

Time began	6.00pm
Time ended	7.05pm

COUNCIL CABINET

27 SEPTEMBER 2005

Present: Councillor Wynn– Chair
Councillors Bayliss, Bolton, Dhindsa, Hussain, Nath,
Repton, and Wynn

Also Present: Councillors Care and Smalley

This record of decisions was published on 29 September 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

113/05 Appointment of Chair

In the absence of the Chair and the Vice-Chair Councillor Wynn was appointed as chair for the meeting.

As the Leader and Deputy Leader of the Liberal Democrat group were unable to attend the meeting, it was agreed that Councillor Care would be invited to participate in the meeting in their place.

114/05 Apologies

Apologies for absence were received from Councillors Burgess, Hickson, Roberts and Williamson.

115/05 Late items to be introduced by the Chair

The Chair agreed to admit a report entitled 'Dementia Care Resources Centre' as an item on the grounds that the Derbyshire Mental Health Services Trust and the team progressing the PFI initiative needed to be notified of the decision on this matter as soon as possible to avoid further costs being incurred for which the Council could be liable.

As notice of the item had not been given three clear days before the meeting, it was confirmed that, in accordance with Procedure Rule A127, the Chair of the Social Care and Health Commission had agreed that this key decision be considered, with the condition that the Commission be consulted on any future decision to dispose of the site.

The Chair also agreed to consider an addendum to item 12, 'Contract and Financial Procedure Matters'

116/05 Identification of 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 Social Care and Health Commission had agreed that it could be treated as an urgent item, and therefore not subject to call in for the reason outlined below.

Dementia Care Resource Centre

This matter was urgent as the Derbyshire Mental Health Services Trust and the team progressing the PFI initiative needed to be notified of the decision on this matter as soon as possible to avoid further costs being incurred for which the Council could be liable.

1176/05 Declarations of Interest

Councillor Bayliss declared a personal interest in item 16 as he was a non-executive member of the Derby Homes Board.

118/05 Minutes of the Previous Meeting

The Part 1 minutes of the meetings held on 6 September 2005 were approved as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

119/05 Community Involvement and Consultation

The Council Cabinet considered a report from the Community Regeneration Commission on Community Involvement and Consultation. The report detailed the review chosen by the Community Regeneration Commission and its nine conclusions and thirteen recommendations.

As the former chair of the Commission, Councillor Bayliss introduced the report and recommendations.

Decision

To ask the relevant Cabinet member to consider the conclusions and recommendations and report back to future Council Cabinet and Commission meetings on how they could be implemented.

120/05 Rat Running on Church Lane, Darley Abbey

The Council Cabinet considered a minute extract from Area Panel 5 on 7 July 2005. It was reported that the Panel did not feel that the consultation which

had already taken place was adequate and felt that another consultation was necessary.

It was reported that the recommendation should read “Resolved to refer back to Council Cabinet to ask that a further consultation be done to determine whether further work was required”.

Decision

To ask the Director of Development and Cultural Services to carry out further consultation on what the perceived traffic problems in Darley Abbey are and if there is general consensus and report back to a future meeting on the outcome of the consultation.

Urgent Key Decision

121/05 Dementia Care Resource Centre

The Council Cabinet considered a report on proposals to withdraw from the proposals to develop a Dementia Care Resource Centre on the site of the former Lois Ellis Home for Older People in Mackworth.

The costs of the Private Finance Initiative – PFI - being used to fund the project had only recently been made known to the Council. The additional costs had raised significant concerns about the viability of the project which it was believed no longer represented good value for money

Options Considered

No other options were viable, given the constraints of the PFI process and the need for a definite decision at this point in time.

Decision

1. To approve the withdrawal of the Council from this project.
2. To authorise the Director of Corporate Services to terminate the option with the Derbyshire Mental Health Services NHS Trust on suitable terms.
3. To consult the Social Care and Health Commission on any future proposals to dispose of the site.

Reason

1. The project did not represent value for money.

2. Alternative methods of procuring specialist dementia social care beds would lead to more effective use of the Social Services Department's resources.

Key Decisions

122/05 Budget Planning and Management of Budget Risks

This item was withdrawn.

123/05 Proposed Disposal of Land at the Former Baseball Ground

The Council Cabinet considered a report on the proposed disposal of land at the Former Baseball Ground. The report detailed the Terms for the sale of land adjoining the former Baseball Ground.

The Director of Corporate Services reported that the proposed purchasers had asked that the sale be subject to the proposed development on the site receiving planning consent. He also reported that the Scrutiny Management Commission had considered the proposals and were supportive of the disposal, however they wished to be kept informed of how the sale progressed.

Options Considered

Considered from a land ownership perspective, our other option would be to seek a separate purchaser for the developable part of our land ownership. Joint redevelopment over a larger area would allow more widespread regeneration benefits to be achieved, thereby maximising the potential return from the disposable partings of our landholdings.

Decisions

1. To authorise a freehold disposal is authorised of an area of 1.0763 hectare (2.66 acres) to Walbrook Housing on terms contained within the confidential Appendix 4 attached to the report on a conditional contract basis.
2. To authorise the following arrangements for a 0.3295 hectares (0.81 acre) part of Shaftesbury Park...
 - a. Central Derby PCT are given a continuing opportunity to identify their potential requirements for a LIFT project.

- b. If that proposed use is confirmed, or alternatively if Walbrook Housing identify a use offering other benefits to the community, that:
- normal Public Open Space procedures are then commenced for the possible disposal of this area
 - if approved under these procedures, an equivalent area of replacement Public Open Space would be provided by Walbrook within the site acquired from the Council and/or within the land they already own, in addition to the area of Public Open Space which is required for development of that combined development site
 - a further report would be made on the detailed terms provisionally agreed for any such disposal.

