

**THE OFFICE OF POLICE AND CRIME COMMISSIONER  
FOR DERBYSHIRE  
DECISION RECORD**

<b>Request for PCC Decision</b>	<b>Received in OPCC Date: 30 August 2013</b>	<b>OPCC Ref: 67/13</b>
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**Capital and revenue PFI costs – cell door rebates**

**Executive Summary: To be completed by PCC Specialist lead**

Essential work to cell door rebates is required at the Custody Suite at St Mary's Wharf PFI on the grounds of risk and safety. These costs fall outside the delegation levels granted to officers.

**Decision**

**Resolved**

That the capital works to Derby cell door rebates at a PFI capital cost of £14,567 and a Unitary Fee Annual Increase of £1,514.87 is approved.

**Declaration**

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

(Recorded interests: )

The above request has my approval.

*Electronically Signed*

**Signature**

**Date 2/09/13**

**PUBLICATION SCHEME CONSIDERATIONS**

**Is the related Section B report to be published**    **Yes**

If no, please indicate relevant exemption

**Is the publication of this approval to be deferred**    **No**

If Yes, provide reasons below

**Date to be deferred to –**

NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: *all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.*

**OFFICER APPROVAL**

**Chief Executive or Nominee: Treasurer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Signature    *Electronically Signed*

Name        Helen Boffy

Date 30 August 2013

**DECISION REPORT**  
**SEPTEMBER 2013**  
**REPORT OF THE TREASURER**

**CAPITAL AND REVENUE PFI COSTS – CELL DOOR REBATES**

**1. PURPOSE OF THE REPORT**

- 1.1 To approve the PFI costs for door rebate modifications to every cell in Derby DHQ

**2. INFORMATION AND ANALYSIS**

- 2.1 A quote for necessary modification works to door rebates at the Derby Custody Suite has been received, which exceeds the level of delegation granted within the approved Scheme of Delegation, (currently place for PFI capital works under £10,000).

**Background Information**

- 2.2 'HMIC Expectations for Police Custody' Version 2, 2012 states at Section 6 the indicators for the physical conditions requirements within a custody suite to be 'safe' and in good state of repair.
- 2.3 Works have been completed for new adjustable lock keeps to every cell. However, the gap in the door rebate is still not within the recommended tolerance as advised by the Custody Safer Detention Report received from HMIC, which is a tolerance of less than 2mm to avoid ligature risk.
- 2.4 Derby Divisional HQ is a PFI building and this includes the Custody Suite. As this work to cell door rebates is deemed to be a safety improvement to the cells, it is therefore out with the PFI agreement which is to maintain the building 'as designed' only. The PFI Agreement makes no provision for the onus to be on the PFI Provider to undertake any material improvements to the building safety or otherwise unless they are legislative.

- 2.5 After considerable discussion with the PFI Provider it has had to be conceded that these safety improvements are not legislative change. The PFI provider will not offer any financial contribution towards these safety improvement measures despite our officers' best attempts including involving the legal department to try and persuade them to even part contribute some funding on moral safety, partnership or continuous improvement grounds.
- 2.6 Therefore we have no option but to source the whole funding for the safety improvement works as recommended by HMIC.

### **Financial Implications**

- 2.7 This variation is over the £10K de minimus of delegated joint approval granted to the Director of Finance and the Treasurer and therefore approval is requested from the Commissioner.
- 2.8 The capital cost of the works is £14,567; the Unitary Fee Annual Increase is £1,514.87.

### **3. RECOMMENDATIONS**

- 3.1 That the capital works to Derby cell door rebates at PFI cost of £14,567 and a Unitary Fee Annual Increase of £1,514.87 is approved.

### **4. IMPLICATIONS**

**All implications are assessed and scored to the table below.**

**HIGH – supporting explanation and narrative required and to be contained within the report**

**MEDIUM – narrative to be contained within the report at the discretion of the author**

**LOW – no narrative required**

	LOW	MEDIUM	HIGH
Crime & Disorder		X	
Environmental	X		
Equality & Diversity	X		
Financial	X		
Health & Safety			X
Human Rights	X		
Legal	X		
Personnel	X		

<b>Contact details in the event of enquiries</b>	<b>Name: Helen Boffy</b> <b>External telephone number: 0300 122 6005</b> <b>Email address: helen.boffy.4808@derbyshire.pnn.police.uk</b>
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**BACKGROUND PAPERS**

none

**ATTACHMENTS**

none