

Time began - 6.00 pm  
Time ended - 7.10 pm

## **COUNCIL CABINET 18 MARCH 2003**

Present: Councillor Williamson – Chair  
Councillors Bayliss, Bolton, Gerrard, Kalia, Nath, Repton, Repton, Roberts,  
and Wilsoncroft

Also present: Councillor Care

This record of decisions was published on 20 March 2003. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless the decision is called in.

### **Apologies for Absence**

Apologies for absence were received from Councillors Wynn and Hickson.

### **Late Items to be Introduced by the Chair**

In accordance with Section 100(B)(4) of the Local Government Act 1972, the Chair agreed to admit a report entitled 'Insurance Tender' on the grounds that a delay on making a decision could result in the Council not being covered by insurance.

### **Urgent Items to which Call In will not apply**

There were no urgent items.

### **Declarations of Interest**

Councillor Bayliss declared a personal non-prejudicial interest in item 10 as he was a member of the Derby Homes Board appointed by the Council.

### **334/02 Minutes of the previous meeting**

The Part 1 minutes of the Council Cabinet held on 4 March 2003 were approved as a correct record and signed by the Chair.

## **Matters Referred to Council Cabinet**

### **335/02 Report of Lifelong Learning and Culture Overview and Scrutiny Commission – Monday 24 February 2003**

The Council Cabinet considered a report from the Lifelong Learning and Culture Overview and Scrutiny Commission, regarding changes to the formula funding for schools. The Commission had noted the report from the Council Cabinet and was pleased to learn that

schools had already received their provisional budgets, as this was useful for schools to know as early as possible what their funding would be.

### **Decision**

To note the report.

## **Best Value**

### **336/02 Museums Improvement Plan – Progress Report**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out progress made on the Improvement Plan following the Best Value Review of the Museum Service, carried out in 2001/02.

### **Decision**

To note the progress made and refer the report to the Lifelong Learning and Culture Overview and Scrutiny Commission for consideration.

## **Key Decisions**

### **337/02 Allenton District Shopping Centre Improvements - Update**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out the current status of the Allenton District Shopping Centre improvements and current costs. The proposed improvements included:

- new street lighting
- a CCTV system
- new paving
- resurfacing of the A514
- provision of a bus lane
- resurfacing of the car park off Stanford Street
- refurbishment of a pedestrian crossing
- new street furniture
- renewal of underground services
- new bus shelters
- new cycle parking
- a superloo
- dedicated disabled parking bays.

### **Options considered**

No alternative options were considered.

## **Decision**

To approve the implementation of the scheme and the commitment to funding from the Local Transport Plan for 2003/2004 and future years.

## **Reason**

The Council Cabinet needed to be aware that the costs of the scheme formed a substantial part of the Local Transport Plan funding over the next 3 years.

## **338/02 Determination of School Admission Arrangements 2004-2005**

The Council Cabinet considered a report from the Director of Education, setting out proposed amendments to admission arrangements for the school year 2004/2005 for schools for which the Council was the admissions authority. The arrangements reflected recommendations within the school admissions code of practice, namely that children in public care be given top priority in over-subscription criteria.

## **Options considered**

No alternative options were considered.

## **Decision**

To agree the proposed admissions arrangements for 2004/2005, including the following changes:

- the appropriate dates for 2004 would be 13 February 2004 as a date by which parents must express a preference and 12 March 2004 as a date by which governors must let parents know the outcome of their request
- The first criterion on page 7 of the booklet, Your Child's School in Derby being amended to read:

"Children who are looked after (in the care of or accommodated by Derby City Council or another local authority)"

## **Reason**

Children in public care are a disadvantaged group who have very low average levels of attainment, often related to frequent changes at school because their care placements change. Giving top priority to these children in admissions, will help ensure greater continuity in their education. It will therefore help improve the attainment of the children, for whom the Council is a Corporate Parent.

## 339/02 Derby Homes Delivery Plan 2003/04

The Council Cabinet considered a report from the Director of Policy, setting out the Derby Homes Delivery Plan for 2003/04. The Delivery Plan covered:

- performance in 2002/03 against targets
- performance indicators and targets for 2003/04
- how Derby Homes will work with the Council on the production of a Housing Investment Programme, Best Value Review and other corporate strategies and priorities
- liaison arrangements between the Council and Derby Homes with regard to performance and financial monitoring and planning
- the management fee, Capital Programme, procurement procedures and resources issues
- maintaining quality
- corporate arrangements.

