

Time began 6.00pm
Time ended 7.55pm

COUNCIL CABINET

14 June 2005

Present: Councillor Burgess – Chair
Councillors Allen, E Berry, Care, Hickson, Latham, and Samra.

Also present: Councillor Williamson

This record of decisions was published on 16 June 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.

01/05 Apologies

An apology for absence was received from Councillor Carr.

02/05 Late items to be introduced by the Chair

There were no late items.

The Chair reported that revised reports had been circulated for the following items:

- Item 29 – “Connecting Derby Approval of Funding” (Minute /05 refers)
- Item 37 – “Raynesway – Proposed Rosemound Development Site and Land Adjoining” (Minute /05 refers)

03/05 Identification of Urgent Items to which Call-In will not Apply

There were no urgent items.

04/05 Declarations of Interest

Councillor Latham declared a personal prejudicial interest in Item 28 - “Derwent Valley Mills Economic Development Master Plan”, as her husband had been appointed as a consultant to the project. She left the room during consideration of this item. Councillor Burgess declared a personal interest in the same matter as he was appointed to represent the Council on the Derwent Valley Mills Partnership Board.

Councillor E Berry declared a personal interest in Items 16 and 37 “Raynesway – Proposed Rosemound Development Site and Land Adjoining”, as she was a member of the Accordis Community Panel.

05/05 Minutes of the Previous Meeting

The Part 1 minutes of the meetings held on 17 May 2005 were approved as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

06/05 Redevelopment of the Derbyshire Blocks, Arnhem Terrace, Spondon

It was reported that the Community Regeneration Commission had considered a report on the proposals to redevelop the Derbyshire Blocks in Spondon and requested that the proposals be implemented with urgency in order to minimise the uncertainty for residents.

Decision

To agree with the request.

07/05 Crime and Disorder and Young People Action Plan

It was reported that the Community Regeneration Commission had considered a report on the draft action plan and made no recommendations.

Decisions

To note the report.

08/05 Social Inclusion and the Physical Environment – Implementation Progress Report

The Council Cabinet considered a report from the Community Regeneration Commission on progress made in implementing the recommendations of the Commission following a topic review on Social Inclusion and the Physical Environment. The Commission conducted the review in the spring of 2003 and the recommendations were accepted by Council Cabinet.

The Commission recommended that the Council Cabinet ensures that swifter progress be made both generally on implementing these recommendations within the direct control of the Council, and specifically in connection with enhancing land stewardship to improve the visual appeal of buildings and land.

The Council Cabinet considered a response from the Director of Development and Cultural Services which confirmed that the Action Plan would continue to be monitored to make sure that all those actions which can be taken forward are done so as speedily as possible. He also advised that the Asset Management Group were taking steps to make sure those responsible for the upkeep of buildings were aware of the importance of taking care of land and buildings. It was reported that the specific issues raised by Councillor Blanksby at the Commission meeting were being progressed by the Director of Education.

Decisions

To note the report.

09/05 The Education of Children Looked After (Gatsby Project)

The Council Cabinet considered a report from the Corporate Parenting Joint Sub Commission on the education of children looked after through the Gatsby Project. The Sub Commission had considered a presentation on the project which provided support and assistance to improve education of children looked after and has assisted in improving the proportion of children leaving care aged 16 or over with at least one GCSE at grade A* to G.

The Gatsby Charitable Foundation had agreed to provide a grant of £292,280 over three years in the second phase on the condition that the project would be mainstreamed and not seek a further renewal beyond its expiry in October 2006. The Commission were concerned that the Council Cabinet should continue the initiatives set up to improve the education of children looked after and explore other funding streams to meet the shortfall in the funding of the Gatsby Project when the grant from the Gatsby Foundation expired in October 2006

Decisions

To note that the issue raised by the Sub Commission would be considered as part of the process for preparing the 2006/07 Revenue Budget.

10/05 Response to Overview and Scrutiny Report on Tree Management Policy

The Council Cabinet considered a report from the Director of Commercial Services responding to the recommendations of the Planning and Environment Commission produced following their review of the Tree Management Policy. The report highlighted that

- the budget allocation for 2005/06 had enabled the Council to implement the inspection programme proposed by the Commission.

- it was proposed to make a virement of £5,000 would be made from the grounds maintenance budget for 2005/06 to set up a pilot project scheme for the management of cosmetic work to trees to be operated by an Area Panel as a means of appealing the decision of an Arboricultural Officer

Decisions

To approve the response to be sent to the Planning and Environment Commission.

11/05 Derbyloans – Response to Community Regeneration Commission Report

The Council Cabinet considered a report from the Director of Policy responding to the concerns expressed by the Community Regeneration Commission that, in their opinion, Council support to Derbyloans was inadequate.

