

Time began 6.00 pm  
Time ended 7.25 pm

## **COUNCIL CABINET 1 AUGUST 2006**

Present: Councillor Williamson (Chair)  
Councillors Bolton Graves, Hickson, Hussain, Latham,  
Nath, Roberts, Smalley and Wynn

In attendance: Councillor Jones

This record of decisions was published on 3 August 2006. 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.

### **31/06 Apologies**

There were no apologies for absence.

### **32/06 Late Items Introduced by the Chair**

The Chair agreed to consider a late item – Youth Service Portfolio – minute number 37/06 and an addendum to Minute number 40/06 - Housing Allocations Policy.

### **33/06 Identification of Urgent Items to which Call-In will not apply**

There were no items.

### **34/06 Declarations of Interest**

Declarations of interest were declared as follows:

Councillor Jones – personal interest in minute numbers 36/06 and 42/06, as her child would be attending the centre in the autumn with school.

Councillor Hussain – personal interest in minute numbers 40/06 and 41/06 as he was a Council appointed director of Derby Homes.

Councillors Bolton and Wynn declared personal and prejudicial interests in minute number 43/06 as they were members of the Planning Control Committee.

### **35/06 Minutes of the meeting held on 4 July 2006.**

The minutes of the meeting held on 6 June 2006 were confirmed as a correct record and signed by the Chair.

# Matters Referred to Council Cabinet

36/06      Resolutions from Council – 19 July 2006

The Council Cabinet considered the following resolutions passed by full Council on 19 July 2006.

## **a. Home Care Charges**

Council requests the Council Cabinet to reverse their ill conceived and prejudiced policy on Home Care charges and revert to the genuinely fairer charging policy and eligibility criteria set in place by the former Conservative/Liberal Democrat Alliance.

By removing this no charge but high cost policy, those most vulnerable will once again be allowed access to the support services of the Council, enabling them to believe once more that they are valued and equal members of our community.

Council also calls upon the Adult Services and Health Overview and Scrutiny Commission to undertake a review and make recommendations about the scale and type of service provision and financing of such provision that is appropriate for Derby.

## **Decision**

To confirm the request for the Adult Services and Health Commission to carry out a topic review on Home Care Charges and to consider the issue again on its conclusion.

## **b. Lancaster Sports Centre**

Council notes with regret the proposed closure of Lancaster Sports Centre especially as it is very well used by a variety of sports users including disabled people.

Whilst Council acknowledges that budgetary pressures are always a problem, one solution for Lancaster Sports Centre is to invite expressions of interest from the private sector to manage it.

Council notes the lack of consultation over the proposed closure as opposed to alternative arrangements for users. Council therefore agrees to ask Cabinet to suspend any decision on the closure until consultation on the principle of closure has taken place for a minimum of 12 weeks (the Government's recommended period for public consultation).

## **Decision**

In the light of Council's request to suspend any final decision on closure until the meeting of Council Cabinet on 3 October 2006, before which time

expressions of interest should be sought from parties interested in taking on responsibility for running of the centre.

## **37/06 Youth Service Portfolio**

The Council Cabinet considered a report responding to the Children and Young People Commission's report that was presented to Council Cabinet on 4 July 2006 recommending that the Youth Service be re-allocated to the portfolio of the Cabinet Member for Children and Young People.

### **Decision**

Not to request Council to change Cabinet portfolios by re-allocating Youth Service to the portfolio of the Cabinet Member for Children and Young People.

## **Key Decisions**

### **38/06 Local Development Scheme – Resolution to Bring Revised LDS into Effect**

The Council Cabinet considered a report on the Local Development Scheme - Resolution to bring revised LDS into effect. At its 29 November meeting last year, Cabinet agreed amendments to the LDS programme for preparing planning documents. These changes and other amendments to the text to bring it up to date, had been incorporated into a revised LDS document. Following preliminary discussions with Government Office, the Revised LDS was submitted on 20 June 2006. The Secretary of State was happy with the revised scheme and it could now be formally brought into effect.

### **Options Considered**

There were no other options considered.

