

Time began 6.00pm  
Time ended 7.55pm

**COUNCIL CABINET  
28 NOVEMBER 2006**

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

This record of decisions was published on 30 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.

In Attendance Councillors Jones and Marshall

**113/06 Apologies**

There were no apologies for absence.

**114/06 Late Items Introduced by the Chair**

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late item on the grounds that it could not wait until the next meeting.

- report on Suspension of Delegated School Budget

**115/06 Identification of Urgent Items to which Call-In will not apply**

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

**119/06 Vocational Centre at Sinfin School**

An opportunity has just arisen to bid for funding from the DfES and LSC Capital Funding. The bidding deadline is 11 December 2006 and approval was now required immediately in order to meet the bidding time limits.

**120/06 Glossop Street Travellers Consultation Exercise**

Proceedings needed to be instituted immediately.

**134/06 Suspension of Delegated School Budget**

Urgent action needed to be taken in the school.

**116/06 Declarations of Interest**

Councillor Hussain declared a personal interest in minute nos 122/06 and 124/06 as he was a member of Derby Homes Board.

#### 117/06 Minutes of the meeting held on 6 November 2006

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

## Matters Referred to Council Cabinet

#### 118/06 The Review of Home Care Services and Charges

The Council Cabinet considered a report from the Adult Services and Health Commission on Review of Home Care Services and Charges presented by Councillor Marshall Chair of the Commission.

#### **Decision**

To note the report and receive a response at a future meeting.

## Urgent Key Decisions

#### 119/06 Vocational Centre at Sinfin School

The Council Cabinet considered a report on a proposed Vocational Centre at Sinfin School. The DfES 14-19 Implementation Plan makes a commitment to establishing Specialised Diplomas as new qualifications to be piloted from September 2008. The DfES has made available capital funding to 14-19 partnerships to achieve this. The proposal was to bid for funding in order to build a new construction facility and refurbish existing accommodation as an engineering facility on the Sinfin Community School site. These new facilities would enhance the overall provision at the school. The facilities would offer both the engineering and construction specialised diplomas, as well as other related vocational courses to a range of pupils from Sinfin Community School, neighbouring schools and the Pupil Referral Unit (PRU).. The scheme build would be funded through a combination of DfES capital funding, 14-19 Area Wide Inspection money and 16-19 capital funding from the Learning and Skills Council (LSC). The centre would be managed by Sinfin Community School in partnership with neighbouring secondary schools, the PRU and Derby College. Council Cabinet approved a bid to the LSC for £165,000 to upgrade the existing Learn to Work Vocational Centre on Grampian Way in Sinfin on 18 July 2006. Under this latest scheme that funding would contribute instead to the Vocational Centre at Sinfin Community School and the proposed developments at the Learn to Work Centre would not take place.

#### **Options Considered**

1. This funding cannot be used for any other purpose other than that outlined in the "Gateway" guidance conditions issued by the DfES.
2. The Learn to Work site on Grampian Way was also considered as an option and approved by Council Cabinet on 18 July 2006 but due to concerns over security, governance, sustainability and the evidence from other Local Authorities over the building of free standing facilities, it was recommended that this option should not be taken forward

## **Decision**

1. To rescind the earlier decision of Council Cabinet to bid for funding to upgrade the Learn to Work Vocational Centre on Grampian Way in Sinfin.
2. To carry out detailed feasibility and design work on the proposed centre at Sinfin Community School, in lieu of the option previously approved for the Learn to Work Centre.
3. To approve submission of a bid for external funding for the full cost of the facilities to the DfES and LSC's 16-19 Capital Fund.

## **Reasons**

1. The DfES 14-19 Implementation Plan announced new qualifications to increase choice and diversity in 14-19 provision. Capital funding from the DfES to support bids to pilot specialised diplomas was only available in the financial year 2007-08.
2. The DfES were looking for flagship projects as forerunners to local authorities' main BSF proposals. The replacement of Sinfin Secondary school was currently being developed as a Pathfinder scheme so this was an opportunity to join up funding and enhance vocational provision on the site.
3. The proposal supports targets in the Derby Strategic Plan for 14-19 Education and both local and national LSC targets. This would be a more effective and sustainable use of funding than the earlier proposal.

