

Time began 6.00pm  
Time ended 6.51pm

**COUNCIL CABINET  
2 OCTOBER 2007**

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

In attendance Councillor Jones

This record of decisions was published on 4 October 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.

**75/07 Apologies for Absence**

There were no apologies for absence.

**76/07 Late Items Introduced by the Chair**

There were no late items.

**77/07 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 Community Commission had agreed that it could be treated as an urgent item and therefore not subject to call-in for the reason outlined below:-

**92/07 The Provision of a Permanent Site for Gypsies and Travellers in Derby**

The funding deadline is at the end of October and before the application can be submitted consultation needed to take place with local residents.

**78/07 Declarations of Interest**

There were no declarations of interest.

**79/07 Minutes of the previous meetings held on 4 September 2007**

The minutes of the meetings held on 4 September 2007 were confirmed as a correct record and signed by the Chair.

## Matters Referred

## 80/07 Direct Payments

The Council Cabinet considered a report on Direct Payments from the Adult Services and Health Commission which requested Council Cabinet to review the decision made on 3 July 2007 relating to the hourly rates offered to personal assistants and care agencies as part of the Direct Payment to make them compatible and ensure users get the service they need.

### **Decision**

To re affirm the decision of Council Cabinet on 3 July 2007.

## 81/07 Overview and Scrutiny Commission Work Plans for 2007/08

The Council Cabinet considered a report on Overview and Scrutiny Commission Work Plans for 2007/08.

### **Decision**

To notify the relevant Commissions of any views or comments on the Commissions' work plans and of any particular issues or areas within those work plans for the Commissions to explore.

## Key Decisions

### 82/07 Corporate Asset Management Plan

The Council Cabinet considered a report on Corporate Asset Management Plan. The Corporate Asset Management Plan (CAMP) detailed arrangements for property asset management, linked to Corporate Objectives, key property issues, outcomes, progress on last year's CAMP and performance information.

### **Options Considered**

There were no other options considered.

### **Decision**

To approve the Corporate Asset Management Plan.

### **Reasons**

Most services were delivered from Council owned or leased buildings. The right property in the right place could make the difference between good and poor service delivery. It was essential that property assets were managed so that maximum benefit was gained from them. The CAMP provided an

overview of the key property issues facing the Council and proposed strategies for resolving these. It also assisted with the planning and prioritisation of the capital programme.

## 83/07 Older People's Plan

The Council Cabinet considered a report on Older People's Plan. Derby Older People's Strategic Planning Partnership, DOPSPP, had now completed work on the first Older People's Plan for the city. The document had been widely consulted on over the summer through engagement mechanisms in the city, and had been developed as result of feedback from local people and partner agencies. The document detailed our corporate and partnership approach to promoting positive outcomes for older people. It would thus be 'owned' by Derby City Partnership and renewed and refreshed through DOPSPP, drawing on on-going engagement with older people's groups and forums. The plan would now be published and copies would be disseminated across key community centres and services across the city.

### **Options Considered**

Not producing an Older People's Plan would miss an opportunity in terms of collating existing good practice within the Council and other partners, offering information about where people could get further support, and also engaged with older people about future priorities.

### **Decision**

To approve the final plan.

### **Reasons**

The Council was required to sign-off the final version.

## 84/07 Building Schools for the Future – Choice and Diversity

The Council Cabinet considered a report on Building Schools for the Future – Choice and Diversity. Derby was now in wave five of the Building Schools for the Future (BSF) programme. The underlying aim of BSF was the real transformation of secondary education in the city, raising achievement and extending opportunities for young people. The vision for our BSF developments was being developed for consultation, and should ultimately guide our proposals. A draft was attached at appendix 2. There was a clear expectation from the Department for Children, Schools and Families (DCSF) that increased 'choice and diversity' would be incorporated into local authorities' 'Strategies for Change' to ensure the approval of their BSF plans. Part 1 of Derby's Strategy for Change had to be submitted in December. The Government's policy on 'Choice and Diversity' included the options of greater self-governance (foundation status), academies, trusts, federations, mergers and the expansion of popular schools. Academies were all ability schools, independent of the local authority. Each academy had one or more sponsors,

contributing £2m in total to a long term endowment to help meet the educational needs of their students. Derby College's Corporation had decided in principle that it wished to sponsor one academy, and possibly two, in the city. The College had recognised the thrust of Government policy and was keen to play a full part in 14-19 strategy. Officers had been in discussion with other organisations that had local connections to explore any further opportunities. At this stage it would be premature to be specific about any particular school(s) as there were many issues still to explore.

### **Options Considered**

The inclusion of 'choice and diversity' options was a clear expectation of the BSF process. How these applied to Derby was currently under full consideration as part of the development process and firmer proposals would be brought to Cabinet in due course.