### **Decision**

To resolve that the City Council's revised Local Development Scheme shall have effect from 11 August 2006.

### **Reasons**

The Town and Country Planning (Local Development) (England) Regulations 2004 require the Council to formally resolve to bring an LDS or revised LDS into effect.

## 39/06 Consultation on the Modernisation of Learning Disability Day and Residential Services

The Council Cabinet considered a report on Consultation on the Modernisation of Learning Disability Day and Residential Services. On 14 March 2006, Council Cabinet agreed to commence the modernisation of Learning Disability Services by implementing Stage 1 of the Project Plan, which was to start the consultation with stakeholders on the proposals for modernisation. The purpose of this report was to give feedback on the consultation and make recommendations, which would enable us to move on to stage 2 of the Project Plan.

### Options Considered

There were no options considered.

### Decision

1. To progress to Stage 2 of the Project Plan which involves the Project Team:
  - assessing people who use Humbleton View and Wetherby Day Centres to look at alternatives to traditional day services.
  - identifying and costing alternative community daytime activities and work opportunities.
  - costing improvements to Wetherby Day Centre
  - undertaking an options appraisal and feasibility study on alternatives to the closure of The Knoll residential home.
2. To report further to Council Cabinet following completion of Stage 2 of the Project Plan.

### Reasons

1. The consultation produced a wide range of feedback, which needed to be reported to Cabinet and incorporated into our planning for the modernisation programme.
2. It was essential to progress this complex modernisation programme on a staged basis as outlined in the report. It was anticipated that the programme would take in excess of 5 years from implementation to completion. Agreement to the recommendations would enable progression to stage 2.

## 40/06      Housing Allocations Policy

The Council Cabinet considered a report on Housing Allocations Policy. The current Housing Allocations Policy was agreed by Full Cabinet on 9 April 2003 and amended to take account of the Homelessness Act 2002 in September 2003. The social housing market had significantly changed over the following three years and, as a result, the current Housing Allocations Policy was no longer fit for purpose. Both the Housing Options Centre and members of the Community Regeneration Commission had undertaken a comprehensive and detailed consultation exercise on the current Housing Allocations Policy.

The Council Cabinet also considered a report detailing comments from the Community Commission.

### **Options Considered**

1. The Assistant Director of Housing and Advice Services and members of the Community Regeneration Commission agreed that the current Housing Allocations Policy required reviewing. It is agreed that remaining with the current Housing Allocations Policy would hinder the Council, especially in the prevention of homelessness.
2. The proposed Housing Allocations Policy takes account of housing legislation and the local needs identified during the consultation process.
3. A variety of options were considered during consultation between Housing and Advice Services, Community Regeneration Commission, Derby Homes, Registered Social Landlords, Counsel and a variety of other support agencies. The proposed Housing Allocations Policy is considered to be the best option available.

### **Decision**

1. To note the recommendations arising from the Community Regeneration Commission's Housing Allocations Policy and Homelessness Topic Review.
2. To agree the proposed Housing Allocations Policy.
3. To agree to implement the Housing Allocations Policy at the same time as the introduction of the new Housing IT system. This is expected in late Autumn 2006. A further report will be brought back prior to implementation to set the initial percentages for each property band.
4. To delegate authority to the Cabinet Member with responsibility for Housing policy to agree future changes to the percentage of properties to be allocated to each band, subject to parameters agreed by Cabinet prior to implementation.

5. To note that in the first few months of implementing this policy, there will be a need to allocate a higher percentage of properties to homeless households where the Council has already accepted a statutory duty. This will be necessary to reduce the backlog of homeless cases.
6. To inform partner providers, tenants, all housing applicants on the Joint Housing Register of the Housing Allocations Policy and new IT system.

## **Reasons**

1. The practical implementation of the proposed Housing Allocations Policy required the new IT system to ensure that it operated efficiently. The integrated system included software for choice based lettings, housing register and homelessness.
2. The delegation of authority was required to ensure that the percentage of allocations to each band was politically ratified. The conversion of each housing application was a complex process and once complete would require a quick turn around to ensure the new IT system and Housing Allocation Policy could be implemented.
3. The higher percentage of properties allocated to homeless households would ensure the transition from the current policy to the proposed policy still enabled the Council to meet its statutory obligations. Once the backlog of cases was reduced, the proposed Housing Allocations Policy contained the ability to review and amend the percentage or properties allocated to each band.

