

Time began 6.00pm
Time ended 7.12pm

**COUNCIL CABINET
20 FEBRUARY 2007**

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

In Attendance Councillor Jones

This record of decisions was published on 22 February 2007. 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.

188/06 Apologies

Apologies for absence were received from Councillor Graves and Hickson.

189/06 Late Items Introduced by the Chair

There were no late items.

190/06 Identification of Urgent Items to which Call-In will not apply

There were no items.

191/06 Declarations of Interest

Councillor Roberts declared a personal and prejudicial interest in minute no 199/06 because he was a Director of Midlands Co-op.

192/06 Minutes of the previous meetings held on 9 and 16 January 2007

The minutes of the meetings held on 9 and 16 January 2007 were confirmed as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

193/06 Resolution from Council on Climate Change

The Council Cabinet considered a resolution from Council on Climate Change and a response to the resolution from the Cabinet Member for Planning and Transportation.

Decision

1. To welcome Council's motion on climate change agreed at Council on 24 January 2007.
2. To endorse the need for multi disciplinary works and for an action plan owned by all Cabinet Members and Council Departments.
3. To agree to the formation of a Climate Change Project Board as described in the Project Initiation Document and to seek Member nominations from all parties for a representative to sit on the Board.
4. To ask the Director of Regeneration and Community to bring forward a draft action plan for endorsement at the Climate Change Project Board.

194/06 Recommendation of the Overview and Scrutiny Commissions on the Draft Revenue Budget 2007/08-2009/10

The Council Cabinet considered a report on Recommendation of the Overview and Scrutiny Commissions on the Draft Revenue Budget 2007/08-2009/10.

Decision

To note the comments of the Overview and Scrutiny Commissions.

195/06 Corporate ICT Infrastructure Capital Programme 2007/07 – 2009/10

The Council Cabinet considered a report from the Scrutiny Management Commission on the Corporate ICT Infrastructure Capital Programme 2007/08 – 2009/10.

Decision

To note the comments of the Scrutiny Management Commission.

196/06 Corporate Plan 2007-2010

Council Cabinet considered a report from the Scrutiny Management Commission on the draft Corporate Plan 2007-10.

Decision

To note the comments of the Scrutiny Management Commission.

197/06 Let's Talk Budget – Capital Programme for Housing and Social Care 2007/08

The Council Cabinet considered a report from the Community Commission on the Lets Talk Budget – Capital Programme for Housing and Social Care 2007/08.

Decision

1. To note that the Community Commission welcomed the Council's continuing support for Disabled Facilities Grants.
2. To note the Commission was concerned that some of the people most in need of the housing renewal grant and other schemes of assistance would not know to apply and recommend that more sophisticated, targeted information be produced.
3. To agree that a key policy aim should be to develop an Extra Care Village in the City and to take steps to identify an appropriate site.

198/06 Housing Revenue Account Business Plan and Budget

The Council Cabinet considered a report from the Community Commission on the Housing Revenue Account Business Plan and Budget.

Decision

1. To agree the key need for the short, medium and long term was to fund maintenance of the stock at a scale that ensured it remained at the newly achieved high standard and not allowed to deteriorate so as to require another Homes Pride level regeneration in twenty years.
2. Through lobbying seek to influence the national funding formula in order to achieve the above
3. To ensure under the current rules that the HRA budget is constructed in ways which maximise maintenance and renewals.

Key Decisions

199/06 East Street Refurbishment – Procurement and Delivery

The Council Cabinet considered a report on East Street refurbishment – procurement and delivery. The report set out the method for procurement and delivery of the East Street Refurbishment scheme. The major issues it sought to address were:

- an early contractor appointment and associated waiver of Contract Procedure Rules in order to complete the construction work before the target date of September 2007
- the form of contract that should be used
- The cost of delivery of the scheme

Options Considered

1. Highways Term Maintenance Contract
2. Direct appointment of a single contractor
3. Previously appointed contractor
4. Use of another Local Authority's procurement process
5. Use of a strategic partner for example contractors for works at Westfield, IRRIMS, Connecting Derby

Decision

1. To approve the addition to the capital programme of the East Street Refurbishment scheme to the 2006/7 and 2007/8 capital programme at a total estimated cost for the two years of £2.1million subject to Council approval of the capital programme on the 1 March 2007.
2. To approve the waiver of contract procedure rules and Tarmac National Contracting Limited be appointed as Principal Contractor.
3. To approve the procurement of the scheme via a jointly developed cost reimbursable contract with an agreed fee percentage for overhead and profit to be agreed with the Principal Contractor.
4. To approve the unsupported borrowing of £1.7 million towards the East Street scheme subject to Council approval of the capital programme on the 1 March 2007.
5. To delegate the sourcing of paving materials to the Director of Regeneration and Community in consultation with the Cabinet Member for Planning and Transportation.