It was confirmed that a meeting had been held with the Director of Derbyloans where it was explained that the Council was not in a position to provide a grant to Derbyloans, as all its grant aid for 2005/06 had already been allocated. However, Derbyloans could put in an application for 2006/07. The possibility of the Council providing a loan to the organisation was discussed, however, any such action could only be taken after a thorough examination of the company's financial position. It was noted that the conclusion of these investigations would be brought to Council Cabinet in due course. The Director of Derbyloans had confirmed that that matter was not immediately urgent and recognised the need for the Council to have the time to consider the options available.

It was noted that at the meeting two potential major sources of external funding had been discussed. The timescales for bidding for these is not known. The potential for these would be reported to the Council Cabinet when there was anything of substance to report in relation to Derbyloans financial position.

Decisions

1. To note that matters relating to the recommendations of the Community Regeneration Commission on Council support for Derbyloans were being actively pursued.
2. To ask that a full response to the recommendations be brought to Council Cabinet when investigations into potential funding streams were concluded.

Key Decisions

12/05 Connecting Derby Approval of Funding

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding funding of the Connecting project. Connecting Derby had been approved by the Department for Transport – Dft - in December 2000 and the project was to commence in April 2001 and be completed by March 2006 at a total cost of £23.38 million. Funding was to be from DfT and external funding sources. Since approval had been given, costs has increased and, excluding any external contributions, the funding gap was £16.23 million. The report set out ways to address the shortfall. A revised report had been circulated.

The Director reported on a letter received from Derby Heart and read out a full response to the issues raised.

Options Considered

Other options were considered as part of the appraisal process as set out in the report, but were not proposed for completion as they did not provide the same level of benefits as completing the full scheme.

Decisions

1. To note the level of additional reappraisal work that has been carried out and the significant amount of discussion that has been carried out with DfT since July 2003.
2. To note that DfT were likely to approve an additional contribution of £9.23m towards the overall capital costs for Connecting Derby, subject to the Council approving its contribution.
3. To approve that the Council underwrites a contribution of £7m towards the overall capital costs for Connecting Derby.

Reasons

In order for the DfT to commit to an additional £9.23million for the completion of connecting Derby it needs the Council to confirm that it was willing to fund the balance of the additional cost of the scheme.

13/05 Disposal of 126 Osmaston Road

The Council Cabinet considered a report from the Director of Corporate Services setting out proposals to dispose of 126 Osmaston Road. The surplus property, formerly occupied by Social Services, had been offered for sale through marketing agents, with best bids invited by a common closing date.

It was reported that the Scrutiny Management Commission had considered the proposals and recommended that the property should not be converted to a House in multiple occupation. It was confirmed that the two highest bids were for office use.

Options Considered

Acceptance of a lower offer – but no reasons were known why that should apply in this case.

Decisions

1. To accept the highest offer.
2. To ask the Director of Corporate Services to report back to the Council Cabinet if one of the first two highest offers did not lead to an exchange of contracts.

Reasons

1. To achieve the highest receipt.
2. To make sure that the property was used for office use and not converted into a house in multiple occupation.

14/05 Sale of Land at Corner of Wood Road and Wayfaring Road

The Council Cabinet considered a report from the Director of Corporate Services regarding the sale of land at the corner of Wood Road and Wayfaring Road. The site was purchased in 1955 as part of a wider Council residential development acquisition, though nothing was ever built on the site. Officers had considered the site for adoption as public open space but funding for its transfer to that purpose were not available. Planning permission has been granted for the development of eight two-bedroom flats with car parking this permission expired on 22 April 2008.

Options Considered

The land has been declared surplus so the method of disposal was considered. Sale by auction creates a contract once the reserve has been met and minimises problems and delays associated with other informal disposal methods. It also demonstrates the achievement of best price

Decisions

1. To authorise the sale by auction of the land shown edged black on drawing number 5413/6, amounting to 0.11 hectares of land, at the

corner of Wood Road and Wayfaring Road, Oakwood and delegate the setting of a reserve price to the Director of Corporate Services.

2. To determine that any proceeds from the sale should be earmarked specifically for affordable housing. The proceeds would therefore be added to the 'capital allowance' for the purpose of regulation 16 of the Local Authority (Capital Finance and Accounts) (England) Regulations 2003.
3. To authorise the Director of Corporate Services to issue a notice of disposal of public open space.

Councillor Latham asked that her vote against this decision be recorded.

Reasons

1. The land has been identified as a potential residential development site for some time and is surplus to requirements.
2. Other options had been considered. The background to the site is provided in paragraph 3.1 of the report.
3. Recent sales at auction, including the sale of Elmhurst, have been successful and produced substantial capital receipts. A sale by auction creates a contract once the highest bid was accepted provided that it meets the reserve. The sale is therefore more certain than a sealed bid process.
4. Prior authorisation was needed for a sale which it was anticipated would exceed the £100,000 threshold necessary for Cabinet approval.
5. Once instructed, the auctioneer would commence marketing the site and would publicise a Guide Price, but a reserve can be set at a different level.