## **41/06 Derbyshire Blocks, Spondon and Isle of Wight Blocks, Alvaston**

The Council Cabinet considered a report on Derbyshire Blocks, Spondon and Isle of Wight Blocks, Alvaston. Cabinet considered previous reports on the Derbyshire Blocks in Spondon – on 5 April 2005 – and the Isle of Wight Blocks in Alvaston – on 14 June 2005 – which set out a number of redevelopment options. The specified preferred option for each of the Blocks was a bid by a firm of private developers, working in partnership with Derby Homes, for Housing Corporation funding. If this was not successful, then the second option was for the Blocks to form part of Derby's Non-HRA Housing PFI scheme. Members approved these options and to the start of decanting the remaining tenants from the Blocks, subject to receiving a further report with a recommended option for decision. The Housing Corporation bids in respect of the Blocks were unsuccessful and therefore it was proposed to include the Blocks in the Non-HRA Housing PFI scheme.

## **Options considered**

A bid was submitted to the Housing Corporation for the redevelopment to be funded through the National Affordable Housing Programme for 2006/08. This

was unsuccessful. The main alternative to redevelopment would be for the Blocks to be refurbished. However, this would not be a cost effective option and would also be against the wishes of tenants currently occupying the flats.

### **Decision**

1. That the development of the Derbyshire Blocks in Spondon and the Isle of Wight Blocks in Alvaston be taken forward by their inclusion in the City Council's Non-HRA Housing PFI scheme.
2. That delegated authority be given to the Corporate Director of Corporate and Adult Social Services to agree the terms of the disposal of the Blocks to the successful PFI contractor.

### **Reasons**

To take forward the redevelopment of the Derbyshire and Isle of Wight Blocks through the City Council's Non-HRA Housing PFI scheme.

#### **42/06 Lancaster Sports Centre**

It was agreed to defer consideration of this item, to the meeting of Council Cabinet on 3 October, as detailed in Minute Number 36/06 b).

Having declared a personal and prejudicial interest in the following item Councillors Bolton and Wynn left the meeting during consideration of the following item.

#### **43/06 Big City Screen for Derby**

The Council Cabinet considered a report on a Big City Screen for Derby. The BBC and the electronics company Phillips were offering to install a big city screen on Derby Market Place, on terms which were likely to be available only for the next few months. The University of Derby had expressed an active interest in the project, including an offer to co-finance and to provide documentary programmes. Contact was being made with other prospective partners. Total annual costs were estimated at £75,000 of which the Council may have to provide £25,000. Installation would cost between £25,000 and £60,000.

### **Options considered**

1. We have examined the possibility of hiring a temporary big screen for the Market Place on a daily basis to coincide with the most prominent sporting and cultural events and have been quoted a fee of up to £13,000 per day.
2. We have examined the market to see whether an alternative model is available and found that purely commercial installations relying on

advertising work at other international locations. An alternative model was tried at Rotherham recently but the BBC/Philips model was adopted finally in the light of experience

### **Decision**

1. Signal to BBC and Phillips our agreement in principle provided that planning consent can be obtained and a suitable funding package can be assembled.
2. Assemble a consortium of partners to progress and fund the project.
3. Make a planning application and complete the consultation with potential funding partners quickly so that we can secure a screen for installation by the end of this year.