Reasons

1. To provide funding for the East Street Refurbishment scheme.
2. To deliver East Street Refurbishment scheme before the opening of the Westfield Shopping Centre in September 2007.

(Having declared an interest in the above item Councillor Roberts left the meeting during the discussion and voting thereon)

200/06 The Modernisation of Learning Disabilities Day and Residential Services – The Knoll Residential Home

The Council Cabinet considered a report on the Modernisation of Learning Disabilities Day and Residential Services – The Knoll Residential Home. On 3 October 2006, Council Cabinet agreed to approve a formal consultation on the proposal to close The Knoll Residential Home. The purpose of this report was to give feedback on the consultation and to update Cabinet on planned moves from The Knoll.

Options Considered

1. Due to the tight timescale involved and delay caused by the legal issues arising from the Turnbull Ruling, it may be necessary to support 4 residents, nominated for Pastures Hill, at Ashlea Hostel for a short period until Pastures Hill is established.
2. Pastures Hill will be a supported living scheme. The Council were working in partnership with Stoneham Housing Association who owned the property and would be tendering for a provider to undertake the support and care package.

Decision

To approve closure of The Knoll Residential Home by 31 March 2007.

Reasons

An options appraisal carried out in September 2006 concluded that the closure of The Knoll Residential Home was the preferred option in order to improve environmental and care standards, meet the Commission for Social Care Inspection Standards and Regulations and achieve the best use of the Council's resources for people requiring 24 hour staffed accommodation.

201/06 The Modernisation of Learning Disabilities Day and Residential Services – Humbleton View Day Centre

The Council Cabinet considered a report on the Modernisation of Learning Disabilities and Residential Services – Humbleton View Day Centre. On 3 October 2006 Council Cabinet agreed to progress Stage 2 of the Project Plan for Day Services which involved the Project Team:

- Identifying and costing alternative community day time activities and work based opportunities for people with learning disabilities.
- Costing improvements to Wetherby Day Centre

- Assessing people who use Humbleton View and Wetherby Day Centres to look at alternatives to traditional day services.

The purpose of this report was to give feedback on the day service reconfiguration and to request funding to facilitate refurbishment work at the Wetherby Centre. The report also requested permission to undertake consultation on the closure of Humbleton View Day Centre and permission to undertake further detailed work around the preferred option. The strategy to modernise Learning Disability Services facilities was dependent on resources being made available for the purpose.

Options Considered

The Options Appraisal details the options considered which were:

- Do nothing
- Rebuild Humbleton View
- Re-furbish Humbleton View
- Support service users to move to alternative locations and close Humbleton View.

Decision

1. To approve consultation on the closure of Humbleton View day centre whilst undertaking further detailed work on the preferred option.
2. To agree to allocate resources from the enhanced repair and maintenance fund for the refurbishment of the Wetherby Centre.

Reasons

1. The options appraisal (appendix 2) showed that the closure of Humbleton View and the refurbishment of Wetherby centre was the preferred option if we were to ensure that we continued to meet the needs of vulnerable people and people with complex and high support needs, both now and in the future.
2. In the report to Council Cabinet dated 1 August 2006, it was confirmed that Humbleton View was not fit for purpose and had reached the end of its life. With some repair work to the roof it was possible to keep the building open for a further 12 months. However, this work would be an interim measure and Humbleton View would eventually become unusable.
3. It was necessary to start the refurbishment work at Wetherby and the work required to secure alternative bases as soon as possible if we were to ensure the sustainability of services.

202/06 Future Arrangements for the Management and Delivery of Services for People with Learning Disabilities in Derby and Derbyshire

The Council Cabinet considered a report on Future Arrangements for the Management and Delivery of Services for People with Learning Disabilities in Derby and Derbyshire. The report summarised progress on the detailed preparatory work towards establishing integrated social care and health services following the public / stakeholder consultation process reported to Council Cabinet on 21 February 2006 and further to the progress report of 4 July 2006. The public / stakeholder consultation took place between September and December 2005 and a development plan was produced outlining work towards achieving integration in 2006. However in September 2006 it became necessary to defer implementation of the agreed plan. In October 2006 it was possible to return to work on the problems that had halted implementation. A final decision on whether to proceed with integration was still required but this could only be considered if we could produce a scheme which was not only workable but also affordable.

Options Considered

As part of the preparatory project work, links were being established with other Local Authorities in order to explore the full range of models for achieving integration including a non-TUPE transfer.

Decision

1. To authorise the Director of Corporate and Adult Social Services to negotiate further to establish whether an affordable integration scheme can be developed.
2. To note the ongoing project work to produce a fully costed proposal.

Reasons

1. Derby and Derbyshire were committed to working together to secure the agreed objectives of an integrated service. Our aim to improve services was long-standing and this development built upon improvements already made over recent years.
2. Further detailed work was necessary to ensure a robust, fully costed implementation plan was produced and tested.

