

Report of the Chief Executive

Minutes of previous Urgent Cabinet Member Meetings

SUMMARY

- 1.1 There have been five Urgent Leader of the Council Cabinet Member Meetings since the last Strategy and Policy Cabinet Member Meeting.
- 1.2 As only matters considered 'urgent' can be considered where the provisions triggering an Urgent Leader of the Council Cabinet Member Meeting, this Strategy and Policy Cabinet Member Meeting is the first opportunity for those minutes to be approved.
- 1.3 They are attached to this report for consideration.

RECOMMENDATION

- 2.1 To approve the minutes within the appendices of this report.

REASONS FOR RECOMMENDATION

- 3.1 To bring the approval of minutes up to date.

**For more information contact:
Background papers:**

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None

Appendices

Appendix 1 – Minutes of the Urgent Leader of the Council Cabinet Member Meeting – 30 August 2016
Appendix 2 – Minutes of the Urgent Leader of the Council Cabinet Member Meeting – 14 September 2016
Appendix 3 – Minutes of the Urgent Leader of the Council Cabinet Member Meeting – 13 October 2016
Appendix 4 – Minutes of the Urgent Leader of the Council Cabinet Member Meeting – 19 October 2016
Appendix 5 – Minutes of the Urgent Leader of the Council Cabinet Member Meeting – 28 October 2016

Time started

6.30pm

Time ended

6.37pm

Urgent Leader of the Council Cabinet Member Meeting

30 August 2016

Present: Councillor Banwait

Officers present: Janie Berry (Director of Governance), Gurmail Nizzer (Acting Director of Commissioning), Heather Ryder-Carrington (Childcare and Families Information Team Manager), Clare Harrison (Democratic Services Manager)

07/16 Apologies

There were no apologies.

08/16 Identification of urgent items to which call-in
 would not apply

As the item to be considered was not a key decision, call-in did not apply.

9/16 Declarations of interest

There were none.

10/16 Exclusion of the Press and Public

To consider a resolution to exclude the press and public during consideration of the following item

“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 item on the grounds that it involves 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 outweighs the public interest in disclosing the information”

11/16 Review of Nursery Provision

A report of the Chief Executive was considered by the Leader of the Council in relation to the provision of childcare and free early education entitlement (FEEE) nursery provision.

It was resolved to approve the recommendations as set out in the exempt report, with an amendment to the recommendation set out in paragraph 2.2 that a full report would be submitted to a future meeting of Council Cabinet.

MINUTES END

Time started
Time ended

1.33pm
1.41pm

Urgent Leader of the Council Cabinet Member Meeting

14 September 2016

Present: Councillor Banwait

Officers present: Mick Henman (Head of Building Consultancy and Emergency Planning) and David Walsh (Head of Democracy)

12/16 Apologies

There were no apologies.

13/16 Identification of urgent items to which call-in
 would not apply

As the item to be considered was not a key decision, call-in did not apply.

14/16 Declarations of interest

There were none.

15/16 Building Consultancy Project

A report of the Strategic Director of Communities and Place was considered.

It was reported that at its meeting on 16 March 2016, Council Cabinet gave delegated authority for agreements to be concluded enabling the proposed transfer of the Council's Building Control function, and the staff who undertake those functions, to a company being formed as an amalgam of the building control services of six Derbyshire authorities. The authorities involved were Derby, Amber Valley, Bolsover, Chesterfield, Derbyshire Dales and North East Derbyshire councils.

The Leader was advised that the delegated authority made specific reference to the signing of three agreements; namely the service agreement, the shareholder agreement and the transfer agreement, as well as granting approval for officers to negotiate the terms of each of the agreements and other legal documents required to give effect to the proposal. In the course of those negotiations, it had become apparent that a fourth document, a Guarantee Bond, would need to be produced and signed by each authority.

It was reported that approval of the fourth document was now sought.

Resolved to:

- 1) note the detailed report 'Transforming Building Control Across Derbyshire' published as Item 10 of the Council Cabinet agenda for the meeting of 16 March 2016, available to view on CMIS via the link detailed in the background papers within the footer of the report;**
- 2) delegate to the Strategic Director for Communities and Place, following consultation with the Cabinet Member for Regulatory Services and the Director of Finance, to approve the terms of Guarantee Bond as part of the suite of agreements necessary to give effect to the transfer of the council's building control functions and staff to the new company; and**
- 3) note that the remaining outstanding matter requiring member approval, namely the principle that the Building Control function can be discharged by the newly formed company, was due to go before Council as a late report.**

MINUTES END

Time started 11.08am
Time ended 11.25am

Urgent Leader of the Council Cabinet Member Meeting

13 October 2016

Present: Councillor Banwait

Officers present: Peter Ireson (Derby LIVE), Amanda Fletcher (Finance), Clare Harrison (Democratic Services Manager)

16/16 Apologies

There were no apologies.