### **Decision**

1. To explore the range of 'choice and diversity' options in preparing Derby's Strategy for Change, including options for academy development or trust status through sponsorship by the College and any other local public sector partners or businesses.
2. To bring any specific proposals to Council Cabinet as part of the further work on the BSF Strategy for Change.

### **Reasons**

1. It was expected by DCSF that these options would be seriously addressed as part of Derby's Strategy for Change and opportunities to support the radical transformation of the educational opportunities for young people should be explored.
2. Sponsorship by, or partnership with a local body, such as the College, University or a local business would be most likely to relate well to the Council's aims and aspirations. The Council had an opportunity to draw on the support of Derby College and other organisations with local connections to make a significant change in the outcomes for young people from disadvantaged areas in particular

## **85/07          3 Cities and 3 Counties New Growth Point Programme of Development**

The Council Cabinet considered a report on 3 Cities and 3 Counties New Growth Point Programme of Development. Last year the Government invited bids for areas to become New Growth Points – areas of increased house building which may be eligible for additional funding for infrastructure. A bid

was submitted by the 3 Cities/3 Counties based on housing proposals in the draft Regional Plan and covering the Derby, Nottingham and Leicester Housing Market Areas (HMAs). This was accepted in October 2006 and pilot funding awarded for the Cathedral Green public realm improvements. The Government had asked each Growth Point area to submit a 'Programme of Development'. This should highlight the programme for delivering housing requirements up to 2026 and identify what supporting infrastructure projects were needed. The Programme should demonstrate how additional Growth Point related funding for such projects would assist in housing delivery. A draft 3 Cities/3 Counties Programme was submitted to Government in August and had been subject to targeted consultation. The finalised Programme must be submitted by 1 October. The Programme consisted of an overarching '6Cs' section with more detailed appendices for each HMA. The Derby HMA covered the whole of Derby City, South Derbyshire and Amber Valley. There had been discussions between the City Councils and the relevant County and District Councils on the Programme. The Programme identified a series of projects in the Derby HMA which would require a total of £32m funding over the period 2008/11. The Programme of Development will be assessed by Government and would be the basis for a block funding allocation to be decided in December. It was proposed that delivery of funding would be coordinated through Programme Management Boards operating at both 3 Cities and HMA levels.

### **Options Considered**

No other options were considered since submission of a Programme was a prerequisite for Government funding under the new growth point initiative.

### **Decision**

To endorse the Programme of Development submitted to the Department for Communities and Local Government on behalf of the 3 Cities and 3 Counties Partnership for Growth.

### **Reasons**

To be eligible for consideration for a New Growth Point funding allocation, the Programme of Development must be submitted to Government on 1 October 2007.

### **86/07 Capital Funding to Support the Refurbishment of Rebecca House to make it suitable for use as an Extra Care Home**

The Council Cabinet considered a report on Capital Funding to Support the Refurbishment of Rebecca House to make it suitable for use as an Extra Care Home. The report outlined proposals for the remodelling of Rebecca House into an extra care housing scheme.

### **Options Considered**

1. A wide range of existing sheltered housing schemes were looked at before identifying Rebecca House as the most suitable.
2. Housing Corporation funding for the scheme was considered. Other schemes developed in partnership with Registered Social Landlords were considered more suitable for this funding option. Also all our capital funding needs for the development of extra care could not be provided by the Housing Corporation alone.
3. Department of Health funding had already been made available for extra care in Derby at the Tomlinson Court site being developed in partnership with Housing 21.
4. The recommended option had the advantage of allowing the City Council to retain ownership of the building. Other funding options – such as the Housing Corporation – would require the gifting of land to a Registered Social Landlord to demonstrate our commitment and make the package competitive for Housing Corporation funds.

### **Decision**

To approve the use of the Housing Capital Programme to finance the capital works required to remodel Rebecca House in an extra care housing scheme, up to a value of £ 850k.

### **Reasons**

1. To develop extra care is a corporate plan 2007-10 priority.
2. Rebecca House was identified by independent consultants as being suitable for conversion for use as an extra care scheme.
3. In January the Council decided to set aside £200k of funding from housing capital receipts each year to support the implementation of the Supported Accommodation Strategy. Other funding required was also detailed in the financial implications of the report.
4. Derby Homes Board had agreed in principle to this development

## **Contract and Financial Procedure Matters**

87/07      Capital Strategy 2008/09 to 2010/11

The Council Cabinet considered a report which set out a strategy for the development of the Council's capital programme over the next 3 years. The major issues it sought to develop were:

- linkage with the approved revenue budget strategy for 2008/09 to 2010/11
- earmarked funding of the accommodation strategy

- continuation of major schemes consistent with the Council's Corporate Plan and priorities
- active pursuit of capital receipts to maximise available resources
- targeting of any future potential Public Realm resources at programmes and strategies which were consistent with the corporate plan and priorities, including the Corporate Asset Management Plan (CAMP), subject to affordability within the revenue budget.