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

## **120/06 Glossop Street Travellers Consultation Exercise**

The Council Cabinet considered whether it would be appropriate to establish the land at Glossop Street, currently occupied by Travellers, as an authorised permanent Traveller site. The report took into account the outcome of the consultation exercise that had been undertaken with both the Travellers and

surrounding residents. Within that process, other stakeholders views whether received formally or informally had also been taken note of.

The report considered the current poor state of the Glossop Street site and the health and safety risks associated with it, the lack of facilities on site and the impact that these issues, together with the activities undertaken on the site had on the amenities of the surrounding residents, the locality in general and the Travellers themselves.

A summary was provided of the outcome of the consultation exercise, which indicated that the preference of the Travellers was for the land at Glossop Street to be made into an authorised and permanent site to accommodate those families that currently reside there.

The consultation exercise and other recent responses from surrounding residents indicated that a large majority, of those people who responded were opposed to the establishment of a permanent Traveller site on the land at Glossop Street.

The report considered three main options in relation to the future of the site

Option 1– seek to establish the site as a permanent site for those Travellers currently resident there.

Option 2 – seek to establish the site as a temporary site until a permanent site elsewhere could be secured and laid out.

Option 3 – to seek to recover possession of the site but seek an alternative elsewhere within the city.

### **Options Considered**

The site could be established as a joint site for both existing Glossop Street Travellers and new transient Travellers passing through the city. This option however would contradict government guidance in relation to the establishment of Traveller sites. The location of the site was not considered suitable in planning terms for establishment as a transient site.

### **Decision**

1. To approve Option 3
2. To authorise the Corporate Director of Resources and Housing to secure offers of alternative temporary accommodation to the Travellers to safeguard their welfare pending the identification and equipping of a permanent site within the Council's administrative area
3. To authorise the Corporate Director of Corporate and Adult Social Services to take the necessary action to recover possession of the

Glossop Street site including, if necessary, instituting legal proceedings for that purpose.

## **Reasons**

1. The recommendation would ensure that the Travellers and surrounding residents are able to live in a safe and healthy environment.
2. Option 3 proposes taking action which reflects the views and concerns expressed by local residents and other key stakeholders, during the recent consultation exercise.

In accordance with Procedure Rule AI26, the Chair of the Community Commission had agreed that this item could be considered as an urgent item not subject to call-in.

## **Key Decisions**

### **121/06 Street Lighting PFI Approval of Final Business Case**

The Council Cabinet considered a report on Street Lighting PFI Approval of Final Business Case. Negotiations on finalising commercial agreement between the Council and Connect Roads Derby Limited (Balfour Beatty), and the development of the Final Business Case, had been delayed. A revision to the British Standard governing street lighting standards has had an impact on the cost of the PFI, and had delayed the proposed date for financial close. The delay in reaching financial close had lead to Balfour Beatty increasing the price for the scheme.

## **Options Considered**

1. One option would be not to sign the contract. Many of the expected benefits would obviously then not be realised.
2. A second option would be to ignore the revisions to the British Standard and to continue with the original PFI credit application. This would be a high risk option, as British Standards are the benchmark by which schemes are governed, and the basis of the original PFI application to DfT was that all new lighting would conform to British Standards.
3. A third option would be to reduce the scale of the project and to remove more columns from the specification. While not achieving the original goals of the project, this might be a final option should others not be possible.

## **Decision**

1. To submit an application for additional PFI credits to the Department for Transport, to cover the cost of the revisions to the British Standard and the increased cost of undertaking the project. Should that bid fail, a revised negotiation strategy would need to be considered.
2. To note that a further report will be submitted to Council Cabinet seeking approval to enter into the Final Contract after consideration of the Final Business Case.

## **Reasons**

Everything possible should be done to ensure that the Council has an affordable scheme whilst doing whatever is possible to minimise the risk of delays in signing of the contract.

### **122/06      Decommissioning of Category 2 Sheltered Schemes Rodney House and Sancroft Court**

The Council Cabinet considered a report on Decommissioning of Category 2 Sheltered Schemes Rodney House and Sancroft Court. The report set out the outcome of consultation undertaken in relation to the proposed decommissioning of Rodney House and Sancroft Court. It also reported that the Derby Homes Board had considered this issue and recommended the decommissioning of both schemes. A summary of the outcome of the consultation with residents was provided in the supporting evidence and the overall results indicate that there was a majority in support of the proposed decommissioning. In April 2005 the Council jointly commissioned a Supported Accommodation Strategy with the Central and Greater Derby Primary Care Trusts, incorporating Derby Hospitals NHS Foundation Trust and Derbyshire Mental Health Services NHS Trust. The report's recommendations included the re-shaping of the sheltered housing service by addressing poor quality provision and over capacity where there was low demand. It also recommended the development of a broader and more flexible range of warden/housing support services to ensure value for money and support for people in ordinary as well as sheltered housing through floating support. The maximum cost of home loss and associated relocation payments for the current residents are £132,000. It was anticipated that this cost would be met by the facilitation fund as for previous closure recommendations.