17/16 Identification of urgent items to which call-in would not apply

As the item to be considered was not a key decision, call-in did not apply.

18/16 Declarations of interest

There were none.

19/16 Derby's Christmas Ice Rink in the Market Place

A report of the Strategic Director of Communities and Place was considered by the Leader of the Council in relation to the potential provision of an Ice Rink on the Market Place as part of Derby's Christmas offer.

It was reported that the existing contractor (Showplace Ltd) have confirmed that they could still provide a rink in Derby this Christmas but, as they have now committed to provide an ice rink elsewhere would require the comfort of a 3 year deal to justify the cost of investing in the additional equipment now required for Derby. The requirement for the contractor to acquire additional equipment in a timely manner was the main reason for the urgency of the decision.

It was further reported that due to the extremely challenging financial situation, the Council has explored how services can be delivered differently and has sought sponsorship from external partners in order to retain the Christmas Ice Rink. As a result, the Council has now secured significant support from the Cathedral Quarter Business Improvement District (BID) and 3aaa who wish to sponsor the Ice Rink for the next 3 years. This has provided the Council with an option to continue to provide a Christmas Ice Rink for the city for three years from 2016 to 2018 with a reduced level of funding from the Council, sourced from an appropriate reserve.

A number of elements of the proposed agreement were queried, including the associated costs, the level of Council contribution and what had been done in relation to the provision of an alternative offer. The Chair was informed that there had not been sufficient time or an available budget to investigate the alternatives to the provision of an ice rink.

It was resolved:

- 1) To approve the Council entering into a sponsorship agreement with the Cathedral Quarter BID and 3aaa to support the funding of the Christmas Ice Rink;**
- 2) To approve the transfer of £70,000 from the Communities and Place 16/17 revenue budget to the Economic Partnership Reserve;**
- 3) To approve the use of a maximum of £104,000 (see paragraph 4.5 & 4.6 below) from the Economic Partnership Reserve to support the Christmas Ice Rink to be drawn down as required; and**
- 4) To approve the use of a waiver (see Appendix 2) to increase the value of the contract with Showplace Ltd to £180,000 over three years and to apply the available extension to the contract in a single instance by 3 years.**

MINUTES END

Time started 11.30am
Time ended 12.14pm

Urgent Leader of the Council Cabinet Member Meeting 19 October 2016

Present: Councillor Banwait

Officers present: Paul Robinson (Chief Executive), Martyn Marples (Director of Finance), Janie Berry (Director of Governance) and David Walsh (Head of Democracy).

21/16 Apologies

There were no apologies.

22/16 Identification of urgent items to which call-in would not apply

As the item to be considered was not a key decision, call-in did not apply.

23/16 Declarations of interest

There were none.

24/16 Exclusion of the Press and Public

To consider a resolution to exclude the press and public during consideration of the following item

“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 item on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

25/16 Revision to Legal Agreement

A joint report of the Chief Executive and Director of Finance, as Chief Finance Officer, was considered.

Resolved to:

- 1) note and consider the external accountancy and legal advice received;**
- 2) note and consider the risks and benefits associated with the proposals detailed in the report; and**

- 3) approve the variation to the legal agreement as proposed in the report, and the funding arrangements, subject to confirmation from external legal advisors on the proposed changes.

MINUTES END

	Appendix 5
Time started	1.38pm
Time ended	2.01pm

Urgent Leader of the Council Cabinet Member Meeting 28 October 2016

Present: Councillor Banwait

Officers present: Claire Davenport (Director of Leisure, Culture and Tourism), Gethyn Davies (Head of Building Surveying and Projects Group Leader), Janie Berry (Director of Governance and Monitoring Officer), Mazer Hussain (Group Accountant - Communities and Place), Matthew Frost (Marketing Officer – Media) and Clare Harrison (Democratic Services Manager)

26/16 Apologies

There were no apologies.

27/16 Identification of urgent items to which call-in would not apply

It was confirmed that consent had been granted from the Chair of the Corporate Scrutiny and Governance Overview and Scrutiny Board for the matter under consideration as an urgent key decision (detailed at minute 30/16) would be exempted from call-in.

28/16 Declarations of interest

There were none.

29/16 Exclusion of the Press and Public

To consider a resolution to exclude the press and public during consideration of the following item

“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 item on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”.

30/16 Queens Leisure Centre – Family Pool Roof Repairs

A report of the Strategic Director for Communities and Place was considered on Family Pool Roof Repairs at Queens Leisure Centre.

It was resolved to approve the recommendations as printed in the report.

MINUTES END