### **Reasons**

1. Evidence collected by the BBC demonstrated that a big city screen could act as a stimulus to increase visitor numbers and satisfaction levels. It would assist in regenerating the Market Place and the historic heart of the city.
2. The possibility of intensive use of the Market Place to view major sporting and cultural events such as the Olympic Games, Wimbledon or the Last Night of the Proms could have an important impact on community cohesion, and help to establish the Market Place as a cultural venue.
3. The screen could be an important outlet for digital programmes emanating from the University, City Council, QUAD, and Derby's creative industries

## **44/06 Peak District and Derbyshire Destination Management Partnership**

The Council Cabinet considered a report on Peak District and Derbyshire Management Partnership. Public and private sector partners across the Peak District and Derbyshire had been working together to establish a Destination Management Partnership – DMP - to lead on the delivery of tourism for the area. The DMP would be established using a combination of core funding from East Midlands Tourism - EMT, support funding and secondment of staff from Local Authorities and project funding from the private sector.

The Council's commitment to the DMP was:

- the temporary secondment of the Tourism Promotions Officer post



- an annual allocation of £27,000 from the existing Tourism marketing budget
- the transfer of marketing activity income generated from the private sector
- in-kind continued support from other Officers within the Tourism Unit and Tourist Information Centre.

The total net contribution for 2006/7 will be £72,000.

### **Options considered**

1. The other option would be to keep the status-quo with all individual Local Authorities retaining their existing Tourism marketing and visitor information services.
2. This would result in the Peak District and Derbyshire not being able to draw down tourism funding from EMT, a loss of the potential benefits of the wider marketing exercises, missed opportunities to gain economies of scale, and a possible loss of support from the private sector.
3. Gradually, the area would start to lose out to its competitors in terms of visitor numbers and economic benefits.

### **Decision**

1. To approve the temporary secondment of the full-time Tourism Promotions Officer post, transfer of income generation, and transfer of £27,000 annually to help establish and run the Peak District & Derbyshire Destination Management Partnership.
2. To review this arrangement annually, and in particular the DMP's performance and their continued funding from East Midlands Development Agency – emda - and local partners.
3. To proceed and delegate to the Cabinet Member for Personnel, Performance Management and Economic Development, the Corporate Director for Regeneration and Community, and the Corporate and Adult Social Services Director/Deputy Chief Executive the approval of a detailed Service Level Agreement.

### **Reasons**

1. The DMP would act as the main organisation through which tourism marketing and development for the Peak District and Derbyshire would be delivered. The city would benefit from being more closely associated with the strength of the Peak District brand.
2. EMT had identified the DMPs as being the main organisations for tourism in each area and the only vehicles through which external

funding would be channelled from themselves and other organisations such as Derby and Derbyshire Economic Partnership - DDEP.

## **45/06      Revised Childcare Charging Policy**

The Council Cabinet considered a report on the Revised Childcare Charging Policy. Childcare was being developed in maintained schools in Derby as part of the Children's Centre and Extended Schools initiatives. The childcare places would initially be supported by revenue funding from the General Sure Start Grant, but must eventually become sustainable through charging. It was necessary to develop a consistent charging policy across all Local Authority settings which could also be adopted by governing bodies in maintained schools which were not designated as Children's Centres, and by designated Children's Centres. There had been no recommended rise in childcare costs since Council Cabinet agreed a policy on 16 March 2004. This only covered charges for "wraparound" childcare for foundation stage one children in maintained nursery schools, infant and primary schools. The proposed revised charges reflected current costs for childcare across the city in both the private and voluntary sectors.

### **Options considered**

1. To maintain recommended costs at the current level or a lower level of increase. This would not make the provision sustainable and there would then be possible redundancy costs.
2. To reduce the number of childcare places available across the city, which would reduce parental choice and not support the Government's ten-year strategy for childcare, or meet Local Area Agreement targets.
3. To introduce a differentiated charging policy, which would be very difficult to administer and monitor.

### **Decision**

1. To agree the revised charging policy for recommendation for adoption by maintained schools, Children's Centres and Extended Services Schools.
2. To increase future childcare costs each year to reflect the standard rate of inflation, with a report back to Council Cabinet only if a significant deviation is proposed.

### **Reasons**

1. Childcare which was offered by maintained schools, Children's Centres and Extended Services schools needed to be sustainable, but needed to take into account affordability to the parents and carers who would access it.