### Options

It is a requirement that the Council considers and approves the annual elements of Derby Homes Delivery Plan. In effect, the 2002/03 Delivery Plan has been totally updated. Derby Homes clearly lays out how the Arms Length Management Organisation - ALMO – will contribute to the meeting the targets in the Council's Housing Strategy and HRA Business Plan.

### Decision

To approve Derby Homes Delivery Plan 2003/04.

### Reason

- 1) The Delivery Plan has been produced in close consultation between Derby Homes and the Council and demonstrates that Derby Homes activities are in keeping with the Council's strategic housing objectives as laid out in the Housing Strategy and the HRA Business Plan.
- 2) The 2003/04 Delivery Plan commits Derby Homes to tackling areas of under performance in 2002/03, most notably regarding rent arrears and Council House relet times. Remedial actions have been specified within the Plan. The Council will monitor Derby Homes against the stretching targets specified in the Plan. Furthermore, the Council had requested that Derby Homes set up a contingency fund which the Council and Derby Homes would use to tackle any under performance apparent during the year.

## 340/02 Supporting People Implementation

The Council Cabinet considered a report from the Directors of Policy and Finance setting out proposals for the implementation of the Supporting People Initiative including the accountable body agreement and terms of reference for Derby City Partnership Supporting People Commissioning Board.

It was noted that, contrary to the statement made in Paragraph 6.3 of the report, the Council would not now be liable for any default on payments by Supporting People clients and that this liability would, instead, fall on the Support People provider.

### Options

There were no alternative options.

### Decision

- 1) To enter into an Accountable Body Agreement with the Derby City Partnership Supporting People Commissioning Board and delegate such executive powers as are needed for the Commissioning Board to discharge its function.
- 2) To authorise the Director of Corporate Services to sign the Accountable Body Agreement on behalf of the Council.
- 3) To waive Contract Procedure Rule C15 to allow the Council to comply with the Office of the Deputy Prime Minister's guidance and issue interim contracts based on the ODPM model form contracts with existing providers for the first wave of supporting people services.
- 4) To authorise the Director of Corporate Services to sign the interim contracts on behalf of the Council, in consultation with the Director of Finance.
- 5) To adopt the Housing Benefit framework for decisions relating to when subsidy should begin and cease.
- 6) To agree that payments received from clients of both supporting people and home care services who qualify for financial help under the Council's fairer charging policy, the money paid be allocated to supporting people charges first where the money is not enough to cover both charges. Contracts will only be signed and authorised if there is enough money.
- 7) To determine that the accounting arrangements and financial control for supporting people income and expenditure is managed through the Council's General Fund.
- 8) To designate the Director of Finance as the authorised officer for all financial returns and related submissions with financial implications to the ODPM in relation to supporting people.
- 9) To agree that other financial based structural operational issues are brought to the

Cabinet for decision as soon as more information is gained from being in a steady operational state following go live on 1 April 2003.

- 10) To agree not to commit the Housing Revenue Account windfall other than to make sure all existing Council tenants face no increase in net charges as a result of supporting people implementation.

### **Reasons**

- 1) The Supporting People programme becomes live on 1 April 2003 and it is a requirement of the ODPM's grant condition that Commissioning Body be established and that a robust subsidy framework be developed.
- 2) Sound financial accounting arrangements need to be put in place in order to make sure tight financial control of the Supporting People scheme is maintained within the Supporting People guidelines.
- 3) The interim contracts for Supporting People services are intended to ensure that continuity of existing housing related support services and the tendering requirements of Contract Procedure Rule C15 are inappropriate in this situation.

## **341/02 Conservation Area Grant – 110 Osmaston Road, Derby**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out an application received for the Conservation Area grant, relating to 110 Osmaston Road, Derby.

### **Options considered**

No alternative options were considered.

### **Decision**

To approve an application for grant aid of £2,763 towards repairs at 110 Osmaston Road, Derby.