15/05 Disposals – Vicarage Road Mickleover

The Council Cabinet considered a report from the Director of Corporate Services setting out proposals to dispose of land at Vicarage Road Mickleover. It was proposed that the building be sold under delegated powers at auction for a sum exceeding £300,000.

Options Considered

A number of options were considered by the group for the location of the new library and this was considered the only realistic option. As only part of the site was needed for the library, the remainder could be sold to generate a receipt to offset the cost.

Decisions

1. To authorise the demolition of the Vicarage Road Children's Home upon closure and to dispose of approximately half the site at auction with the other half being retained for the construction of a new Mickleover library.
2. To approve closure of the public convenience on Vicarage Road, the site of which was needed for the library.
3. To delegate setting the reserve price to the Director of Corporate Services.

Reasons

1. The children's home will become surplus to Council requirements in the Autumn when the service relocates to St Marks Road. The current Mickleover library was unsuitable for modern service delivery in terms of its size, condition and location.
2. A group of Members and officers had carried out an option appraisal and the provision of a new library in Mickleover and funding was approved by Council from the 2005/6 and 2007/8 Capital Programme. The level of funding allocated does depend upon the disposal of the surplus part of the site and also on the disposal of the former Horsa building which was let to a local group and which was being held in reserve as a possible alternative site for the relocation of the library. The tenants have indicated that they were interested in purchasing the building.
3. The public toilets were in poor condition and have no disabled people's or baby changing facilities and no hand washing/drying facilities. They were fairly remote from the main shopping centre and had low usage. Ward councillors support closure given the levels of anti-social behaviour and the need for the site for the new library. There would be toilet facilities in the new library and there were existing privately owned toilet facilities within the district centre.

16/05 Quarn Lodge Woodlands Lane Allestree Park

The Council Cabinet considered a report from the Director of Corporate Services setting out proposals to dispose of Quarn Lodge, Woodlands Lane, Allestree Park at auction with the auction fees offset against sale proceeds.

A compensation payment to the former tenant of £5,575 would be added to the capital programme as it increased the open market value of the building and was therefore considered to be enhancement.

Options Considered

The house could only be re-let on a Service Tenancy at a low rent, as otherwise it would be a Secure Tenancy which would enable any future tenant to submit a Right to Buy and acquire the property at a discounted figure. Once the property does become empty, it could be vulnerable to vandalism if not sold relatively quickly.

Decisions

To authorise a sale by auction and delegate setting a reserve price to the Director of Corporate Services.

Reasons

1. The lodge at Woodlands Road, shown edged black on drawing number 6420 at Appendix 2, has been let for many years on a Service Tenancy Agreement to a Park Ranger. The rent for such lettings was at equivalent fair rent and was then further discounted to reflect the additional duties carried out by the Ranger. The current rent received was £34.07 per week.
2. In the review of residential properties in parks and cemeteries, officers identified that this was a valuable two-bedroomed property which was in relatively poor condition and was producing a low income. It was also on the edge of the park and not in the ideal position for the Ranger to carry out security duties out of hours of the park buildings. Following discussions with the tenant, he has now agreed to move out of the lodge upon payment of statutory compensation which would release this building. The service duties around Allestree Park were now being carried out by a new service tenant in the flat above the stable block adjacent to Allestree Hall.
3. Because of the nature of the property and the success that has been achieved by offering other properties of this nature for sale by auction, disposal by this means was recommended. Because a sale by auction creates a contract once the highest bid is accepted, prior authorisation is needed for sale, which was anticipated would comfortably exceed the £100,000 threshold necessary for Cabinet authorisation.
4. It is likely that the auction would be held on 17 August 2005 and the auctioneer would publish a guide price of £180,000, but a reserve could be set at a different level based on the level of interest shown in the property. It was proposed that setting the reserve price be delegated to the Director of Corporate services just prior to the auction.

17/05 Raynesway – Proposed Rosemound
Development Site and Land Adjoining

The Council Cabinet considered a report from the Director of Corporate Services on the proposed Rosemound Development Site and land adjoining at Raynesway. The report set out the details of the contract with Rosemound Developments Ltd to develop the site.

An updated report containing exempt information was circulated at the meeting. The Director of Corporate Services reported that, as the terms for allowing the developer to undertake work on land adjoining the development site had not been agreed, recommendation 2 had been deleted.

Options Considered

None involving the Council. The Developer could obtain material to build up levels and obtain rights to compensate for flooding provision from other landowners in the area

Decisions

1. To authorise the Director of Corporate Services to allow an extension to the deadline for the submission of a planning application for the development site of up to two months if he was satisfied that this continued to be in our best interest.
2. To authorise the Director of Corporate Services to finalise the settlement approach proposed for areas previously affected by the CPO for the A6 Alvaston Bypass, as set out in part (b) of the confidential report.