Reason

To facilitate proposals to achieve more comprehensive redevelopment within this locality on terms which would provide an appropriate return and which also provide for the possibility of a healthcare facility or other community benefit.

Budget and Policy Framework

124/05 Corporate Asset Management Plan

The Council Cabinet considered a report giving details about the arrangements for property asset management, gives an overview of key property issues facing the Council and strategies for resolving these, progress on last year's Asset Management Plan – AMP – and performance information.

Decision

To recommend Council to adopt the Corporate Asset Management Plan as part of the budget and policy framework.

125/05 Budget Strategy 2006-07 to 2008/09

The Council Cabinet considered a report on the Budget Strategy 2006/07 to 2008/09. The report set out the current budget position faced by the Council. It was reported that the original published budget strategy of the previous administration in March 2005 included a budget gap of £2.3m in 2006/7 at an assumed council tax of 5%. The intention of the new administration to limit the council tax increases to inflation or below will widen this gap, therefore it was proposed to commence a full and detailed review.

Decision

To approve the strategy to be followed in preparing revenue and capital budgets for 2006/7 and indicative budgets for 2007/8 and 2008/9 as set out in the report, including specifically:

1. a line by line budget review across all Council departments to deliver budget savings, through efficiency savings where possible, and other measures to support the delivery of savings
2. review processes that ensure consistency between the Corporate Plan and budget planning
3. establishment of a process to make sure that Derby City Partnership decision making is closely coordinated with the Council's decision making on its budget
4. the timetable set out in paragraph 8 of the report

Contract and Financial Procedure Matters

126/05 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report setting out a number of contract and financial procedure matters. An addendum to the report was circulated at the meeting.

Decision

1. To establish a Local Economic Growth Initiative – LEGI – Bid revenue budget of £100,000 for 2005/06 only, to be managed by the LEGI Steering Group as a corporate budget.
2. To increase planning expenditure budgets by £50,000 in 2005/06 and indicative budgets from 2006/7 by £36,000, funding from additional Planning Delivery Grant.
3. To avoid a further commitment of Planning Delivery Grant prior to the outcome of the base budget review as part of the wider budget planning process.
4. To allocate £146,000 of School Meals Grant in 2005/6 and to plan future uses consistent with the purposes set out in the report.
5. To add a new scheme to the 2005/6 Capital Programme and schedule commencement for works subject to the approval of external funding to Normanton Park Pavilion and Normanton Park Activity Centre.

6. To waive contract procedure rule C15 and not seek competitive tenders for the work on Normanton Park Pavilion and Normanton Park Activity Centre.

127/05 2005/06 Capital Programme Update

The Council Cabinet considered a report on 2005/06 Capital Programme Update. The report provided information on the expenditure to date and sought the necessary approval for changes to the programme.

Decision

1. To approve the changes to the 2005/06 Capital Programme as detailed in Table 3 of the report.
2. To note the latest monitoring position.
3. To approve the commencement of schemes over £100k as set out in section 1.33 of the report.

128/05 External Funding Outturn 2004/05 and Budgets 2005/06

The Council Cabinet considered a report on the external funding outturn position and 2005/06 budgets for external funding streams managed through Derby City Partnership and the New Deal for Communities Board.

Decision

1. To note the 2004/05 closedown position of the funding streams detailed in this report.
2. To approve virements within the Council's approved revenue and capital budgets for 2005/2006, to reflect the detailed allocation of funding by partner organisations to Council schemes, as summarised in Appendix 12 of the report.

Performance Monitoring

129/05 Pupil Referral Unit – Performance Monitoring Report

The Council Cabinet considered a report on the Pupil Referral Unit. The report set out the progress made against the five key issues for improvement as noted by Ofsted HMI during monitoring visits in January and May 2005.

Decision

To note the progress made by Derby City Pupil Referral Unit since the original Ofsted Inspection of July 2004.

130/05 Derby Homes' Performance Monitoring Quarter 1 2005/06

The Council Cabinet considered a report on Derby Homes' Performance Monitoring Quarter 1 2005/06. The report examined the performance of Derby Homes' Delivery Plan 2005/06 during the period of 1 April to 30 June 2005.

Decision

1. To note the report
2. To refer the report to the Community Regeneration Commission
3. To ask the Derby Homes Board to prepare a 5-year Delivery Plan, with annual updates when required.

131/05 2005-06 Quarter 1 – Performance Monitoring Report

The Council Cabinet considered a report on 2005-06 Quarter 1 – Performance Monitoring. The report detailed the performance of the Council against targets included in its 2005/2006 Best Value Performance Plan.

Decision

1. To note the performance of the Council against the targets included in its 2005/2006 Best Value Performance Plan, 2005-08 Corporate Plan, 2020 Vision Community Strategy, falling due to be reported on in the first quarter.
2. To give particular attention to those areas where the forecast year-end performance is currently below target and the action being taken to address this.

132/05 Strategic Risk Register Update

The Council Cabinet considered a report on the Strategic Risk Register Update. It was reported that the Risk Register was a key component of the Council's risk management strategy and is designed to identify any forthcoming key risks and the actions needed to mitigate and control them.

Decision

To approve the revised Strategic Risk Register prepared by Chief Officers.

133/05 Exclusion of Press and Public

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 Section 100(A) of the Local Government Act 1972.

Key Decision**134/05 Proposed Disposal of Land Adjoining the Former Baseball Ground**

The Council Cabinet considered a report setting out exempt information relating to proposed disposal of land adjoining the Former Baseball Ground.

Decision

To note the report.

MINUTES END