203/06 Annual Art Grants 2007/08

The Council Cabinet considered a report on Annual Arts Grants 2007/08. The reported stated that options for the allocation of arts grants for 2007/08 had been scrutinised. A total of 14 organisations had applied for arts grants in 2007/8 all of which received arts grants in 2006/07. The proposals constituted

a fresh approach to allocating vital support to the arts. The annual total for arts grants was being kept at the 2006/07 level. The recommended allocation for each arts organisation was for 2007/08. The basis for any future variation would be individual arts organisations' performance as determined by their annual review and performance matrix assessment and also by affordability.

Options considered

To implement standstill allocations across all arts organisations. This option had been rejected in favour of a set of recommendations which acknowledged those organisations doing most to achieve the Council's priorities.

Decision

1. To approve the allocation of arts grants for 2007/08 as detailed in the report.
2. To release grant funding once the relevant Partnership Funding Agreements had been signed.

Reasons

1. Arts grants achieved three important objectives
 - The first was to sustain organisations which provided continuity in the calendar of arts opportunities in the city.
 - The second was to nurture new organisations as they built up their experience and capacity. This was an investment in the future cultural life of Derby.
 - The third was to increase the capacity of those organisations which were doing most to assist the Council in the achievement of its aims and priorities.
2. In most cases the Council's grants were used as match funding in bids to external sources. The grants were directed where they would maximise the total income for arts activity.
3. The annual total for arts grants was being kept at the 2006/07 level in order to help meet the corporate budget objectives.

204/06 2007/08 Highway and Transport Work Programme

The Council Cabinet considered a report on 2007/08 Highway and Transport Work Programme. The report set out the 2007/08 proposed Highways and Transport Work Programme. It had been developed in extensive consultation with Area Panels, key stakeholders and Members. Consultation on the work programme had been ongoing since summer 2006, with:

- the Cabinet Member for Planning and Transportation

- the Environment Commission
- All Diversity Forums (MCDF, GDF, DPAF)
- All Area Panels
- the LTP Steering Group
- the Strategic Bus Partnership
- the Accessibility Planning Forum
- Estates Pride

Available on CMIS were:

- the officer recommendations for progressing all Area Panel priorities received during the consultation process
- the executive summary of the Derby Joint Local Transport Plan: 2006 – 2011, LTP2, which sets out our long term transport strategy and implementation programme for Derby and the surrounding rural area. It includes the transport objectives that all schemes included in the 2007/08 programme have been assessed against for their relative contributions.

Options Considered

There were no options considered.

Decision

1. To approve the 2007/08 Highways and Transport Programme, for both capital and revenue funded schemes, detailed in appendix 2, subject to the confirmation of the 2007/08, capital and revenue budgets.
2. To approve the allocation of the 2007/08 capital funds across eight funding areas, as set out in table 1.2
3. To approve the 2007/08 preparation pool for footway resurfacing and reconstruction, included in appendix 3, subject to the commencement and programming of the street lighting PFI project.
4. To continue to operate to increased financial limits set within the financial procedure rules for variations to the total cost of capital schemes that should be reported to Council Cabinet, as set out in the financial implications in appendix 1.
5. To delegate powers to the Director of Regeneration and Community and Director of Resources, in consultation with the Cabinet Member for Planning and Transportation to finalise an exceptional maintenance scheme bid for Osmaston Road, to be submitted to central government in July 2007 and the outline business case for a major scheme bid on London Road in late 2007.
6. To consider comments from consultation with the Environment Commission.

7. To note the work funded through the Transport Innovation Fund, TIF, appraising the role of road pricing as part of a package of improvements, including innovative and effective public transport improvements, new park and rides, walking and cycling improvements.
8. To give delegated approval to the Corporate Director of Regeneration and Community in consultation with the Cabinet Member for Planning and Transportation to review progress of schemes within the approved programme and where necessary reallocate funding within the strategy areas to reflect changing priorities potentially bringing forward the implementation of some schemes at the expense of others.

Reasons

1. Approval of the work programme before the start of the 2007/08 financial year, would allow flexibility to prioritise work and enable detailed design to commence, with the objective of ensuring that highway transport schemes and initiatives were delivered in the best possible way and achieve value for money. It would enable us to identify risks to the delivery of schemes, for example, at a strategic, corporate, programme or project level. We would be able to review and monitor to ensure risks did not escalate and where possible, were eliminated. This was in line with our risk register as set out in LTP2, for the delivery of schemes and achievement of targets.
2. Within this programme, a number of issues had been included for investigation in 2007/08. If specific measures were identified during the course of the year, it maybe appropriate for the Cabinet Member, in consultation with officers, to review the programme and to re-allocate funding, on the basis of revising priorities and reviewing progress on other schemes. Any revisions to the programme must still reflect the implementation programme we set ourselves in the final LTP2.