2. There had been no rise in the recommended costs since Council Cabinet agreed the childcare charging policy on 16 March 2004 and childcare would now be offered in Children's Centres and Extended Services Schools to a wider age range.
3. If there was a smaller increase or no increase, the childcare available would not be sustainable and the Council will not meet targets agreed with Department for Education and Skills' Sure Start Unit for the number of childcare places in Derby.

## **46/06        Constitution and Operation of Schools Forum**

The Council Cabinet considered a report on the Constitution and Operation of Schools Forum. The Council was required to establish a Schools Forum and agree its constitution and operation. Schools Forums were consultative bodies which were first established in 2003 to consider a range of matters relating to the Schools Budget. New regulations set out in Schools Forum (England) (Amendment) Regulations 2005 required the Council to review the composition, constitution and procedures of Schools Forums. A forum must have at least 15 members composed of 'schools members' and Councils can also have, at their discretion, 'non-schools members'. Non-schools members could number no more than 20% of the total membership of the Forum.

### **Options considered**

Having joint membership of Schools Forum and Heads' Liaison Group or Governors' Liaison Group was considered, but it was felt this was onerous for members.

### **Decision**

To agree the constitution of a Schools Forum of 32 members, as outlined in the report.

### **Reasons**

We have operated a successful Schools Forum since 2003 and the proposals would strengthen the Forum to ensure improved commitment and attendance by members to make the important decisions they are asked to take.

## **47/06        Proposals to Change the three Equality Advisory Committees**

The Council Cabinet considered a report on Proposals to Change the three Equality Advisory Committees.

### **Options considered**

There were no options considered.

### **Decision**

To recommend Council to approve the transformation of Advisory Committees into Equality Forums.

### **Reasons**

1. To draw the Committees in line with consultation better practice, considering the methods currently used by both the Young People's Forum – YPF – and the Senior's Forum. They were both successful in engaging with their respective communities.
2. To engage in better consultation with people from the respective equality target groups and not only Advisory Committee members
3. To learn from and respond to the concerns raised during the review process

### **48/06          The Provision of Services to the Private Sector by Derby Homes**

The Council Cabinet considered a report on the Provision of Services to the Private Sector by Derby Homes. The report sought the Council's approval for Derby Homes to extend its services into the private sector. Initially the scheme would build on services already available for leaseholders and other Registered Social Landlords - RSLs, offering reliable services at reasonable cost. Any trading activity that Derby Homes might seek to engage in must relate to activities which the Council could legally do itself, but there must also be some benefit to Derby other than being just an additional provider of a service that was readily available in the private sector.

### **Options considered**

There were no options considered.

### **Decision**

1. That Derby Homes be permitted in principle to provide services to private households in Derby to the extent that provision of such services are within the powers of the Council and do not duplicate existing Council services and that any proposals do not lead to diminution of service provision to the Council and this remains its main business.
2. That whole contracts for a value of over £250,000 require Cabinet approval, those between £250,000 and £100,000 will require the approval of the Lead Member for Housing and Social Inclusion, and those under £100,000, for the total contract, will be subject to prior

written agreement by the Corporate Director of Resources and Housing. Contracts for areas of business that would be contracted individually with the public would be assessed on estimated turnover with approval consistent with the limits as above.

3. That each contract has an agreed length e.g two or five years, with a clear end date and that the value of the contract in 2.2 above will be the value over the whole contract's life.
4. That Derby Homes maintain a separate account for each contract within their accounts clarifying in particular taxation issues, along with a business plan for each activity with clear financial targets to be met, to the satisfaction of the Council, and that this be entirely at Derby Homes' risk and expense, with an exit strategy for any business area that fails to meet such targets.
5. To amend Derby Homes Memorandum of Association as necessary to permit the Company to offer the provision of services to the private sector within the administrative area of Derby City Council.

## **Reasons**

Derby Homes Board agreed on 28 April 2005 to develop a scheme to extend its services to private households in Derby. This followed a Council Cabinet decision of 30 November 2004 agreeing a report of the Community Regeneration Commission on Derby Homes' Business Strategy that accepted that Derby Homes needed increased flexibility to seek new business, with certain restrictions.