### **Reason**

The offer of grant assistance would ensure that repair work to the historic building be carried out to a high standard.

## **342/02 Mainstream Funding for Voluntary and Community Organisations 2003/2004**

The Council Cabinet considered a report from the Director of Social Services, setting out proposed allocation of mainstream funding to voluntary organisations for 2003/04.

## **Options considered**

No alternative options were considered.

## **Decision**

To approve the grants set out in Appendices 1, 2 and 4 of the report.

## **Reasons**

Each year voluntary organisations are invited to apply for funding through the mainstream programme for a continuation of the funding they are currently receiving. We monitor and review the services that these organisations provide throughout the year so the continuation of their funding is dependent on this as well as on the grant application process.

## **343/02 Joint Funding Commitments for the Voluntary Sector**

The Council Cabinet considered a report from the Director of Social Services, setting out proposals for the joint funding programme for 2003/04. These were joint commitments between Greater Derby Primary Care Trust, Central Derby Primary Care Trust, and in some cases Derbyshire County Council which were first supported through the joint finance programme, with Southern Derbyshire Health Authority. The recommendations for 2003/04 have been uplifted inline with inflation only.

## **Options considered**

No alternative options had been considered.

## **Decision**

To approve the arrangements for financial commitments for schemes receiving joint funding for 2003/2004 as follows:

### **Organisation Name**

Aekta Carers	£6,556
CamTAD, Southern Derbyshire	£13,337
Derby/S Derbys Crossroads	£23,411
Derby CVS	£50,219
Derby Rape Crisis	£14,287
Derby Millennium Network	£9,270
Derbyshire Association for the Blind	£4,659
Derbyshire App. Adult Scheme	£16,328
Derbyshire Carers	£9,111
DCIL	£5,364
Disability Direct	£8,652
Homestart Derby	£12,419
Mencap Gateway Scheme	£2,033

Opieka	£10,896
Osmaston Family Project	£17,341
Padley Group	£7,176
Ukrainian Day Care	£5,628
Umbrella	£25,897
Derby MIND	£99,394
S Derbyshire Advocacy Service	£994
	<b>£342,972</b>

## Reasons

Derby Social Services Department is involved in the funding of a number of former Joint Finance schemes, with either Southern Derbyshire Primary Care Trusts or Derbyshire County Council or both.

## 344/02 Grants to Supplementary Language Classes 2002/2003

The Council Cabinet considered a report from the Director of Education, setting out proposals to award grants to supplementary language classes, to support the education and cultural development of children from minority communities.

## Options considered

Consideration had been given to the level of grant continuation for each organisation and expenditure monitored and noted in the report.

## Decision

- 1) To approve retrospective payment of grants to supplementary schools classes as follows:

	<b>Grant £</b>	<b>Rent ** £</b>
Guru Arjan Dev Gurdwara	1,167.00	9,700.00
Ramgarhia Sabha Sikh Temple	1,167.00	600.00
Derby Jamia Mosque	1,635.00	0.00
Derby Chinese Welfare Assoc	818.00	0.00
Derby West Indian Comm Assoc	476.00	0.00
Hindu Temple Geeta Bhavan	467.00	0.00
Jamia Masjid and Madrassa Salfia	467.00	0.00
Derby Gujarati	379.00	0.00
Derby Bosnian Hercegovina Comm Assoc	379.00	0.00
Polish Saturday School	374.00	0.00
Ukrainian School	175.00	0.00
	<b>7,495.00</b>	<b>10,300.00</b>

**\*\* Rent costs based on amounts paid each month**



- 2) To approve payment of grants at the beginning of the financial year from 2003/2004.
- 3) To refer the report to the Minority Ethnic Community Advisory Committee for information and comment.

### **Reason**

The payment of grants for supplementary language classes ensures the continued provision of support for language and cultural values to children.

## **345/02 Grants to Voluntary Sports and Youth Organisations**

The Council Cabinet considered a report from the Director of Education, setting out details of applications received from Derby Phoenix Swimming Club and Derby Congregational Cricket Club and a grant application from the Derby Millennium Network.

