

Time began - 6.00 pm
Time ended - 7.10 pm

**COUNCIL CABINET
28 MAY 2002**

Present: Councillor Williamson – Chair
Councillors Bolton, Bayliss, Nath, Gerrard, Roberts and Wynn

Also present: Councillor Burgess

Apologies for Absence

Apologies for absence were received from Councillors Kalia, Repton and Wilsoncroft.

Late Items to be Introduced by the Chair

There were no late items.

Urgent Items to which Call In will not apply

It was reported that, as the following item had to be implemented with immediate effect, the Chair of the Scrutiny Management Commission had agreed that it could be treated as an urgent item, and therefore not subject to call in for the reason outlined below: -

Houses in Parks and Cemeteries

This matter was urgent as the house was already vacant and would be subject to vandalism. To achieve the best capital receipt, marketing should commence as soon as possible. Some of the outstanding maintenance did need to be carried out urgently.

Decision

To consider the Key Decision set out above as an Urgent Item in accordance with Procedure Rule OS44.

Declarations of Interest

Councillor Bayliss declared a personal non-prejudicial interest in item 15 “School Budget Defecits” (Minute No. 11/02 refers) in relation to Boulton Primary School. Councillor Bayliss had been appointed as a governor of the school by the Council.

01/02 Minutes of the Previous Meeting

The Part 1 minutes of the meeting of the Executive held on 14 May 2002 were approved as a correct record and signed by the Chair.

Matters Referred to the Council Cabinet

02/02 Minutes of Area Panels

Decision

To receive the Minutes of the following Area Panels: -

Area Panel 1 – 6 March 2002
Area Panel 2 – 13 March 2002
Area Panel 3 – 20 March 2002
Area Panel 4 – 27 March 2002
Area Panel 5 – 10 April 2002

Best Value

03/02 Best Value Review of Information and Communications Technology Services

The Council Cabinet considered a report from the Director of Policy setting out the Report and Draft Improvement Plan prepared as a result of the Best Value Review of Information and Communications Technology.

Decision

1. To approve the recommendations of the Best Value Review team included within the final report at appendix A.
2. To approve the draft improvement planning included at appendix B.
3. To refer the report to the Scrutiny Management Commission for consideration.

Key Decisions

04/02 City of Derby Sea Cadet Unit - Grant

The Council Cabinet considered a report from the Director of Policy setting out proposals to convert an existing interest free loan held by the Sea Cadet Unit into a grant.

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options were considered.

Decision

To approve the conversion of £10,000 of the Sea Cadets Unit loan into a grant.

Reason

Converting half of the original loan into a grant would assist the Sea Cadets in repaying their debts to the Council and others. It would also help them to carry out urgent capital repairs needed to make their retained headquarters both safe and secure.

05/02 Twinning Grant

The Council Cabinet considered a report from the Director of Corporate Services setting out proposals to provide funding for Derby Cathedral Chapter who had recently hosted a visit by a youth choir from Derby's twin city of Osnabrück.

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options were considered.

Decision

To approve a grant of £1,230 to the Derby Cathedral Chapter.

Reason

The visit is eligible for assistance under the Council's scheme.

Budget and Policy Framework

06/02 Race Equality Scheme

The Council Cabinet considered a report from the Director of Policy setting out the Council's Draft Race Equality Scheme, prepared to assist the Council in taking specific actions to help meet new obligations under Race Relations Legislation. The Council had a duty to produce and publish the Race Equality Scheme by 31 May 2002.

Decision

1. To recommend Council to approve the draft Race Equality Scheme.
2. To authorise any necessary amendments to the Draft Race Equality Scheme to made by the Director of Policy in consultation with the Council Cabinet member for Personnel Equalities and E Government.
3. To refer the scheme to the Minority Ethnic Communities Advisory Committee and the Scrutiny Management Commission for consideration.

Performance Monitoring

07/02 Integrating Manifesto Commitments with the Council's Plans and Programmes

The Council Cabinet considered a report from the Chief Executive setting out proposals on how the majority group's manifesto commitments could be given effect and priority through the Council's plans and programmes.

Decision

To identify and monitor the majority groups manifesto commitments through the 2002/03 Best Value Performance Plan to be approved and published by 30 June 2002.

08/02 Benefit Fraud Investigation

The Council Cabinet considered a report from the Director of Finance setting out the outcome of an inspection of the Council's Housing Benefits Service by the Governments Benefit Fraud Inspectorate (BFI). The BFI inspected Derby's service for three weeks during November/December 2001 and the final report was received on 16 May 2002.