## **49/06 Street Lighting PFI – Affordability and Financial Close**

The Council Cabinet considered a report on Street Lighting PFI – Affordability and Financial Close. Negotiations on finalising commercial agreement between the Council and Connect Roads Derby Limited (Balfour Beatty) were approaching a conclusion. It was anticipated that the signing of the contracts would take place on Wednesday 13 September 2006. There was a comparatively small number of outstanding issues which would need to be resolved with Balfour Beatty to the Council's satisfaction before the contract was finally signed.

## **Options considered**

The other option would be not to sign the contract. Many of the expected benefits would obviously then not be realised.

## **Decision**

1. That the Director of Regeneration and Community and the Director of Resources and Housing are delegated to reach a commercial agreement with the Preferred Bidder based on a financial model described in

paragraphs 1.3 to 1.6 of the report, viable upwards only by the issues identified in paragraph 1.5 to 1.6 of the report.

2. To note that a further report will be submitted to Cabinet seeking approval to enter into the Financial Contract after consideration of the Final Business Case
3. To note that the provisions and recommendations of this report are conditional on the success of the Council's bid for additional PFI Credits from the Department for Transport. Should that bid fail, a revised negotiation strategy would need to be considered alongside decisions on the energy budget.

### **Reasons**

1. Everything possible should be done to minimise the risk of delays in signing of the contract, in order to contain the Council's costs and help to ensure implementation of the Project in accordance with the Project Plan and Timetable
2. The nature of this Project meant that sustaining progress with implementation could be dependent upon seasonal and associated weather conditions. Any delays at this stage could therefore be compounded and extended in subsequent stages of the Project, thereby delaying the benefits to the residents of the City.

## **Budget and Policy Framework**

### **50/06 Treasury Management – Annual Report 2005/06**

The Council Cabinet considered a report on Treasury Management – Annual Report 2005/06. The report detailed the outturn position for 2005/06 for the prudential indicators and reports on treasury management activity during 2005/06. The results of treasury management borrowing and investment activity in 2005/06 showed that:

- new borrowing in 2005/06 was taken at an average rate of only 4.22%
- returns on investments averaged 4.81% well above the average Bank of England base rate of 4.59%, even after allowing for the slight difference in the methodology used to calculate these two figures.

## **Decision**

To recommend Council:

1. To note the prudential indicators in respect of the 2005/06 outturn as outlined in Appendix 2 and summarised at Appendix 3 to this report.
2. To approve the updated prudential indicators for 2006/07 and 2007/08 as listed at Appendix 3 to this report, noting that the changes are as a result of the reported 2005/06 outturn position.
3. To approve the Annual Report in respect of Treasury Management activity for 2005/06 as outlined in Appendix 4 to this report.

### **51/06 Budget Strategy 2007/08 to 2009/10 and Priorities**

The Council Cabinet considered a report on Budget Strategy 2007/08 to 2009/10 and Priorities. The report sought approval for the approach that the Council would follow in preparing its 2007/8 budget and indicative planning budgets for 2008/9 and 2009/10, with a particular emphasis on the process for delivery of necessary budget savings. It set out the financial situation facing the Council, the savings process needed to address that situation, and how the budget choices are to be linked with the process of wider corporate planning and priority setting.

## **Decision**

To recommend Council:

1. To note the financial situation facing the Council from 2007/8 onwards.
2. To approve the strategy to be followed during the initial stages of preparing budgets for 2007/8 and the indicative planning budgets for 2008/9 and 2009/10, as set out in the report.
3. To confirm the Council's four corporate priorities for 2007/8 and the process of integration of those priorities and the Corporate Plan to budget planning.

Councillors Hickson, Latham and Smalley requested that their votes against the above decision be recorded.

### **52/06 Revenue Outturn 2005/06**

The Council Cabinet considered a report on Revenue Outturn 2005/06. The report detailed the total net outturn in 2005/6 on all General Fund services after transfers to school balances.

