver the savings required from the housing related support budget.

Budget and Policy Framework

55/13 Medium Term Financial Strategy 2014/15 to 2016/17

The Council Cabinet considered a report on Medium Term Financial Strategy 2014/15 to 2016/17. This report outlined the Medium Term Financial Strategy - MTFS - for the revenue and capital budget over the three year period 2014/15 to 2016/17. The MTFS set out the council's strategic approach to the management of its

finances. It detailed the resource projections for the forthcoming three years, the financial challenges that the council faces and the approach planned to meet the priorities set out in the Council Plan. It also commented on the significant risks facing the council in the forthcoming years and explained what the council was doing to reduce those risks.

The purpose of the Medium Term Financial Strategy was to ensure that the overall vision, objectives and outcomes sought for the local community were deliverable within the resources that are available or likely to be available in the medium term. The MTFS was also designed to ensure the council continued to maintain a stable and sustainable budget capable of withstanding financial pressures.

The key financial issue facing the council for 2013/14 to 2016/17 was to continue to manage the on-going reductions in national public finances, and consequently in the council's own resources. The MTFS sought to address this by the application of a number of overarching principles, which were designed to support the delivery of a balanced budget position. These broad principles included:

- identifying the key priorities for the council, and more importantly the city, and correspondingly, the priorities for further financial investment, notwithstanding the overall financial climate
- determining what the council would look like in the Medium Term, in terms of function and service delivery, to support priorities within resource constraints
- maximising the efficiency of both front-line and back-office services; consolidating administration where possible; and working with local partners to eliminate duplication
- working with local partners to streamline customer pathways across partner organisations and establish financial savings across the public sector
- determining the broad capital strategy for the council to support the delivery of core priorities

Representations on the council's financial position resulting from Government cuts were made by Councillors Russell, Repton, Tittley, Bayliss and Rawson.

Decision

1. To endorse the Council's Medium Term Financial Strategy for 2014/15 to 2016/17 and recommend that Council approve this strategy.
2. To note the budget risks associated with the MTFS, as set out in section 8.

3. To note the estimated financial position and funding gaps for 2014/15 to 2016/17, and the assumptions included within these forecasts, as set out in section 10.
4. To approve the key principles underlying the budget process outlined in section 11.
5. To approve the proposed financial methodology to identify service savings over the next three years, as set out in section 11.
6. To approve the use of unbudgeted capital receipts in line with the principals set out in paragraph 14.4.
7. To approve the recommended approach to public consultation on the budget to increase engagement and encourage community action, as set out in section 15.
8. To approve the outline timetable set out in paragraph 15.6.

56/13 Quarter 1 Capital Budget Monitoring 2013/14 – 2015/16

The Council Cabinet considered a report on Quarter 1 Capital Budget Monitoring 2013/14 – 2015/16. This report provides details of the revised financial position for the 2013/14 Capital Budget for Quarter 1. This was in line with the agreed strategy of reporting capital monitoring figures on a monthly basis to Chief Officer Group and on a quarterly basis to Council Cabinet for approval and action as necessary.

The council was forecasting an expected capital programme of £108,849,000 by 31 March 2014, after reflecting revisions to the capital programme of £5,726,000 and accounting for the over programming necessary at the time of setting the budget which had now been met by forecast slippage.

Decision

1. To approve the changes and additions required to the 2013/14 capital programme as outlined in the report.
2. To note the revised programme for 2013/14 and the revised indicative programme for 2014/15-2015/16 as detailed in the report.
3. To note the changes to 2013/14 capital funding as detailed in the report.
4. To note the completed schemes for Quarter 1 as detailed in the report.
5. To recommend that approval is sought from Council for the additional borrowing required for the purchase of vehicles for Highways maintenance as detailed in the report.

6. To approve the use of the additional section 106 funding as detailed in the report.

57/13 Revenue Budget Monitoring 2013/14 Quarter 1

The Council Cabinet considered a report providing details of the latest financial position and projected outturn for the 2013/14 Revenue Budget based on the actual income and expenditure for quarter 1.

The forecast position for the financial year 2013/14 showed a variance of +1.69% against the budget requirement of £223,064,543. Directorate pressures were being managed in order to achieve a balanced position by the year end.

Services and directorates were taking actions to bring their budgets back into balance, including transferring budgets from services with net savings and the planned use of reserves detailed in the report.

The delivery of savings totalling £20,119,000 was required to support a balanced outturn position for 2013/14. Of the total savings, 97 per cent had either already been achieved or were forecast to be achieved by the year end, with the remaining three per cent planned for delivery in future years or managed through the latest medium term financial plan. Options to address this variance in 2013/14 were being explored by directorates.

Decision

1. To note the financial monitoring results and approve the approach to balance the 2013/14 budget and to note the current progress of savings delivery as at quarter 1 2013/14.
2. To approve the transfers from reserves as detailed in the report.
3. To approve the use of the Corporate Contingency as detailed in the report.

58/13 Food Law Enforcement Plan

The Council Cabinet considered a report on Food Law Enforcement Plan. To satisfy its statutory obligations under the Food Safety Act 1990, the Food Hygiene (England) Regulations 2006, the Official Feed and Food Controls (England) Regulations 2006, the Food Labelling Regulations 1996, the Agriculture Act 1970 and the Animal Health Act 2006, the council was required to produce a Food Law Enforcement Plan, including a description of the resources made available to discharge those obligations.

Decision

To approve the Food Law Enforcement Plan 2013/2014.

59/13 Health and Safety Enforcement Plan

The Council Cabinet considered a report on Health and Safety Enforcement Plan. Section 18 (4) of the Health and Safety at Work Act 1974 required Local Authorities to make adequate arrangements for enforcement within their areas of jurisdiction. In complying with Section 18, Enforcing Authorities (EAs) were required to follow the Health and Safety Commission's Enforcement Policy Statement (EPS) on the purpose, method and principles of enforcement. A Section 18 'Standard' had been introduced, which added to the EPS, setting out the broader requirements for EAs when complying with their duty to make 'adequate arrangements for enforcement'. Since April 2008, EAs had been required to work towards compliance with the principles set out in the Standard. From 31 March 2011, compliance had been mandatory and the arrangements must be set out in a formal plan.

Decision

To approve the Health and Safety Enforcement Plan 2013/14.

Contract and Financial Procedure Matters

60/13 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial procedure rules:

- Contract duration
- Letting of long lease
- Award of grant
- Acceptance of grant

Decision

- 1) To approve the tender of a 10-year contract for the Outdoor Adventure Play Facility, as detailed in the report.
- 2) To approve the letting of a 150-year lease on the Darley Stables and Bake House site as detailed in the report.
- 3) To approve the award of a £170,000 grant towards the costs of refurbishing Darley Abbey Stables as detailed in the report.
- 4) To approve the acceptance of a £2.5m Super Connected Cities programme grant from the Department of Culture, Media and Sport and allocate to reserves for future use, as detailed in the report.

Reasons

To comply with the council's Contract and Financial Procedure rules.

61/13 Exclusion of Press and Public

Resolved that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Key Decisions

62/13 Housing Related Support

The Council Cabinet considered exempt information in relation to the award of contracts via four separate lots for the provision of housing related support, as considered at minute 54/13.

Decision

To reaffirm the decision made at minute 54/13 having given full consideration to the additional exempt information.

MINUTES END