205/06 Local Development Scheme Approval of Draft LDS3 for Submission to the Secretary of State

The Council Cabinet considered a report on Local Development Scheme Approval of Draft LDS3 for Submission to the Secretary of State. Council Cabinet approved the Council's second Annual Monitoring Report (AMR) for submission to the Secretary of State in December last year. As part of its remit, the AMR considered progress made over the last year in preparing the various planning documents that would form the Council's Local Development Framework. The current programme for preparing these documents was set out in the Local Development Scheme, the second version of which was brought into effect in August 2006. The LDS programme was intended to be revised and 'rolled forward' each year. In several cases, the AMR identified necessary changes to the programme and gave reasons for these. A broad indication of the revised programme was set out, but not a detailed timetable. Council Cabinet was now being asked to approve detailed revisions to the

LDS programme for submission to the Secretary of State. Provided that the Secretary of State did not request any significant changes, Council Cabinet was also being asked to authorise the third LDS to be brought into effect on or before 31 March 2007. Meeting this deadline was likely to help the Council perform better against best value performance indicators and to secure planning delivery grant in future years.

Options Considered

There were no options considered.

Decision

1. To agree the revised programme of document preparation set out in Appendix 2 as the key element of the revised Local Development Scheme.
2. To authorise the Corporate Director of Regeneration & Community in consultation with the Cabinet Member for Planning and Transportation to prepare the full LDS3 document, incorporating the programme set out in Appendix 2, and to submit this to the Secretary of State before the end of February 2007.
3. Provided the Secretary of State does not request any significant changes to the LDS3 programme, to resolve to bring it into effect before March 31 2007.

Reasons

The Town and Country Planning (Local Development) (England) Regulations 2004 required the Council to formally resolve to bring an LDS or revised LDS into effect. Government had indicated that bringing the latest LDS into effect before the end of March 2007 was likely to assist in maximising future Planning Delivery Grant.

206/06 Acquisition of a Community Building on Stepping Lane – Mackworth Ward

The Council Cabinet considered a report on Acquisition of a Community Building on Stepping Lane – Mackworth Ward. The report proposed terms for the acquisition of the Kingdom Hall on Stepping Lane, shown edged black on the plan attached to the report, for use as a community centre. The proposed terms were set out in the confidential report.

Options Considered

The option of constructing a new centre within this part of the Mackworth Ward had been under consideration for some time. To date, no suitable site had been identified and this was considered the best, if not the only, opportunity to secure a suitable building for this community.

Decision

1. To authorise acquisition of the Kingdom Hall on the terms set out in the confidential report.
2. To approve the funding of this acquisition from the receipt of the land sale at Leytonstone Drive

Reasons

1. There had been an aspiration for many years to provide a Community Centre for the residents of the New Zealand/Morley area of the city. The area was densely developed with little open land that would be suitable for building a Community Centre. An opportunity had recently become available to purchase the current Kingdom Hall on the corner of Stepping Lane and Campian Street.
2. There was no allocation in the capital programme for this purchase. Under the Capital Strategy 50% of any receipt from the sale of land held under the Housing Revenue Fund, such as the land at Leytonstone Drive, was to be used for affordable housing or Regeneration purposes. This receipt had not yet been specifically allocated to another project and could therefore be used to fund this acquisition.

207/06 Former Wilmorton Primary School – Alvaston Ward

The Council Cabinet considered a report on Former Wilmorton Primary School – Alvaston Ward. The report proposed terms for the disposal of the former Wilmorton Primary School.

Options Considered

The former Wilmorton Primary School was replaced by a new PFI school on Alvaston Park. The reuse of the buildings, or their site, for other operational purposes had been considered by the Education Asset Management Team and by the Corporate Asset Management Group. As there was no internal demand the property was declared surplus.

Decision

1. To accept the highest offer for the sale of the former Wilmorton Primary School as indicated in the confidential part of the report.
2. To approve the earmarking of the appropriate proportion of the receipt in accordance with DfES requirements with the remainder allocated in accordance with the Capital Strategy.

Reasons

1. To dispose of this asset which became surplus to requirements when the new Lakeside PFI School was completed.
2. To comply with DfES regulations.

208/06 Building Schools for the Future

The Council Cabinet considered a report on Building Schools for the Future. Building Schools for the Future (BSF) was the biggest ever programme for investment in school buildings. It aimed to replace or renovate all secondary school buildings during the next 15 or so years. It had now been confirmed that Derby would be included in the BSF programme from September 2007. The planning and preparation for this huge programme needed to begin prior to September. This included establishment of project organisation structures, including a Project Board providing strategic direction, and a BSF Delivery Team. It was important to set up a management structure as soon as possible, and establish BSF capacity. The report sought approval for funding for this purpose. At the same time, there was considerable demand in preparing an Outline Business Case, following the successful bid for additional PFI credits - £2.1m - for a children's centre at Lakeside Primary School. In order to make the most efficient use of resources, the report sought funding for this purpose, to be built into the BSF Project Team capacity.