## **Options Considered**

1. Remodelling - Sancroft Court and Rodney House were built in the 1960s. A financial viability study conducted in February 2006 indicated that a substantial sum, circa £200,000 would be required to achieve a limited re-modelling of each scheme. However the bathroom and kitchen modernisation and the conversion of bedsit accommodation into 1 bedroomed flats would even after re-modelling result in small accommodation which would be unattractive to prospective residents and remain unpopular and difficult to let in the longer term.

2. In addition Sancroft Court lacked reasonable access to local facilities and transport. The quality of facilities for tenants in the locality of both schemes is adjudged as 'moderate'. The accommodation at Rodney House did not meet the requirements of the Disability Discrimination Act 1995. The cost of carrying out compliance works were estimated at £5,500.

### **Decision**

To support the decommissioning of these both these schemes.

### **Reasons**

1. The style of service and accommodation offered did not meet modern day requirements and was seriously outmoded. The costs and limitations of remodeling did not support this option. Derby Homes had conducted thorough consultation with current residents who supported the decommissioning of this service.
2. The schemes were not operating effectively and economically due to void levels, high Supporting People charges and the cost of reactive repairs. Due to a lack of suitable tenants willing to accept tenancies, some of the accommodation had been utilised in a temporary fashion to relieve pressure on the Joint Housing Register.

## **123/06 Sale of Land and St Benedict School**

The Council Cabinet considered a report on Sale of Land and St Benedict School. Further consideration was required of the terms of this proposed land sale. The first proposed purchaser withdrew, the land was then remarketed and a new bidder was authorised on 25 April 2006 but there had been other changes in circumstances since.

### **Options Considered**

As set out in previous Reports.

### **Decision**

To authorise proceeding as recommended in the confidential part of the Report.

### **Reasons**

1. To achieve a suitable receipt from this sale.
2. To allow the proceeds to be used in the manner authorised previously.

3. To make the necessary arrangements for a part of the land excluded from the proposed sale.

## 124/06 Service Charges for Sheltered Accommodation

The Council Cabinet considered a report on Service Charges for Sheltered Accommodation. Derby Homes' Board had requested approval from the Council for a new structure of service charges relating to their sheltered accommodation, to be implemented from January 2007. For a minority of users who self fund the service, there would be a reduction in the fee for the full service from £21.58 a week to a new flat rate of £12.20 a week. The full list of proposed charges was listed in the detailed report on this issue.

### **Options Considered**

One other option would be to reject these proposed changes, requiring Derby Homes to delay implementation of these new charges until charges could be agreed for the new services. The new service needs to move to a consistent charging system, and it was for this reason that these charges were proposed.

### **Decision**

To approve the proposed charges for sheltered accommodation service shown in Table 1 to the report, subject to the comments of the Community Commission on 4th December 2006.

### **Reasons**

As a result of a reduction in available Supporting People funding, and a need to modernise the service, as highlighted by the Supported Accommodation for Older People Strategy, the support service for sheltered accommodation was being changed by Derby Homes from one fixed to the property to one that related to the individual and their required level of care. As a result, the service had been restructured to relate to this new means of support. The previous full charge of £21.58 could no longer be justified for those that paid a contribution as the service had been scaled to overall need. The improved efficiency of the service could therefore be passed on to those customers that paid the full charge in the form of a lower charge.

## 125/06 St Helen's House

The Council Cabinet considered a report which stated that following the decision of Council Cabinet on 4 September 2006, the two developers which had submitted valid bids presented their proposals to a panel of officers and members on 6 November 2006.

Of the two valid bids from private developers, one proposed to convert the main buildings into a high quality 'boutique' hotel, with enabling development of apartments on the corner of Edward Street/King Street, the other proposed

to restore the House itself to a 'gentleman's house', perhaps for an individual or a company's corporate use, with the remaining buildings used for offices and with similar enabling development of offices/apartments. Both proposals meet the Conservation and Development Brief and both developers had a track record in restoring historic buildings. Other issues considered in the evaluation were given in the confidential report in the exempt section of the Agenda.