Reasons

To facilitate the proposed development generally and to achieve an appropriate payment for the benefits arising from use of our adjoining land.

18/05 Financial System Replacement

The Council Cabinet considered a report from the Director of Finance regarding the replacement of two of the Council's financial systems; the Financial Management and Revenue and Benefits Systems.

Options Considered

As set out in the report

Decisions

1. To endorse the proposal to initiate OJEU procurement for a new financial system.

2. Prior to acceptance of any tender, to receive a full report setting out in detail the costs, funding and payback period, in terms of efficiency savings generated.

Reasons

As set out in the report

19/05 Sports, Sport Facilities and Physical Activity

The Council Cabinet considered a report from the Director of Education setting out the Sport, Sport Facilities and Physical Activity Strategy. The Strategy had been developed in partnership with Derby Central and Greater Derby Primary Care Trusts and had already been endorsed by both of the boards. The Council would have a key role to play in leading the coordination of the strategy and it would challenge the way physical activity would be perceived and delivered in the city.

The report detailed the consultation process that has been undertaken to engage all sections of the community. It was likely that an initial investment of around £4 million would be required to modernise and improve the Council's five sports centres and, in addition to this, further capital would need to be earmarked in a depreciation fund for future investment in the centres.

Options Considered

Failure to agree the strategies would mean that the recommendations within the improvement plan for the Best Value review of Sport and Leisure would not be met and there would be no strategy within which future sports provision in the city could be developed.

Decisions

1. To endorse the Sport, Sport Facilities and Physical Activity Strategy for Derby.
2. To approve the preparatory work for market testing. This includes producing a partnership agreement, seeking expressions of interest by advertising for potential partners and the formation of a Sports Centre Development Plan.
3. To refer the report to the Culture and Prosperity Commission for comment.

Reasons

1. The Best Value Review of Sport and Leisure resulted in the production of a Comprehensive Improvement Plan that was approved by Council

Cabinet on 9 November 2004. The most important strategic recommendation in the plan was to “review and revise the current Sports Strategy, Sports Facilities Strategy to encompass a Physical Activity Strategy”.

2. The Sports Strategy was adopted by the Council in 2002 and the Sports Facilities Strategy was produced in 2003. The revision of these strategies and production of a Physical Activity Strategy for the city would provide a clear direction for the future development of a Sport and Physical Activity in Derby.
3. It would also:
 - Provide the context for how the Council’s Sport and Leisure Service would develop its services, programmes, structures and facilities over the next five years, and
 - Determine how other key recommendations in the Best Value Improvement Plan were taken forward, most notably the market testing of the Council’s sports centres.

20/05 Historic Buildings/Conservation Area Grants

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding Historic Buildings/Conservation Area Grants. The report detailed the history and age of the buildings, and set out the urgent repair work that needed to be conducted. The estimated cost for the repair work amounted to £10,225.80 excluding VAT. A 25% grant would be £2,556.

Options Considered

No other options considered.

Decisions

To approve application for Historic Building Repair grant aid of £2,556.00 (or 25% of the actual costs, whichever is the lesser) towards the cost of repairs to the roof structure and re-roofing of the Coach House of 35/36 St Mary’s gate, subject to the following conditions:

1. Standard Conditions
2. Method of reinforcing principle rafters to be agreed by the Council’s Conservation Officer before this work is carried out.
3. Existing bricks to be used when rebuilding of brickwork at eaves and under wall plate. Any new reclaimed bricks to be used to be agreed by the Council’s Conservation Officer.

4. Any new glass tiles to be agreed with the Council's Conservation Officer prior to installation.
5. Details of new glass tiles to be agreed with the Council's Conservation Officer prior to installation
6. All lead work to be to Lead Sheet Association Standards.

Reasons

The offer of a grant assistance would make sure that repair works to listed buildings were carried out at a high standard.

21/05 Historic Buildings/Conservation Area Grants

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding Historic Buildings/Conservation Area Grants. The report detailed the history and age of the building, and set out the repair work that needed to be conducted. Competitive estimates had been received for the repair works, the lowest of which amounted to £8,450 including VAT. A 25% grant would amount to £2,113.

Options Considered

No other options considered.

Decisions

To approve the application for Conservation Area grant aid of up to £2113.00 (or 25% of the actual costs, whichever is the lesser) towards the cost of repairs to the roof at 76 Belper Road, subject to the following conditions:

1. Standard Conditions
2. New clay roof tiles and ridge tiles to match the existing, to be agreed by the Council's Conservation Officer.
3. The lead flashing to be fit to match the original and to be to Lead Sheet Association standards.
4. No roof vents are to be inserted in the roof slopes.