## Decision

1. To note the revenue out-turn for the financial year 2005/6 and the variances to the latest approved budget at Appendix 2.
2. To approve the treatment of variances and proposals for the use of carried forward underspending at paragraphs 1.8 to 1.12 and Appendix 5.
3. To approve the treatment of unused service reserves created from carried forward 2004/5 underspending, as detailed in paragraphs 1.13 to 1.16 and Appendix 4.
4. To note the remaining service reserves set out in Appendix 4.
5. To approve the revised treatment of previous creditor balances as set out in paragraph 1.17.
6. To note the Housing Revenue Account outturn 2005/6 at paragraph 1.19 to 1.21 and Appendix 6.

## 53/06 Capital Outturn 2005/06

The Council Cabinet considered a report on Capital Outturn 2005/06. The report dealt with the following capital programme matters requiring reporting to and approval by Council Cabinet. An addendum to the report was distributed prior to the meeting to increase the earmarked funding in paragraph 1.15 to £30,000.

- Final changes to the previously approved capital programme totalling £5.539m. This includes £1.3m work on the three year programme for the Inner Ring Road Integrated Maintenance scheme – IRRMS advanced into 2005/6 and the addition of capital works funded from school resources £1.3m.
- Details of the capital outturn 2005/6 totalling £77.640m for work completed by 31 March 2006, and the associated capital financing. This programme of investment has delivered new and improved facilities and infrastructure for Derby including:
  - major investment in school facilities including school modernisation projects, classroom extensions, improved disabled access and PE and sports schemes
  - the completion of the Homes Pride improvement programme to bring all Council housing up to the Decent Homes Standard, achieving four years ahead of the Government's deadline, and 10 housing group repair schemes including Hartington Street / Osmaston Road



- completion of the refurbishment of the Arboretum Park and the opening of the café and improvements to a number of playgrounds, play areas and pavilions
- refurbishment of residential care establishments including Bramble Brook House, Perth House, Coleridge House and Arboretum House
- improvements to the Inner Ring Road including the replacement of 21,000 square meters of roads & footways, 1300m of parapets and 1900m of safety fencing
- Friargate Studios creative industries workspace
- Townscape Heritage Initiative improvement schemes at St Werburghs Church and the Strand Arcade
- footpaths, crossing and other environmental, safety and access improvements including the King Street / Queen Street junction, Allenton.

District centre, safer routes to schools, 22 cycle shelters and 600 cycle spaces in Derby schools.

- Details of the variance of £4.401m against the final capital programme comprising slippage of £5.044m and £643k net cost variations 519k of which is due to HRA additional expenditure to meet the decent Homes standard funded from the Major Repairs Allowance on the programme. This represents 5.4% of the programme, which is an improvement on previous years.
- The addition of the programme slippage and associated financing on schemes to the 2006/7 capital programme. The slippage includes £1.662m on Housing including the refurbishment of pre-war properties and Green Lane shelter and £1.701m Education unallocated funding streams.

## **Decision**

1. To approve programme changes to the previously approved 2005/6 capital programme as detailed in Appendix 2 of the report.
2. To note the capital outturn for the financial year 2005/6 and actual financing of the capital programme, the major achievements it has delivered, and variances against the final programme.
3. To approve the slippage in the 2005/6 capital programme as detail in section 1.9 and Appendix 3 of the report and approve the addition of the slippage and associated funding to the 2006/7 capital programme.

## 54/06 Local Area Agreement 2005/06 Review and Outturn

The Council Cabinet considered a report on Local Area Agreement 2005/06 Review and Outturn. The report set out annual performance and financial outturn information for the Local Area Agreement - LAA - in 2005/06. The LAA included all targets from our Local Public Service Agreement - LPSA2, which runs from April 2005 to March 2008. The report also provided an update on future performance monitoring of the LAA and presents 2006/07 funding streams included in the agreement. Of the 70 LAA indicators for which the Council was responsible and where year end data and targets were available, 59% of indicators have met or exceeded target, with 29% of indicators showing a year-end performance of more than 5% adverse to target.