Decision

1. To note the BFI report and summary of their conclusions on the Benefits Service as set out in appendix A to the report;
2. To agree the action plan for service improvements as set out at appendix B to the report.
3. To recommend Council to note the report of the BFI and action plan for service improvement.

Contract and Finance Procedures

09/02 Financial Procedural Matters

The Council Cabinet considered a report from the Director of Finance setting out the following financial procedural matters:-

- Local Transport Plan Capital Schemes Control
- Addition of Flood Improvement Capital Scheme to the Capital Programme
- Debt Management Account Deposit Facility.

Decision

1. To recommend to Council the approval of increases in the financial limits set out on the financial procedure rules relating to Capital Schemes controlled for Local Transport Plan (LTP) schemes in 2002/03;
2. To approve the addition of the Derby Flood improvements to the Capital Programme for 2002/03 and to note the application for Supplementary Credit Approval to part fund the project;
3. To seek approval for an extension to the 2002/03 Treasury Management Strategy to allow pollution inclusion in the pilot scheme use of the facility and the subsequent use of the Debt Management Account Deposit Facility administered by the Debt Management Office.

10/02 Contract for Cold Applied Asphalt Surfacing of Footways

The Council Cabinet considered a report from the Director of Development and Cultural Services setting out proposals to waive Contract Procedural Rules to enable a contract for a programme of cold applied asphalt surfacing of footways to be issued to Specialist Surfacing Ltd.

Decision

To waive Contract Procedural Rules to enable award of a cold applied asphalt surfacing contract to Specialist Surfacing Limited.

11/02 School Budgets – Licensed Deficits

The Council Cabinet considered a report from the Director of Education setting out requests from four schools for Licensed Deficits for the 2002/03 financial year. Three of the deficits had arisen because of falls in pupil numbers and the other primarily because of particular problems with covering staff absence.

Decision

1. To agree the Licensed Deficits requested by Boulton Primary, Merrill College, Nightingale Infants and Nightingale Junior Schools;
2. To note progress relating to existing two and three year licensed deficits as set out in appendix 1 to the report.

12/02 Asset Management Software

The Council Cabinet considered a report from the Director of Commercial Services setting out a request to waive contract procedure rules C15 to allow tendering for a Corporate Poll Property Management System from two specialist software companies.

Decision

To waive Contract Procedure Rule C15 to allow tendering for a Corporate Property Management System from two specialist software companies only.

13/02 Contract for Transport to Day Services for Vulnerable Adults

The Council Cabinet considered a report from the Director of Social Services setting out proposals to waive contractual procedural rule C30 to tender for a new contract to provide transport for vulnerable adults to and from day services. The existing contract end on 31 March 2002. It was proposed to invite tenders to enter into a new contract for five years with an option to extend for a further five.

Decision

To waive Contract Procedure Rule C30 to enable the tendering for a five-year contract with a five-year option to extend.

14/02 Exclusion of the Press and Public

Decision

To exclude the Press and Public from the meeting during discussion of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 9 of part 1 of Schedule 12A of the Local Government Act 1972.

Urgent Key Decision

15/02 Houses in Parks and Cemeteries

The Cabinet considered a joint report from the Directors of Corporate Services and Commercial Services setting out proposals to review Houses in Parks. The report identified:

- large maintenance backlog problems
- a need for rents to be reviewed to stay at rent levels to build up sufficient income for future maintenance
- an opportunity to sell a vacant property to release a capital receipts, part of which could be used for maintenance
- the need for a full review of all houses in parks

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the forward plan. In accordance with procedure rule A144. The Chair agreed that this item could be treated as a matter of urgency.

Options Considered

No alternative options were considered.

Decision

1. To authorise the sale of Mill House through a local estate agents for the best price obtainable.
2. To allocate 75% of the receipt to the budget for maintaining housing in parks and cemeteries with the rest allocated to the capital pot.
3. To authorise the rent officer to set all rents for houses shown in schedule A to the report and increase them with effect from 1 October 2002.
4. To authorise the review of tenancies of houses in parks and cemeteries to prioritise maintenance expenditure, national tenancies and release any surplus properties for sale.

Reason

To achieve a substantial capital receipt part of which would be used to carry out essential repairs to retain properties and to implement other policies which would improve the management of houses in parks.

MINUTES END