Reasons

The offer of grant assistance would make sure that repair works are carried out to a high standard and that they would help to preserve/enhance the special character of the Strutts Park Conservation Area

22/05 Britannia Court Redevelopment

The Council Cabinet considered a report from the Director of Policy setting out proposals to redevelop the Britannia Court. Work had been undertaken over the last three years using a project group to determine the most appropriate way forward for the scheme. Recommendations for improvements made by the group were carried out and residents were surveyed to determine the future sustainability of the scheme.

Options Considered

1. The work of the Project Group culminated in the development of an options appraisal for the scheme. Initially, the appraisal recommended that the block be refurbished and that some of the bedsits be converted to flats. This option was costed at £520,000. However, with further consideration, it was felt that this was not good value for money as the block would, in the main, be retained as bedsits and this would not meet the needs of single people in Derby in the longer term.
2. A second option involved the conversion of the block into 36 one and two-bedroom flats, retaining four of the bedsits. Proposals for this work, costed at £2.1m, came in well over the maximum budget of £1.4m, and it was therefore not considered good value for money.

Decisions

1. To consult formally with Derby Homes Board and with tenants about the proposed demolition and residential redevelopment of Britannia Court.
2. Subject to the results of the consultation, to:
 - sell the site on the open market by auction with a reserve price to be set by the Director of Corporate Services, based on a valuation of the site, at the time of the sale
 - approve Derby Homes starting to decant tenants so that the sale can proceed
 - determine that any proceeds from the sale should be earmarked specifically for affordable housing and / or regeneration projects. The proceeds would therefore be added to the 'Capital Allowance' for the purpose of Regulation 16 of the Local Authority (Capital Finance and Accounts) (England) Regulations 2003.
3. To refer the report to the Community Regeneration Commission.

Reasons

1. To address issues relating to the long-term viability of Britannia Court.
2. To achieve value for money for the Council in the use of the site.
3. To enable vacant possession of the accommodation to be obtained.

23/05 **Redevelopment of the 'Isle of Wight Blocks' Branksome Avenue/Durley Close Alvaston**

The Council Cabinet considered a joint report from the Director of Policy and the Director of Corporate Services regarding the redevelopment of the 'Isle of Wight Blocks' Branksome Avenue/Durley Close Alvaston. The report set out details of the consultation that took place with residents, the Derby Homes Board and local businesses. 80% of residents responded to a questionnaire giving three initial options and 86% of those were in favour of the site being cleared for redevelopment. Derby Homes Board were also recommending to the Council that the flats be demolished.

Four proposal options for redevelopment were being considered in the following order of preference:

- a development in partnership between a firm of private developers and Derby Homes
- the scheme to form part of Derby's proposed Housing PFI
- the scheme to form the basis of a bid to the housing Corporation during the 2006/08 bid round
- the scheme to form a self-financing development

A further report would be brought to the Council Cabinet once there was a recommended option for decision.

Options Considered

The main alternative would be to refurbish the blocks, rather than redevelop. However, this would not be a cost effective option and would also be against the wishes of tenants currently occupying the flats.

Decisions

1. To approve the options being investigated for the redevelopment of the 'Isle of Wight Blocks' outlined in the report.
2. To approve a start to decanting the remaining tenants from the flats so that the redevelopment can proceed as quickly as possible.
3. To receive a further report with a recommended option for decision.
4. To refer the report to the Community Regeneration Commission.

Reasons

1. To take forward the redevelopment of the 'Isle of Wight Blocks'.
2. To give current tenants and residents of the area greater certainty about proposals for the flats.
3. To obtain vacant possession of the flats.

24/05 Community Grants Budget Review

The Council Cabinet considered a report from the Director of Policy regarding the Community Grants Budget Review. A review has been undertaken of the Community Grants Budget which covered issues of clarity between CGB and other Council grants made by Social Services and Education. The Voluntary Sector syndicate of the Compact Forum has been consulted on the proposed changes to the criteria.

The Community Regeneration Commission considered the revised criteria on 10 May 2005 and supported the proposal. They suggested that the information provided to potential applicants should make clear that the criteria were not weighted in any way. This suggestion was accepted.

Options Considered

None. The process of allocating the CGB for 2005/06 clearly demonstrated the need for change.

Decisions

1. To approve the revised criteria for the Community Grants Budget – CGB – for 2006/07.
2. To note that the criteria had already been considered by the Community Regeneration Commission.

Reasons

The revised CGB criteria will assist decision-making and improve clarity between CGB and other Council grants

25/05 Osmaston and Allenton Proposed Neighbourhood Base Hubs

The Council Cabinet considered a report from the Policy regarding the Osmaston and Allenton Proposed Neighbourhood Base Hubs. In April 2002, £380,000 was allocated by the Neighbourhood Renewal Fund Management

Group for the development of a Neighbourhood Base in Osmaston and Allenton. In April 2004, the Derby Homes Board agreed to the flexible use of Bingham Street Housing Office as an integrated space for the co-location and relocation of other services.