### Decision

To recommend Council:

1. To note the performance of the Council against the targets included in its 2005/06 Local Area Agreement, including the Local Public Service Agreement targets.
2. To give particular attention to those areas where the year-end actual performance is below target and the action being taken to address this.
3. To note the outturn expenditure on LAA pooled and aligned budgets in 2005/06.
4. To note the decision of the Cabinet Member for Corporate Policy to agree to proposals from the Executive of the Children and Young Persons Partnership for the reallocation of LAA pooled budget underspending into 2006/07 budgets, under provisions for urgent action.
5. To approve the carry forward of underspent LPSA2 budgets as set out in the report.
6. To note the funding streams included in the LAA in 2006-07.

## Contract and Financial Procedures Matters

### 55/06 Contract and Financial Procedures Matters

The Council Cabinet considered a report on Contract and Financial Procedures Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules. It was noted that 2.8 of the report had been withdrawn.

- submission of a formal bid for additional Private Finance Initiative – PFI credits for a children's centre at Lakeside primary school

- extension of a contract with the National Children's Home – NCH – to provide a family centre in Mackworth/Morley
- further allocation of £281,347 of the School Development Grant to support the Pupil Referral Unit
- capital programme changes and capital scheme commencements detailed at Appendix 2
- under Contract Procedure Rule – CPR – 6 to waive CPR 15 requirement to tender and negotiate the provision of an employee benefits package with P&MM Ltd
- additions to the 2006/07 approved Regeneration and Community revenue and capital budgets, for new external funding totalling £304k and the bringing forward of £3.3m Inner Ring Road Integrated management scheme
- the commencement of preliminary works on the QUAD site up to a maximum value of £100,000 prior to the main construction programme in October 2006
- waiver of CPR15 requirement to tender to enter into a contract with Anite @ Work to continue provide support and maintenance and database management for the next three years for the Revenues and Benefits existing document management system
- amendments to the Local Transport Plan funded highways maintenance works and waiver of CPR15 requirement to tender for strengthening works at London Road.

## **Decision**

1. To approve the submission of a formal bid for additional PFI credits for a children's centre at Lakeside primary school.
2. To approve the extension of the existing contract with the NCH to provide a Family Centre in Mackworth/Morley - Step In Family until August 2007, and, under Contract Procedure C6, approve a waiver of the Contracts Procedure Rule C15 relating to the requirement to obtain tenders.
3. To approve an allocation of £281,347 of the School Development Grant to the Pupil Referral Unit.
4. To approve capital programme changes and capital scheme commencements at Appendix 2 of the report.
5. To approve under CPR6 a waiver of CPR15 requirement to tender to enter negotiations with P&MM Ltd for a cost neutral employee benefits package.

6. To approve revisions to existing 2006/07 Regeneration and Community department revenue and capital budgets, consistent with the uses and conditions of the additional funding set out in section 6 of the report
7. To approve the commencement of preliminary works on the QUAD site up to a maximum value of £100,000 prior to the main construction programme in October 2006.
8. To approve under CPR6, a waiver of the requirements to tender in CPR15 and enter into a contract with Anite @ Work to continue to provide support and maintenance and database management for three years to 31 August 2009 for the Revenues and Benefits existing document management system at a cost £102,649.
9. To approve amendments to the local transport plan funded highway maintenance programme as set out in section 10 of the report.
10. To approve under CPR6 waiver of the CPR15 requirement to tender to let a contract with Fitzgerald to carry out London Road strengthening works at a cost of £135,000.

## 56/06 Retained School Balances

The Council Cabinet considered a report on Retained School Balances. The report sets out details of schools' planned use of balances, where these exceeded the threshold set out in the Council's Scheme for Funding Schools.

### **Decision**

To notify schools of the Council's approval for their planned use of surplus balances and to set conditions as set out in appendix 3 of the report on the use of any balances additional to those assumed in their budgets.

## Exclusion of the Press and Public

### 57/06 Exclusion of the Press and Public

#### **Decision**

To exclude the press and public 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 Section 100 (A) of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

58/06      Street Lighting PFI – Affordability and Financial Close

The Council Cabinet considered a report setting out exempt information relating to Street Lighting PFI – Affordability and Financial Close.

MINUTES END