Options Considered

Careful consideration had been given to the means of supporting the project in the financial circumstances of the Council.

Decision

1. To approve the allocation of corporate resources for the Building Schools for the Future (BSF) programme, to set up project management arrangements and a dedicated delivery team.
2. To incorporate resources to take forward the project to build a PFI Children's Centre at Lakeside Primary School within this team.

Reasons

1. The BSF programme represented a huge opportunity to transform secondary education in Derby to meet key challenges and objectives. BSF provided substantial levels of capital investment to realise this vision.
2. BSF was an opportunity to replace or renovate all secondary school buildings, following Derby's inclusion in Wave 5 of the national

programme. Existing resources were insufficient to manage a project of this scale successfully.

3. Following the successful bid for additional PFI credits for £2.1m, an outline business case needed to be developed to build a Children's Centre at Lakeside by March 2008.

In accordance with Procedure Rule A126, the Chair of the Children and young People Commission had been advised that this item would be considered although not included in the Forward Plan.

Budget and Policy Framework

209/06 Approval of the Corporate Plan 2007-10

The Council Cabinet considered a report on Approval of the Corporate Plan 2007-10. On 16 January 2007 the Council Cabinet recommended Council to adopt a revised set of priorities for 2007-2010, these were shown at Appendix 2 to the report. The Council Cabinet also received a draft copy of the Corporate Plan 2007-2010 and supporting action plan for review. The final draft of the Corporate Plan 2007-2010 would be submitted to Council on 1 March 2007 for approval. Hard copies of this draft would be sent to Members one week before.

Decision

1. To note the contents of the draft Corporate Plan and supporting action plan and note the comments of the Scrutiny Management Commission.
2. To recommend Council adopt the Plan on 1 March 2007.
3. To recommend that Council delegate authority to make amendments to reflect up-to date information, final actions and intended outcomes to the Chief Executive and Director of Resources and Housing, and to finalise the Plan in consultation with the Leader of the Council.

210/06 Local Area Agreement 2007 – 08 Refresh

The Council Cabinet considered a report which stated that Derby was chosen as one of just 21 areas to pilot the Government's new concept of Local Area Agreements - LAAs - in 2005-06. The Council had worked closely with other partners through Derby City Partnership, DCP, in establishing and developing the agreement for which the Community Strategy and DCP's '2020 Vision' provide the context and priorities. The agreement lasts for three years 2005-08. However we were required to review and refresh the agreement every year in line with guidance issued by the Department for Communities and Local Government, DCLG. The Refresh Guidance for the 2007-08 LAA stated that a number of new mandatory outcomes and indicators needed to be included in the LAA for 2007-08 and that these should initially be submitted

on Refresh Template provided, to Government Office for the East Midlands, GOEM ahead of submission and sign off by DCLG. As priorities had been confirmed in previous years and 2007-08 was the final year of the first LAA agreement, the decision was made to keep changes to the LAA, over and above the inclusion of mandatory components, to a minimum. The refresh process for Derby's LAA started in November 2006 and for the first time involved the DCP cities, which in 2007-08 would be taking responsibility for monitoring the LAA, replacing the LAA block arrangement of previous years.

Decision

1. To note the changes and additions to the outcome, indicators and funding streams for inclusion in the 2007-08 LAA.
2. To approve the 2007-08 LAA Refresh document.
3. To recommend that Council Delegate authority to make amendments to reflect up to date information to the Directors of Resources and Housing and Regeneration and Communities.

211/06 Revenue Budget and Council Tax 2007/08

The Council Cabinet considered a report which set out the 2007/8 budget which represented a budget for the future of Derby as a City. The budget provided funding for the first £20 million of a five year, £100 million programme of improvements to public spaces and buildings in the city centre. The Council were also continuing to invest in the city and continuing to provide excellent services across the Council as a whole. In particular, the Council would continue to invest in its priority neighbourhoods. The Council would continue to support good quality concessionary travel for our older and disabled citizens and would continue to provide free home care services. The Council had identified over £7m of savings to help meet rising costs, particularly in home care and for children looked after by the Council. A council tax increase of 4.9% was proposed for Derby City Council services. This represented an increase of around 61p per week for most tax payers. Council tax levels in Derby were currently the lowest in the East Midlands and were much lower than the average for England.

Decision

To recommend to Council the following ...

1. To note the final local government finance settlement for 2007/8 of £92.353m which is an increase of 4.4% over the 2006/7 adjusted figure.
2. To approve for 2007/08 the departmental revenue budget estimates and use of reserves summarised in Appendices 2,3, 4 and 7 of the report.