The revised proposal retained the central concept of the extension of Bingham Street Housing Office into a facility capable of delivering outreach and information for a wide range of service providers. The range of sites operates as a 'hub' providing better information and access to local customers. The locations of the hubs were outlined within the report.

Options Considered

Doing nothing would mean access to, coordination and integration of services could not be developed to their full potential in one of the Neighbourhood Renewal Strategy priority neighbourhoods.

Decisions

1. To approve in principle the project proposal for the development of neighbourhood base hubs in Osmaston and Allenton.
2. To note that a funding application would be made for Neighbourhood Renewal Funding to cover the cost of the project.
3. To refer the report to the Community Regeneration Commission.

Reasons

1. To develop better access to services and information in Osmaston and Allenton, in accordance with the Neighbourhood Base Strategy approved by Cabinet in 2003.
2. To make sure there was a coordinated approach to customer access across a range of facilities in Osmaston / Allenton.

26/05 Market Testing Housing Responsive Maintenance Work

The Council Cabinet considered a report from the Director of Policy setting out proposals to market test housing responsive maintenance work. Derby Homes Board agreed to negotiate a responsive maintenance contract with its current contractor, the Council's Commercial Services Department, for up to four years. The contract was extended in August 2004, and was then to be extended on an annual basis. Derby Homes had become concerned that the Audit Commission were requiring responsive maintenance contracts to be subject to market testing, and the failure to do this could result in a lower score on any inspection. Derby Homes must show it was achieving value for money and has therefore recommended that a five-year contract be put out to

tender. The aim would be to appoint the successful contractor by April 2006 with a start date of either October 2006 or April 2007.

Options Considered

Communications with both the Audit Commission and the Office of the Deputy Prime Minister have convinced Derby Homes that the recommendation to market test the responsive maintenance work was the only sensible option to consider.

Decisions

1. To approve the Derby Homes Board recommendation that it proceeds to market test housing responsive maintenance work.
2. To ask the Director of Policy to make sure that, in accordance with the Management Agreement, Derby Homes liaises and consults with the Council, particularly on legal and personnel issues, throughout the process outlined in the timetable at Appendix 2.
3. To refer the report to the Community Regeneration Commission.

Reasons

1. Derby Homes Board, at its meeting on 27 January 2005, recommended to the Council that it adopt Derby Homes Strategy for market testing responsive maintenance work.
2. Following provisional consultation with a number of national organisations in March 2005, it has become evident that there would be interest from several of these organisations in tendering for responsive maintenance work in Derby. This was not thought to be the case when the Council and Derby Homes approved a negotiated contract with the current contractor in 2004.

27/05 Disposal of Land at Leytonstone Drive, Mackworth

The Council Cabinet considered a report from the Director of Policy regarding the Disposal of Land at Leytonstone Drive, Mackworth. Over the last 18 months the option of an affordable housing scheme to be developed on the site has been pursued. An affordable housing scheme of this nature would help to meet the housing needs in both Mackworth and the wider city. Owing to interest in the site from a group of Jehovahs Witnesses, the best way to resolve the future of the site would be to market it for community use. If there was no demand for this use, the affordable housing scheme proposals could be taken forward. Ward councillors were supportive of the proposal to market the site for community use.

Options Considered

1. Social Services has previously expressed an interest in this site for a supported living scheme, but has now concluded that this site was no longer suitable.
2. Sure Start had recently considered the site as the location for a crèche and play facilities, with ancillary accommodation, but has now decided not to pursue this option.

Decisions

1. To authorise the Director of Corporate Services to dispose of land at Leystone Drive, Mackworth
2. To determine that any proceeds from the sale should be earmarked specifically for affordable housing and / or regeneration projects. The proceeds would therefore be added to the 'capital allowance' for the purpose of regulation 16 of the Local Authority (Capital Finance and Accounts) (England) Regulations 2003.

Reasons

Marketing the site would enable its future use to be resolved.

28/05 Decriminalised parking Enforcement

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding Decriminalised Parking Enforcement - DPE. After the Council Cabinet resolved to implement Decriminalised Parking Enforcement, specialist consultants in the field were brought in to help to prepare a financial and operational model to enable progress.

In order to continue to develop the financial model and to commence work on operational considerations, key decisions were required to be made. These decisions consist of the staffing arrangements for the administration, the possible outsourcing of Decriminalised Parking Enforcement, the enforcement role and the level of Penalty Charge Notice. The commencement date was subject to the Secretary of States approval in July 2006.

Options Considered

As detailed in the report.

Decisions

1. To undertake the administration and enforcement of parking restrictions under a Decriminalised Parking Enforcement regime in-house.