### **Options Considered**

These were set out in the exempt report.

### **Decision**

1. To approve in principle the acceptance of the bid from Richard Blunt Ltd for the 299 year leasehold interest in the St Helen's House complex.
2. To authorise the Corporate Director - Corporate and Adult Social Services in consultation with the Cabinet Member for Housing Management to approve the details of the scheme and terms for the disposal.

### **Reasons**

The proposal from Richard Blunt:

- Provides the best opportunity of securing the future of St Helen's House and associated buildings.
- Provides the best opportunity for public access to St Helen's House.

## **Budget and Policy Framework**

126/06      Capital Programme 2006/7 – 2008/9

The Council Cabinet considered a report on Capital Programme 2006/7 – 2008/9. The report sought approval to changes to the approved capital programme. The changes involved ...

- The consolidation of already approved individual changes within the programme. All of these changes had previously been approved. The overall net effect of these changes in 2006/7 was to increase the programme by £0.3m.
- Further changes to capital schemes were now proposed which would reduce the 2006/7 programme by £8m from this restated base, to £83m.

Compared to the original capital programme for 2006/7 to 2008/9 approved by Council in March 2006, the programme totals for 2006/7 had increased by £4m and the total over the three year period to 2008/9 had increased by £33m. This mainly reflected a combination of new programme approvals supported by equivalent external funding and approved slippage from 2005/6 matched by equivalent funding. The report confirmed that, taking account of these variations and those to the 2005/6 programme, planned total borrowing and net unsupported borrowing had not increased above levels planned for in March and also that internal sources of funding remained adequate to deliver these plans.

The further decisions sought on changes to the programme included:

- reprofiling of expenditure on St Benedict – Multi Use Games Area (MUGA) changing rooms
- reprofiling of football foundation schemes for Derby Moor Community Sports College and Lees Brook Community Sports College
- reprofiling of Sure Start children's centre capital projects
- additional grant funding from Sustrans for the Local Transport safety schemes
- additional S106 funding for the Local Transport strategic public transport schemes
- reduction of the planned programme for 2006/7 for Connecting Derby due to the reprofiling of receipt of anticipated grant funding
- extraction of the Home Computing Initiative Scheme from the capital programme.

The report also reported on monitoring of the progress in implementing the capital programme to date. Of the 2006/7 programme, 73% of schemes were on site or completed and a further 7% were at tender stage. Elements of the programme that carried relatively high risks in terms of costs, funding or performance delivery had been identified specifically and reported on. Approval was sought for full scheme commencement for the IT network development under Financial Procedure Rules.

## **Decision**

1. To recommend Council to approve a revised capital programme for 2006/7 to 2008/9 as set out in this report, with the 2007/8 and 2008/9 programme having indicative status consistent with previous Council Cabinet decisions, other than where full scheme commencement approval had been given.

2. To note the results of monitoring progress in delivery of this capital programme.
3. To approve the full commencement of the capital schemes listed in Appendix 6

## Contract and Financial Procedure Matters

### 127/06 Contract and Financial Procedure Matters

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

- To seek a waiver of Contract Procedure Rule 15 to tender to enter into contracts with Rathbone, Fern Training, Step Forward, Highfields Farm, and Q arts to continue to provide services for the Pupil Referral Unit (PRU).
- The DfES had announced a new grant for Publicising Positive Activities, and this needed to be added to the Children and Young People's Department revenue budget.
- To approve the undertaking of £903k of works, in advance of confirmation of the Compulsory Purchase Orders –CPO - and Side Roads Order –SRO - for the Connecting Normanton element of the Connecting Derby Project. £747k was for the diversion and/or lowering of Statutory Undertakers –SU - equipment and other works would include the purchase of property/land that was required, demolition of properties and site investigation. This would ensure that the Connecting Derby Project would be able to make use of SRB/Urban funding of £750k for the Normanton Area.
- The creation of a Contracts and Placements Manager for children and young people in care on a Spend to Save basis, funded for the initial 12 months from the corporate Modernisation Fund. The post was expected to deliver savings through improved contracting to secure reduced costs, and through supporting the development of a robust placement strategy to improve outcomes for children and value for money and reduce the number of independent placements.