3. To note the latest 2006/07 revenue budget monitoring position as set out in Appendix 8 of the report.
4. To approve the measures proposed to manage budget risks in 2007/8 and in future years, set out in Section 10.
5. To approve a budget requirement for Derby City Council for 2007/8 of £162,999,000.

6. To approve within this total:	£
Net service estimates of:	
Children and Young People	34,032,000
Environmental Services	20,202,000
Regeneration and Community	18,664,000
Resources and Housing	9,554,000
Corporate and Adult Social Services	57,421,000
Corporate Budgets	22,570,000
Other unallocated budgets	3,250,000
	<hr/>
	165,693,000

Appropriations to/from reserves:

Pump Priming Fund	126,000
Corporate reserves	-2,615,000
Service reserves	-205,000
	<hr/>
	162,999,000

7. To note that, at its meeting on 24 January 2007, the Council calculated the amount of 69,560 as the Council's Tax Base for the year 2007/8 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as amended by The Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.
8. To calculate the following amounts for the year 2007/8 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).
 - a. £531,692,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) net of Section 32(3)(c) of the Act.
 - b. £368,693,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (b) of the Act.

- c £162,999,000 as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act.
- d £92,436,594 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, reduced by the amount of the sums which the Council estimates will be transferred in the year to its Collection Fund from its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax) and the sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) Directions under Section 2 98(4) of the Local Government Finance Act 1988 (Community Charge).
- e £1014.41 as the basic amount of its Council Tax for the year, being the amount at (c) above, less the amount at (d) above, all divided by the amount at 2.7 above, calculated by the Council, in accordance with Section 33 of the Act.
- f. for the following Valuation Bands:
- | £ | £ |
|------------|------------|
| A 676.27 | E 1,239.83 |
| B 788.99 | F 1,465.26 |
| C 901.70 | G 1,690.68 |
| D 1,014.41 | H 2,028.82 |
- as the amounts to be taken into account for the year, under Section 30(2)(a) of the Act, in respect of categories of dwellings listed in different valuation bands, being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.

9. To note that for the year 2007/8, Derbyshire Police Authority, as a precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

£	£
A	E
B	F
C	G
D	H

10. To note that for the year 2007/8, Derbyshire Fire Authority, as a precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

£	£
A	E
B	F
C	G
D	H

11. Having calculated the aggregate in each case of the amount in 2.5, 2.6 and 2.7 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, to set the following amounts as the amounts of Council Tax for the year 2006/7 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

£	£
A	E
B	F
C	G
D	H

12. To note the revenue budget plans for 2008/9 and 2009/10 set out in section 5 of this report.
13. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

212/06 Housing Revenue Account Business Plan and Budget

The Council Cabinet considered a report on Housing Revenue Account Business Plan and Budget. The Housing Revenue Account, HRA, remained financially robust in the short term but continued to face increasing pressure

over time. The HRA had a long term planning framework, with a three-year budget supplemented by a thirty-year business plan, known as the HRA Business Plan, or HRABP. The overall financial position for the HRA was very similar to that reported last year, and the balance of risks and funding could be maintained at a similar level for another year. This meant that there was no need to change the course currently set, but neither were there significant opportunities to expand service provision except for a few exceptions. The current year's projected outturn was anticipated to be underspent by around £0.1m, due mainly to slippage in the Estates Pride programme. The proposals contained within the report of the Corporate Director of Resources and Housing should allow the continuation of the Estates Pride programme of works with a view to supporting a £15m total programme over a number of years. The Council had already committed £6.345m of this programme, and it was suggested that the Council authorise further spending of £1.05m and the drawing up of plans for a further £1.7m. This would take the total committed to £9.095m. An updated approved list for the existing programme was set out in Appendix 5 to the report of the Corporate Director of Resources & Housing. The remaining balance of the Estates Pride programme would be reviewed each year in the light of the financial position as it was then. The proposals also include additional funding to cover a loss of income as a result of the restructuring of the sheltered housing support service from wardens attached to a set of properties to a floating support service.

Decision

1. To approve the budget set out as part of the HRA Business Plan at Appendix 2 and detailed in Appendix 3 to the report.
2. To approve the management fee for Derby Homes set out in Appendix 4 to the report.
3. To approve the proposals for Estates Pride, including £1.05m on three schemes – Sussex Circus, Sunnyhill, and Local Housing Board allocations – and to ask Derby Homes to draw up draft proposals for a further £1.7m of spending for the Estates Pride programme in 2008/09, for consultation and subsequent approval by Council Cabinet at the appropriate time.

213/06 Treasury Management Strategy and Prudential Code indicators 2007/08

The Council Cabinet considered a report which set out the required Prudential Indicators as required by the Prudential Code for Capital Finance. It demonstrated that the Council's Capital expenditure plans were prudent and affordable. The report also set out in Appendix 3, the proposed Treasury Management and Annual Investment Strategy for 2007/08, taking into account the prudential indicators proposed for future years. Appendix 3 also identified that both borrowing and investment decisions taken during 2006/07 to date

had had a positive impact on the Council's finances, with investments to date outperforming the average Bank of England base rate.

