

Time began 6.00 pm  
Time ended 6.30 pm

**COUNCIL CABINET  
31 OCTOBER 2006**

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

In Attendance Councillor Jones

This record of decisions was published on 2 November 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.

**97/06 Apologies**

An apology for absence was received from Councillor Hussain.

**98/06 Late Items Introduced by the Chair**

There were no late items.

**99/06 Identification of Urgent Items to which Call-In will not apply**

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

**105/06 Post 16 Provision at Lees Brook Community Sports College**

The funding stream for this development is outside the Council's strategic planning and was put in the hands of a small number of high performing schools with the presumption by the DfES that it is approved. Late guidance was received from the DfES, the matter was only progressed in the summer by the school and approval was now required immediately in order to meet the time limits.

**100/06 Declarations of Interest**

Councillor Bolton declared an interest in item 8 – Post 16 Provision at Lees Brook Community Sports College – as she was a member of the Planning Control Committee.

**101/06 Minutes of the meeting held on 3 October 2006**

The minutes of the meeting held on 3 October 2006 were confirmed as a correct record and signed by the Chair.

## Matters Referred to Council Cabinet

### 102/06 Learning Disabilities Integration

The Council Cabinet considered a report from the Adult Services and Health Commission which expressed disappointment that the Council was not able to proceed with the full integration of services and pooling of budgets for services for people with Learning Disabilities. However, the Commission still wished to see improved outcomes for the service users.

#### **Decision**

To note the report.

### 103/06 Modernising Day and Residential Services for People with Learning Disabilities

The Council Cabinet considered a report from the Adult Services and Health Commission which requested that any capital receipts generated from the sale of buildings be ring fenced for this service provision.

#### **Decision**

To note the report.

### 104/06 Call-in of Executive Key Decision – Lancaster Sports Centre

The Council Cabinet considered a report from the Environment Commission which had considered a call-in arising because three Councillors were of the view that six of the decision making principles, as set out in OS33, had been breached by the Council Cabinet on 3 October 2005 in minute 90/06.

The Commission had considered the views of the petitioners, the relevant Council Cabinet Member, the Corporate Director – Environmental Services and three other witnesses and concluded that none of the principles of decision making had been breached.

#### **Decision**

To note the report.

## Urgent Key Decision

### 105/06 Post 16 Provision at Lees Brook Community Sports College

The Council Cabinet considered a report on Post 16 Provision at Lees Brook Community Sports College. The DfES five year strategy made a commitment to extending post-16 vocational provision and the Learning and Skills Council (LSC) 16-19 Capital Fund provides the resources to achieve this. The proposal was to build a new 150 place post-16 Vocational Skills Centre at Lees Brook Community Sports College. The centre would offer a range of vocational courses at pre-entry, Entry Level and Level 1 and key skills courses. The scheme would be funded by the LSC. The centre would be managed by Lees Brook in partnership with neighbouring secondary schools and Derby College.

A copy of the results of consultation carried out on the proposals was circulated at the meeting.

### **Decision**

1. To carry out detailed feasibility and design work on the proposed new build for a new Post-16 Vocational Skills Centre at Lees Brook Community Sports College.
2. To approve submission of a bid for external funding for the full cost of the centre to the LSC's 16-19 Capital Fund.
3. To approve publication of statutory notices for a prescribed alteration to the school's organisation, to change the upper age limit of the school to create post-16 provision.
4. To approve delegation of authority to determine the statutory proposal to the Corporate Director for Children and Young People, subject to there being no objections.

In accordance with Procedure Rule A126, the Chair of the Children and Young People Commission had been agreed that this item could be considered as an urgent item not subject to call-in..

## **Key Decisions**

### **106/06 Children's Centre Development Phase 2**

The Council Cabinet considered a report on Children's Centre Development Phase 2. Phase two Children's Centres needed to be developed within the allocated Sure Start capital funding and timescales and in locations which met the needs of local children and their families. Feasibility work had commenced on the sites and locations of phase two, year one Children's Centres following Council Cabinet approval on 6 June 2006. The proposals for the sites of phase two, year two Children's Centres were outlined in the report.

## **Decision**

1. To approve the locations of two of the Children's Centres in phase two, year two in Sinfin ward and the Normanton/Pear Tree area and the start of feasibility work.
2. To await the outcome of the bid submitted to the DfES for additional PFI credits before a final decision on the Children's Centre proposed for Alvaston/Boulton ward, but to begin a feasibility study for a possible alternative.

## **Budget and Policy Framework**

### **107/06 Corporate Asset Management Plan**

The Council Cabinet considered a report on Corporate Asset Management Plan. The Corporate Asset Management Plan (AMP), produced annually, detailed arrangements for property asset management, gave an overview of key property issues facing the Council and strategies for resolving these, progress on last year's AMP and performance information.

The comments of the Scrutiny Management Committee were circulated at the meeting and noted.

## **Decision**

To recommend Council to approve the Corporate Asset Management Plan.

### **108/06 Treasury Management Progress Report**

The Council Cabinet considered a report on Treasury Management Progress Report. Treasury Management activity during the year had resulted in further savings for the Council, as a result of increasing interest rates for investment and lower borrowing rates, as well as a restructuring of existing debts. The prudential indicators needed further updating commensurate with the latest changes to the capital programme. A minor update to the Treasury Strategy was required to make the formal documentation more consistent.

## **Decision**

1. To note the progress report on Treasury Management during 2006/07.
2. To clarify that the Treasury Management Strategy allows all top twenty building societies to have a counterparty limit for investments of at least £6m.
3. To recommend Council to adopt the updated Prudential Indicators as set out in Appendix 2 of the report.