## **Decision**

To recommend to Council

1. To maintain the principles agreed in December 2006 for development of service programmes, subject to the outcomes of the Comprehensive Spending Review, and amending the allocation of 25% of schools' receipts to the schools programme generally rather than the individual school.
2. To agree the planned allocation of resources to the corporate capital programme, as set out in Sections 3.1 and 3.2 and Table 2, subject to receipts becoming available as anticipated, and the affordability of unsupported borrowing within the revenue budget.
3. To agree that £7m of capital receipts should be earmarked to enable a full refurbishment of the Council House to take place.
4. To agree that the total set aside for the remainder of the accommodation strategy should be increased from £10m to £25m, with the increase being funded from £4m of future potential capital receipts, £5.5m of self-financing prudential borrowing and £5.5m prudential borrowing within the Public Realm programme, including potential savings on rents.
5. To agree that allocations of potential Public Realm funding in future years should be determined according to the Council's corporate plans and priorities, subject to affordability within the revenue budget.
6. To confirm the process and timetable for taking decisions on the detailed content of the capital programme for 2008/9 to 2010/11, set out in Appendix 3.

## **88/07 Contract and Financial Procedure Matters Report**

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

- upgrade of Derby Homes housing management system
- Partnership budgets carry forwards from 2006/07

- extension of the Housing Repairs before Painting contract
- consultancy for capital project at Moorways sports complex
- capital programme amendments
- job evaluation implementation budget
- accommodation strategy – appointment of design consultants.

## **Decision**

1. To agree match funding of up to £285,000 from the Housing Revenue Account to support an upgrade to Derby Homes housing management system.
2. To endorse the use of partnership carry forwards for the purposes set out in paragraphs 2.2 and 2.3 of the attached report.
3. To extend the Housing Repairs before Painting contract with the Environmental Services department for two years from November 2007.
4. To agree an allocation of £20,750 from the Corporate Modernisation Fund for consultancy work relating to the proposed capital project at Moorways sports complex.
5. To amend the capital programme and approve scheme commencements as set out in paragraphs 5.2 to 5.8.
6. To approve a revised Job Evaluation project budget of £912k for 2007/08 and £792k funding from the Job Evaluation reserve.
7. To approve the appointment of design consultants for the Council House refurbishment programme.

## **89/07 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 involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 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”

## **90/07 Contract Settlement Agreement with Morrison Highway Maintenance Limited**

The Council Cabinet considered a report setting out details of a four year contract with Morrison Highway Maintenance Ltd.

## **Decision**

1. To approve the net final settlement payment to Morrison Highway Maintenance Ltd as set out in paragraph 1.11.
2. To authorise appropriate officers to sign a settlement agreement between the Council and Morrison Highway Maintenance Ltd to cover this payment.
3. To approve the net financing of this settlement as set out in paragraph 1.3 of Appendix 1, Financial Implications.
4. To approve the capitalisation of Highways and Transport revenue schemes, to LTP capital funding as set out in paragraph 1.4 of Appendix 1, Financial Implications.

## **Key Decisions**

### **91/07      Manual Worker Bonus Payments**

The Council Cabinet considered a report which sought approval for the funding of the removal of bonus schemes paid to former manual grades – FMG – either by collective agreement or, if necessary, without it.

#### **Options considered**

As set out in the confidential report.

#### **Decision**

1. To agree to the removal of the FMG bonus payments
2. To approve funding from the job evaluation reserve, net of departmental revenue budget savings from the date of removal of bonus to the implementation of a new pay structure.

#### **Reasons**

As set out in the confidential report.

In accordance with Procedure Rule AI26, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

## 92/07      The Provision of a Permanent Site for Gypsies and Travellers in Derby

The Council Cabinet considered a report setting out details of possible sites for a permanent site for Gypsies and Travellers in Derby.

### **Options Considered**

As set out in the confidential report.

### **Decision**

1. Without fettering the discretion acting in other capacities, to endorse the acquisition, development and use of the site identified as '1' in the report, as the preferred permanent site for Gypsies and Travellers
2. To authorise the submission of a bid to the Regional Assembly for funding to enable either site to be developed.
3. To authorise the discounting of the land value within the bid, thus making it more competitive.
4. To authorise consultation to take place with the Glossop Street Travellers themselves and local residents and businesses in the immediate neighbourhood of the identified site regarding the proposals.
5. To authorise the submission of a planning application on the preferred site.

### **Reasons**

As set out in the confidential report.

In accordance with Procedure Rule A127, the Chair of the Community Commission had agreed that this item could be considered as an urgent item not subject to call-in.

MINUTES END