### Decision

1. To approve a waiver of CPR15 for a contract with the following agencies for the 2006/07 academic year:
  - Rathbone £82,000 to provide a tailored programme to individuals at the risk of permanent exclusions

- Fern Training £24,000 for the provision of vocational training
  - Step Forward £83,000 for the delivery of the national curriculum
  - Highfields Farm, Etwall £35,635 for the provision of a realistic work based environment for pupils
  - Q Arts £38,000 for the provision of participatory arts activities.
2. To approve the addition of the Publicising Positive Activities Grant of £22,532 to the Children and Young People's Department revenue budget
  3. To authorise the Corporate Director, Regeneration and Community to order the necessary statutory undertaking and other works to be undertaken as required for that part of the Connecting Derby Project within the Normanton area, to a limit of £903k, in advance of the confirmation of the CPO and SRO.
  4. To approve the creation of a Contracts and Placements Manager for children and young people in care on a spend to save basis, funded for the first 12 months from the corporate modernisation fund.

## 128/06 Revenue Budget Monitoring 2006/7

The Council Cabinet considered a report on Revenue Budget Monitoring 2006/7. The report set out the Council's latest spending position for 2006/7. The Council Cabinet was keeping the budget under constant review and within this report, identified:

- an update on all key risk budgets which were being subject to more detailed monitoring by Council Cabinet
- the main areas of forecast variance predicted at the year end on other budget areas if current trends continued
- proposals for corrective action or alternative strategies to balance any overspends.

The report identified a total potential £63k over budget at the end of the year which represented a variance of just 0.04%. This was an improved overall position by £342k to that reported in September. It should, however be noted that within this almost balanced forecast year-end position the underspending on the treasury management budget was compensating the large overspends in children's care and placements and Adult Social Care budgets.

### Decision

1. To note the latest monitoring position in respect of the 2006/07 General Fund, Trading Account and Housing Revenue Account budgets.

2. To approve the £500k increase to the Adult Social Services budget 2006/07 for the No Board pressure, with one-off funding from corporate reserves.

## Performance Monitoring

### 129/06 Council Performance Monitoring 2006/7 Quarter 2

The Council Cabinet considered a report on Council Performance Monitoring 2006/7 Quarter 2. The purpose of quarterly performance reporting was to underpin performance management within the Council in terms of monitoring the achievement of our corporate priorities and targets. The report focused on Council performance in the second quarter of 2006/07 – 1 July to 30 September 2006. Currently 82% of indicators were expected to meet or exceed target, with 10% of indicators showing a forecast year-end performance of more than 5% adverse to target. Specific areas of achievement comprise...

- Strong performance against crime targets such as **domestic burglary, BV126**, and **vehicle crime reduction, BV128**.
- **Social care direct payments, BV201**, where we continue to perform significantly above quarterly and annual targets.
- **Waste recycled and composted, BV82** – combined rates had now reached 34.5% and we were on track to achieve the overall annual target.

Areas for improvement include...

- **The average time for processing benefits claims, BV78a**, had increased in quarter two due to implementation of the new Academy benefits system. The revised year-end forecast was now 45 days compared to the target of 36 days.
- **Average time to re-let local authority housing, BV212**, had risen to 34 days in quarter two against an annual target of 26 days. The year-end forecast remained in line with target, but could be challenging to achieve.
- **The number of older people helped to live at home, BV54**, was forecast to miss the stabilised target for 2006/07 but this was balanced against higher levels of intensive home care support, BV53.

### 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 second quarter.

2. To give particular attention to those areas where the forecast year-end performance is currently below target and the action being taken to address this.