# Contract and Financial Procedure Matters

## 109/06 Contract and Financial Procedures Matters Report

The Council Cabinet considered a report on Contract and Financial Procedures Matters Report. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- a £50,000 corporate capital contribution to the Multi - Faith centre towards the costs of the original building works, to replace a loan previously approved by Council Cabinet.
- the use of £22,600 from the corporate Modernisation Fund to progress a number of Excellence and Learning Board improvement projects related to employees
- further allocations from the Schools Access Initiative funding to capital schemes and capital programme update
- cost increases to Children and Young People's department capital schemes and associated additional funding requiring approval and capital programme update
- the submission of a formal bid by the Children and Young People's department to Derwent Community Team for £1 million funding from their capital build programme for schools capital projects at Roe Farm, Beaufort Primary and Derwent Primary schools
- further proposals totalling 17,041 on the use of the Youth Opportunity Fund
- the addition to the capital programme of £625k expenditure and financing for blue bins for the recycling programme, including the approval of £265k unsupported borrowing.

### Decision

1. To defer a decision on proposals to approve a £50,000 corporate capital contribution to the Multi- Faith centre to replace the loan previously given to the centre until negotiations on the terms of the contribution had been concluded.
2. To approve the use of £22,600 from the corporate Modernisation Fund to fund one off revenue costs of Excellence and Learning Board projects as detailed in paragraph 2.1.

3. To approve further allocations from the Schools Access Initiative funding to capital schemes detailed in Appendix 2 and update the approved capital programme.
4. To approve cost increases to capital schemes and additional funding as detailed in paragraph 4 and update the approved capital programme.
5. To approve the submission of a formal bid by the Children and Young People's department to Derwent Community Team for £1 million funding for schools capital projects at Roe Farm, Beaufort Primary and Derwent Primary schools
6. To approve a further £17,041 allocation from the Youth Opportunity Fund to projects detailed in paragraph 6.
7. To approve the addition to the capital programme of the blue bin scheme at a cost of £625k, together with the associated financing detailed in paragraph 7.3.
8. To approve £265k new departmental unsupported borrowing for the blue bin capital scheme.

## 110/06                      Local Area Agreement Financial Arrangements

The Council Cabinet considered a report on Local Area Agreement Financial Arrangements. The Council as Accountable Body for the Local Area Agreement - LAA – had to ensure there are appropriate financial governance arrangements in place to manage LAA funding. A Financial Protocol was approved for the first stage of the LAA and now required updating to reflect the integration of the LAA into the work of the Derby City Partnership. The updated Protocol provided for the key decisions on finance to be taken at the partnership level, subject to the safeguards required of the Accountable Body by Government. It was intended that this Protocol ran for the remainder of the current financial year and formed the basis of future financial management arrangements.

The comments of the Scrutiny Management Committee were circulated at the meeting and noted.

### **Decision**

To approve the Financial Protocol for Local Area Agreement funding.

## 111/06                      Silk Mill Refurbishment Project

The Council Cabinet considered a report on the Silk Mill Refurbishment Project. The report sought authorisation for the first stage in implementing the Cabinet's decision in principle on 6 June 2006 on to the Museums Capital

Plan. It would trigger the Museums stage one bid to the Heritage Lottery Fund (HLF) for refurbishment of the Silk Mill. The project would:

- improve the quality of the City's cultural provision
- provide a high quality visitor experience to interpret the World Heritage Site
- contribute to the wider regeneration of the City Centre and the riverside by providing a high quality visitor attraction
- improve the opportunities for lifelong learning in the City.
- improve the care and preservation of the historic Silk Mill, an iconic listed building in the City Centre and in the World Heritage Site
- contribute to making Derby cleaner and greener by addressing environmental issues in the new displays, and by working towards ISO 14001, including the exploration of electrical generation from water power, by 2010.

Further analysis of the benefits was shown as Appendix 2 to the report.

Development costs for the stage one bid would be £150,000. The Museums Service needed to spend £150,000 to initiate an £11 million investment in Derby's Museums, starting with the Silk Mill. If the stage one bid was successful the £150,000 spent would be counted as part of the Council's match funding for the scheme. The £150,000 would be used to:

- a) recruit specialist expertise in major bid writing in the Museums context to supplement the knowledge and professionalism of Derby's Museums Team
- b) conduct in-depth studies into historical, engineering and presentational aspects of the refurbishment plan
- c) finalise a Stage One bid to Heritage Lottery Fund in May 2007.

Further external funding for the refurbishment plan was to be raised from other grants and sponsorship. To this end it was proposed to appoint a Fundraising Officer using existing Museums budgets. This would involve limited changes to the Museums staff structure.

## **Decision**

1. To agree to fund the stage 1 bid for refurbishment of the Silk Mill from the Corporate Modernisation Fund.

2. To authorise the commencement of the project, as outlined here. Full details are contained in the Project Initiation Document (PID). This was available from the Head of Museums.
3. To support the creation of a temporary three year Fundraising Officer post, funded from a modification to the Museum Service's staff structure.

## Performance Monitoring

### 112/06 Annual Performance Assessment of Children and Young People's Services

The Council Cabinet considered a report on the Annual Performance Assessment of Children and Young People's Services. This second Annual Performance Assessment (APA) of services for children and young people in Derby was undertaken in June 2006 by Ofsted and the Commission for Social Care Inspection (CSCI). The assessment covered all aspects of the Council's performance in relation to the five outcomes in the performance framework for Children and Young People's Services. The report and judgements were to be officially published on 1 November 2006 and were tabled at the meeting.

#### **Decision**

1. To note the annual performance assessment of children's services for 2005/06, the improved performance from 2004/5 and issues highlighted for improvement in 2006/07, which were tabled at the meeting.
2. To note the information on the focus of the first Joint Area Review of children's services in 2007 set out in Appendix 2 of the report.

MINUTES END