Decision

1. To recommend that Council approves the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4.
2. To recommend that Council adopts the Treasury Management Strategy for 2007/08, including the Annual Investment Strategy, as set out in Appendix 3 to this report.

214/06 Capital Programme

The Council Cabinet considered a report which set out the 2007/8 to 2009/10 capital programme for recommendation to Council. The main areas of the programme were:

- £44m Children and Young Peoples programme consisting of repairs, maintenance and improvements to the fabric of school buildings, devolved funding to schools and £15m for the rebuild of Sinfin school
- £22m Housing programme made up of £11m Housing Revenue Account and £11m Housing General Fund
- £6m Regeneration and Community Local Transport Plan (LTP) to help deliver the Connecting Derby and other transport Initiatives
- £8m Regeneration and Community programme (excluding LTP) which includes the QUAD development
- £20m Public Realm/Asset management.

In addition an indicative programme for future years totalling £106m was presented for all service areas. Approval was sought for full scheme commencement for the QUAD building and the education schemes listed at Appendix 5 under Financial Procedure Rules.

Decision

1. To recommend to Council the capital programme for 2007/8 and the indicative capital programme for 2008/9 and 2009/10 set out in the report.
2. To approve the full commencement of the capital schemes listed in Appendix 5.

Contract and Financial Procedure Matters

215/06 School Capital Programme 2006/07

The Council Cabinet considered a report on School Capital Programme 2006/07. Council Cabinet had previously approved projects from the 2006/07

Schools Access Initiative Funding and were now asked to approve prioritisation of further schemes and revisions to projects. The Department for Education and Skills (DfES) has approved the BSF One School Pathfinder project for Sinfin Community School. Derwent Community Team had approved the Learn Derwent bid for the projects at Roe Farm Primary, Beaufort Community Primary and Derwent Community Primary Schools as reported to Cabinet 31 October 2006.

Decision

1. To approve the allocation of Schools Access Initiative funding to projects and revised scheme costs shown in Appendix 2.
2. To approve the full commencement of the capital schemes over £100,000 in appendix 3.

216/06 Contract and Financial Procedure Matters Report

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

- the installation of the Big City Screen in the Market Place planned for April 2007, including consideration of the financial implications and approval for £34,000 per annum funding for 5 years from the corporate Modernisation Fund
- the allocation of the remaining Building on Excellence budget 2006/07 totalling £91,550 as outlined in paragraph 2.3
- the proposal to make the remaining post of Change Manager into a permanent position, funded from the Building on Excellence revenue budget
- to increase Markeaton Park car park charges by 10 pence above the budgeted inflationary increase from 1 April 2007
- the financing of the resurface works to the car park at Markeaton park at an estimated cost of £50,000 from the Pump Priming fund, repayable from additional car park income
- to increase the cremation charges by £5 above the budgeted inflationary increase from 1 April 2007
- the financing of the replacement carpets at Markeaton Crematorium at an estimated cost of £60,000 from the Pump Priming Fund, repayable from additional cremation fee income
- further proposals totalling £37,027 on the use of the Youth Opportunity Fund.

Decision

1. To approve the installation of the Big City Screen in the Market Place, on the basis that the Council should accept the risk of £60,000 worth of installation costs, and up to £34,000 per annum funding for 5 years from the corporate Modernisation Fund.
2. To approve the allocation of the remaining Building on Excellence budget 2006/07 totalling £91,550 as outlined in paragraph 2.3 of the report.
3. To approve that the remaining post of Change Manager be changed from a temporary two year fixed term contract to a permanent position, funded from the Building on Excellence revenue budget.
4. To approve an increase of 10 pence above the budgeted inflationary increase to the Markeaton Park car parking charges from 1 April 2007.
5. To approve the financing of the resurface works to the car park at Markeaton Park at an estimated cost of £50,000 from the Pump Priming Fund repayable over a period not exceeding 5 years.
6. To approve an increase of £5 above budgeted inflationary increase in the price of a cremation from 1 April 2007.
7. To approve the financing of the replacement carpets at Markeaton Crematorium at an estimated cost of £60,000 from the Pump Priming Fund, repayable over a period not exceeding 5 years.
8. To approve a further £37,027 allocation from the Youth Opportunity Fund to projects detailed in paragraph 5.1 of the report.

Performance Monitoring

217/06 Derby Pointer Panel – October 2006 Survey Results

The Council Cabinet considered a report on Derby Pointer Panel – October 2006 Survey Results and the service managers' improvement plans.

Decision

1. To note the October 2006 Derby Pointer survey results and service managers improvement plans.
2. To note that the results and proposed service improvements would be reported to panel members in the next 'Panel News' newsletter, which would be sent out to panel members with the May 2007 survey.