## 130/06 Local Area Agreement Performance Monitoring – 2006/7 Quarter 2

The Council Cabinet considered a report on Local Area Agreement Performance Monitoring – 2006/7 Quarter 2. 1 The purpose of the quarterly performance report was to underpin performance management within the Council in terms of monitoring the achievement of our Local Area Agreement - LAA - and Local Public Service Agreement - LPSA2 - targets. The LAA included all targets from our LPSA2, which runs from April 2005 to March 2008. Successful achievement against all targets would result in the Council receiving £6.3 million reward monies. The report focused on performance and financial outturn information against Partnership outcomes at the end of quarter two 2006/07 - 1 July – 30 September 2006. Of the 115 LAA indicators, 47 were due to be reported on in quarter two. Of the 36 indicators for which quarter two data and targets were available, 67% were green, denoted that they were on course to meet or exceed the target and 27% were red, meant they were 5% adverse to target. The Council was responsible for 26 out of the 36 indicators being reported on in quarter two, these were marked with an asterisk. Specific areas of achievement comprise... Overall crime had improved a further 4% in quarter two. Based on current performance the indicator was expected to meet and surpass the target by 12%. Improved performance in street cleanliness, with reduced rates of litter and fly posting in quarter two. Performance in LPSA2, Target 10 which measured the number of eligible, unintentionally homeless priority need acceptances, continued to improve. Performance in quarter 2 of 2006-07 had risen by 15% compared with the same period in 2005-06. Areas for improvement include: Currently the end of year performance for LPSA2, Target 9, which aimed to reduce the incidences of criminal damage, was predicted to miss the 2006/07 target by 10%. Targeted work was ongoing in priority areas to reduce overall levels. LPSA2, Target 5 was currently forecast to miss its annual target. Actions proposed included recruitment and service development, including a central point of contact and expertise through the Falls Prevention Service. The outturn expenditure on 2006/07 LAA pooled and aligned budgets in quarter two was also shown. Within pooled funding, there was a forecast year-end variance in the Children and Young People block of £318,000 for General Surestart funding, which relates to slippage of the Children Centres capital schemes. A variance of £250,000 also existed for Surestart Local Programmes due to staffing vacancies. There was a forecast underspend of £330,049 on LPSA2 pump priming monies. Areas which were classed as 'Red' or 'Amber' – forecasting to miss the annual target – in quarters one or two, were asked to submit action plans and bid requests for additional funding. One request of £60,000 for Targets 8/9 - Criminal Damage was proposed for approval, with further work to be undertaken on requests for 2007/08.

## **Decision**

1. To note the performance of the LAA indicators against the 2006-07 targets including the Local Public Service Agreement targets.
2. To give particular attention to those areas where forecast performance was below target, particularly those that were red - more than 5% adverse to target.
3. To approve the LPSA2 2006-07 additional funding bid of £60,000.

## **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 1 and 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”

## **Urgent Key Decision**

### **131/06      Suspension of Delegated School Budget**

The Council Cabinet considered a report setting out exempt information proposing the suspension of the governing body's right to a delegated school budget.

### **Options Considered**

A disciplinary investigation could have been proposed to the governing body. However, it was necessary to move decisively to prevent loss of evidence, and it was not clear to what extent governors had been involved in the breach of rules. In these circumstances, it seemed necessary to ensure that a disciplinary investigation could be conducted by Council officers, and extended to consider the role of governors if appropriate. The powers needed to do this could only be available if the right to a delegated budget was suspended.

## **Decision**

1. To authorise the Corporate Director for Children and Young People to suspend the right to a delegated budget at Hardwick Primary School,

for as long as is necessary to conduct a disciplinary investigation and any subsequent related action.

2. To delegate to the Corporate Director for Children and Young People, in consultation with the Cabinet Member for Children and Young People, the responsibility to review the suspension of delegation as required by law, and to reinstate the right to a delegated budget as soon as is reasonable.

## **Reasons**

An internal audit investigation had concluded that potential serious and deliberate breaches of the Council's rules had occurred in connection with the procurement of ICT equipment. The report recommended that consideration be given to appropriate action involving the head teacher and the governing body. A disciplinary investigation was therefore needed, and the Council had to remove the governing body's delegated powers to enable this to happen.

In accordance with Procedure Rule AI26, the Chair of the Children and Young People Commission had agreed that this item could be considered as an urgent item not subject to call-in.

## **Key Decisions**

### **132/06 Street Lighting PFI Project: Affordability and Financial Close**

The Council Cabinet considered exempt information relating to the Street Lighting PFI Project.

### **133/06 Sale of Land at St Benedict School**

The Council Cabinet considered exempt information relating to the sale of land at St Benedict School.

### **134/06 St Helen's House**

The Council Cabinet considered exempt information relating to St Helen's House.

## **Contract and Financial Procedure Matters**

### **135/06 Waste Treatment – Short List of Contractors and Memorandum of Understanding**

The Council Cabinet considered a report on short list of contractors to be taken forward to the final stage of the tender process and memorandum of understanding

## **Decision**

1. To approve the recommendation of the Waste Project Board to shortlist three contractors.
2. To accept the Memorandum of Understanding.

MINUTES END