2. To approve a Penalty Charge Notice – PCN - level of £60 as part of the financial model for the introduction of Decriminalised Parking Enforcement,
3. To delegate the remaining decisions concerning the implementation of Decriminalised Parking Enforcement to be delegated to a Project Board comprising the Assistant Director Highways, Transportation and Waste Management and the Cabinet Members for Planning, Transportation and Environment, and Personnel, Equalities and Direct Services.

Reasons

1. Using inhouse staff would make sure that appropriate levels of customer care were maintained and offers greater flexibility in the deployment of resources.
2. A PCN level of £60 was required in order to ensure that DPE were self-financing.
3. The remaining decisions to be made regarding DPE are, essentially, operational ones which could be delegated, on the understanding that Cabinet was always made aware of any significant financial implications.

29/05 Derwent Valley Mills Economic Development Masterplan

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding Derwent Valley Mills Economic Development Masterplan. Derwent Valley Mills Partnership was a consortium of almost 30 organisations including local councils, regeneration agencies, conservation bodies and property owners. The Council was represented on the panel by the Assistant Director of Development and on the Partnership by Councillors Burgess and West. The project aimed to provide a coherent integrated economic framework for the World Heritage Site.

Options Considered

An open and competitive tender process was undertaken to select the consultants who were commissioned to undertake the Masterplan work. The development of the Masterplan brief and Terms of Reference for the project were collaborative exercises undertaken by the Derwent Valley Mills Partnership who explored all options for achieving the outcome of a Masterplan through their Technical Panel.

Decisions

1. To approve the Terms of Reference for an Economic Development Masterplan for the Derwent Valley Mills World Heritage Site.
2. To approve the consultation process that the appointed consultants would follow during the development and approval of the Masterplan.
3. To note the officer response to a list of positioning statements that would shape the priorities for and direction of the consultants' work programme.
4. To report back to a future Cabinet for the approval of the final Masterplan.
5. To delegate to the Assistant Director of Development and the Economic Development Manager the responsibility for participation in the project steering group and reporting progress to future meetings of cabinet.

Reasons

The Economic Development Masterplan has been identified as an important strategic way of ensuring the future sustainability of the World Heritage Site. As a member of the Derwent Valley Mills Partnership, the Council was supportive of this project and was actively participating in the steering group that was managing this initiative.

Budget and Policy Framework

30/05 Best Value Performance Plan 2005/08

The Council Cabinet considered a report from the Director of Finance regarding Best Value Performance Plan 2005–08. The draft Best Value Performance Plan included performance against targets to deliver the Council's top ten priorities in 2004–05. The plan also reflects the broader change management and improvement activities. The plan would be approved by the Special Purposes Committee on 21 June 2005.

Decisions

1. To agree the contents of the draft Best Value Performance Plan 2005-08
2. To recommend that Special Purposes Committee approves the Plan for publication at its meeting on 21 June 2005, subject to any amendments required.
3. To give the Chief Executive and Director of Finance, in consultation

with the leader of the Council, delegated authority to finalise the Plan for publication by 30 June 2005.

4. To note the Council's performance against that targets set in the 2004-05 Best Value Performance Plan and provisional achievements against the targets in the 2002-05 Local Public Service Agreement.

31/05 Waste Strategy

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding changes to the Waste Strategy. The city had been making excellent progress on Rethink Rubbish and was close to meeting its 2005/06 recycling target. The City and County Councils were making good progress on the development of a new waste strategy , which was an essential prerequisite for both procuring a new waste plant and obtaining PFI credits.

It was considered that there was insufficient time for a plant to be procured using a PFI route by either of the councils but an opportunity existed to procure a plant at Sinfin Lane. If this process was started soon the timetable set by landfill allowance targets could still be met.

Decisions

Subject to the views of the Planning and Environment Commission to recommend Council:

1. to procure a treatment plant to deal with residual waste without the benefit of PFI credits.
2. to work closely with the County Council to procure a waste treatment plant sited in or near to Derby and sharing costs proportionally.
3. to note the reports of the consultants recommending this preferred procurement strategy.
4. to note that a similar report was being submitted to the County Council Cabinet and that some of these recommendations would only have effect if the County Council gives the appropriate approval.

Contract and Financial Procedure Matters

32/05 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report from the Director of Finance and Director of Corporate Services regarding a number of contract and financial procedure matters.

Decision

1. To note the latest financial position for Creative Industries Managed Workspace and approve an £83k grant from the pump priming fund.
2. To approve a proportional transfer of the first £30,000 each year of any Derby City Council share of Creative Industries surplus to a corporate reserve.
3. To approve the funding proposals at paragraph 2.2, to secure additional valuation resources to manage the Right to Buy capital receipts and progress other potential new capital receipts.
4. To approve the capital programme changes and capital scheme commencements at Appendix 3.
5. To note the allocation to priority repair and maintenance schemes from the additional £500,000 repair and maintenance budget included in the 2005/6 approved revenue budget.