218/06 School Performance in Key Stage Assessments

The Council Cabinet considered a report on School Performance in Key Stage Assessments. The purpose of the report was to present an analysis of progress and trends in all key areas of school performance, in order to inform current and future practice within schools and the Children and Young People's Service. The report summarised performance in respect of Key Stage assessment for Derby schools for the academic years ending 2002 to 2006, including comparison to national levels. Standards of achievement across a broad range of performance indicators had risen in Derby over recent years in some areas of performance and remained steady in others. Over the academic year 2005 to 2006 there were variations in improvement between key stages.

- Results at Key Stage 1 (age 7) dipped to below national averages. Improving standards at this stage was therefore a priority for the Children and Young People's Department.
- Attainment at Key Stage 2 (age 11) had been in line with statistical neighbours in recent years but dipped in 2006. Improving standards at this stage was also a priority.
- Rates of improvement in Key Stage 3 (age 14) were very positive particularly when compared with statistical neighbours. Analysis of 2006 test results showed progress exceeding national trends in English, Maths & Science and these successes had been recognised at a national level.
- Rates of improvement in Key Stage 4 (age 16) were above national averages and statistical neighbours. 2006 saw the best ever GCSE results in Derby.

The report provided analysis of the achievement of ethnic minority groups where the relative under-achievement of Pakistani and Black Caribbean pupils was a clear priority. The achievement of Looked After Children also needed to be targeted as an priority for support. Finally, it outlined strategies for addressing priority areas and for sustaining improvements in others.

Decision

To endorse the report and, in particular, the priorities for addressing areas of identified under-achievement.

219/06 Council Performance Monitoring – 2006/07 Quarter 3

The Council Cabinet considered a report on Council Performance Monitoring – 2006/07 Quarter 3. This report presented information on Council performance in the third quarter of 2006/07 – 1 October to 31 December 2006 against our Corporate Plan and Performance Plan targets. Currently 69% of indicators were expected to meet or exceed annual target, with 24% of

indicators showing a forecast year-end performance of more than 5% adverse to target. The Council was performing well in areas such as ...

- Removal of abandoned vehicles.
- Recycling and composting, where we were on target to meet our annual target of 34%.
- Adults gaining skills for life qualifications.

Areas for improvement include ...

- Number of schools in special measures.
- Looked after children with three or more placements, was behind annual target.
- Processing of new benefits claims, due to implementation of the new benefits system.

Decision

1. To note the performance of the Council against the targets included in its 2006/07 Best Value Performance Plan and 2006-09 Corporate Plan, falling due to be reported in the third quarter.
2. To give particular attention to those areas where the forecast year-end performance was currently below target and the action being taken to address this.

220/06 Local Area Agreement Performance Monitoring – 2006/07 Quarter 3

The Council Cabinet considered a report on Local Area Performance Monitoring – 2006/07 Quarter 3. This report focused on performance and financial outturn information against partnership outcomes during quarter three 2006/07 - 1 October – 31 December 2006, this included Local Public Service Agreement targets. Where quarter three data and targets were available 61% of indicators were green and 36% were red. The Council was responsible for 21 out of the 31 indicators being reported on in quarter three, these were marked with an asterisk. 1.3 Key areas of achievement were...

- Children killed and seriously injured was on track to meet its target.
- The number of homeless priority need acceptances, continued to improve.

Areas for improvement included several LPSA2 indicators...

- The number of emergency bed days continued to rise.
- Criminal damage, continued to fall short of the annual target by 10%.

- The indicator measuring employment opportunities was forecast to miss its target.

The outturn expenditure on 2006/07 LAA pooled and aligned budgets in quarter three was also shown. Within pooled funding, there was a forecast year-end variance in the Children and Young People block totalling £661,000. There was a forecast underspend of £270,049 on LPSA2 pump priming monies. Requests totalling £267,644 had been submitted and were proposed for approval. The bids were across a number of LPSA 2 target areas...

- Target 4 – domestic violence - £54,024.
- Target 5 – quality of life of older people - £85,620.
- Target 8 and 9 – city centre violence and criminal damage - £90,000.
- Target 11 – employment opportunities - £38,000.

Decision

1. To note the performance of the LAA indicators against the 2006-07 targets including the Local Public Service Agreement targets and give particular attention to underperforming areas.
2. To approve the LPSA2 2007-08 additional funding bids of £267,644.

Exclusion of Press and Public

To consider a resolution to exclude the press and public during consideration of the following items:

“that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”.

Key Decision

221/06 Acquisition of a Community Building on Stepping Lane – Mackworth Ward

To consider exempt information in relation to the acquisition of a community building on Stepping Lane – Mackworth Ward.

222/06 Former Wilmorton Primary School – Alvaston Ward

To consider exempt information in relation to the Former Wilmorton Primary School – Alvaston Ward.

MINUTES END