33/05 Education Service Capital Projects 2005/06 – Phase 3

The Council Cabinet considered a report from the Director of Education setting out Education Service Capital Projects 2005/06 – Phase 3.

Decisions

1. To approve local consultation on the proposed site for the new Kingsmead Centre.
2. To approve the proposed new Kingsmead Centre capital project as shown in Appendix 3.
3. To endorse the proposals in paragraph 3.9 of the report setting out proposals for maintaining the trees on the Kingsmead site.
4. To approve the school capital projects outlined in Appendix 3.
5. To approve the design and tendering process for capital programme projects as shown in Appendix 3.

34/05 Licensed Deficits

The Council Cabinet considered a report from the Director of Education and Director of Finance regarding Licensed Deficits. Merrill College had experienced a fall in pupil numbers from 1107 in January 2004 to 1004 in January 2005, this has resulted in a reduction of 8.8% in its delegated budget

even after protection through the government's minimum funding guarantee. Savings would be made by natural wastage of teachers, reductions in support staff as the school moves to one site and reductions in non-staffing budgets.

It was proposed that £67,000 should be transferred to da Vinci Community College from the Local Government Reorganisation education reserves to cover the additional cost of staff seconded from Lees Brook Community Sports College not met by the DfES grant.

Decisions

1. To approve a licensed deficit for Merrill College.
2. To transfer £67, 000 from the Local Government Reorganisation education reserves to da Vinci Community College to fund the additional cost of staff seconded from Lees Brook Community Sports College not met by DfES grant.

Performance Monitoring

35/05 Inspection of the Youth Service

The Council Cabinet considered a report from the Director of Education regarding an Ofsted Inspection of the Youth Service. During the inspection week five inspectors carried out direct observation of a sample of youth work in a range of settings. The inspection found that the Council provided a good youth service, where the strengths outweighed the weaknesses. It also showed that the service represented good value for money.

Councillor Berry reported on recent discussions at a meeting of the Derby Youth Forum and asked that:

- a column be provided in the local newspaper for young people to write about issues they are concerned about
- councillors participate in "I'm a Councillor get me out of here" during Local Democracy Week – 17 to 21 October 2005.

Decisions

1. To note the outcomes of the Ofsted inspection of the Youth Service.
2. To approve the post-inspection action plan.
3. To refer the report and the action plan to the Education Commission, prior to submission to Full Council.

36/05 Exclusion of Press and Public

To exclude the press and public from the meeting during discussion of the following items, on the grounds that they involve 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 Decisions

37/05 Raynesway – Proposed Rosemound Development Site and Land Adjoining

The Council Cabinet considered a revised report from the Director of Corporate Services setting out exempt information relating to the proposed Rosemound development site and land adjoining at Raynesway

Decisions

To note the report.

38/05 Disposal of 126 Osmaston Road

The Council Cabinet considered a report from the Director of Corporate Services setting out exempt information relating to the disposal of 126 Osmaston Road.

Decisions

To note the report

39/05 Redevelopment of the 'Isle of Wight Blocks' Branksome Avenue/Durley Close Alvaston

The Council Cabinet considered a joint report from the Directors of Policy and Corporate Services setting out exempt information regarding the redevelopment of the 'Isle of White Blocks' Branksome Avenue/Durley Close Alvaston.

Decisions

To note the valuation advice within the report.

40/05 Proposed Arrangements for City Centre Management and the Business Improvement District Project

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding proposed arrangements for City Centre Management and the Business Improvement District Project. The proposal was for the Chamber of Trade to manage the City Centre Management function and take the lead in developing a Business Improvement District, as detailed in the Service Level Agreement appended to the report.

Options Considered

- 1 The Business Improvement District pilot is a pilot for the sub-region, and there is only one other in the East Midlands. The BID assessment in phase 1 included various other options for the BID – its boundary, rate levy, etc.
- 2 The option of running City Centre Management and the Business Improvement District separately would have been more expensive and could well have led to duplication of efforts and of consultation with stakeholders.
- 3 The option of closing the City Centre Management function would be contrary to the Council's vision of making Derby a modern, attractive city where people live safely, harmoniously, and achieve their potential.

Decisions

1. To approve the Service Level Agreement between the Council and Derby Chamber of Trade, in which the Chamber will take responsibility for City Centre Management functions and the development of our Business Improvement District proposal.
2. To note the potential financial impact of increased business rates on Council owned properties.

Reasons

The City Centre Management Team has been operating for the last year with only one member of staff, and hence delivering a basic service. The Business Improvement District proposal has been developed to a point where the businesses can be fully consulted, a vote can be organised, and if the vote is "yes" a BID Company established. Experience in the BID pilot areas has shown that, if the BID vote is "yes", the city centre management functions fall naturally into place as part of the BID company's activities. Hence the recommendation that the two functions be run jointly until the BID vote outcome is known.

MINUTES END