### **Options**

Education, Sport and Leisure

Details of the applications were passed to the Council's Lottery Officer to explore the possibility of external funding. Derby Phoenix Swimming Club applied for funding from the Awards for All scheme in October 2002 and no external funding was available. The Derby Congregational Cricket Club application did not meet the necessary funding criteria.

Youth Service

Organisations supporting young asylum seekers have very limited opportunities to secure financial support from existing funding sources. The proposed grant would be funded from the City Council's 2002/03 Transforming Youth Work Development Fund, within which, young asylum seekers are identified as a priority group.

### **Decision**

To approve applications for grant aid as follows:

Derby Phoenix Swimming Club	£1,516
Derby Congregational Cricket Club	£1,600
Derby Millennium Network	£1,000

### **Reasons**

- 1) The organisations applying for grant aid meet the Council's criteria and objects use for grant funding schemes.

- 2) The grant to the Derby Millennium Network forms part of the youth services 2002/2003 Transforming Youth Work Development Fund Plan. It enables the service to meet one of its development fund objectives, to support the needs of the young asylum seekers. The Government Office in the East Midlands had given its full support to the grant, particularly as young asylum seekers were a priority group within their Transforming Youth Work Development Fund criteria.

## **346/02 Local Transport Revenue Expenditure for 2003/2004 and Related Work Programmes**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out the proposed 2003/2004 Highway Revenue Expenditure and the proposed programme for revenue funded reconstruction, resurfacing and surface dressings for principal and non-principal roads.

### **Options**

The programme was set out in priority order and had been produced using information from Highway Maintenance Officers and Members following a consultation exercise.

### **Decision**

- 1) To approve the programme for reconstruction, resurfacing and maintenance of highways for 2003/2004 as set out in Appendix A1 and A2 to the report.
- 2) To approve the programme for surface dressing of roads for 2003/2004 as set out in Appendix B1 and B2 to the report.
- 3) To authorise the Director of Development and Cultural Services to invite tenders or quotations and to place orders as necessary to implement the 2003/2004 Highway Maintenance Programme.

### **Reason**

Approval of the work programme and flexibility to prioritise work would enable detailed design work to commence with the objective of making sure that highway schemes were delivered in the best possible way.

## **347/02 Treasury Management Strategy 2003/04**

The Council Cabinet considered a report from the Director of Finance, setting out the proposed Treasury Management Strategy for 2003/04. The strategy was similar to those approved in previous years, revised mainly to take account of the current market conditions and the estimated capital spending finance requirement for 2003/04.

### **Options considered**

No alternative options had been considered.

### **Decision**

To approve the 2003/04 Treasury Management Strategy.

### **Reason**

The latest code of practice for Treasury Management requires all local authorities to prepare a report detailing the strategy and plan to be pursued during the year.

## **348/02     Housing Revenue Account Budget Strategy**

The Council Cabinet considered a report from the Directors of Policy and Finance, setting out the proposed Housing Revenue Account over a five year period 2007/08 projecting forward from the approved 2003/04 budget. The level of future arms length housing subsidy was uncertain but critical to the projections. Alternative assumptions showed that the HRA could be either £ 2.5 m in surplus, or £4.4 m in deficit by the end of the period although in both scenarios, annual costs would significantly exceed income by 2007/08. Strategies to address the situation were identified in the report to enable the Council to continue its policy of containing rent increases to increases in government limit rents in the longer term.

### **Options considered**

The options considered were set out in the report.

### **Decision**

- 1) To note the five year projection of the HRA and the actions being currently explored to secure the long-term financial position of the HRA.
- 2) To approve the Derby Homes Management fee for 2003/04 and the revisions to the 2002/03 fee on the basis set out in Appendices 3 and 4 and in Paragraphs 4.16 – 4.24.
- 3) To amend the 2003/04 HRA estimates to take account of the changes in paragraph 4.22 as reflected in Appendix 3 to the report.
- 4) To refer the report to the Social Care, Health and Housing Overview and Scrutiny Commission for consideration.

### **Reasons**

- 1) It is essential to plan HRA finances on a medium to long-term basis and this is also recognised as good practice within the Comprehensive Performance Assessment.

- 2) Cabinet needs to approve the Derby Homes management fee on a basis consistent within the HRA estimate.

## 349/02 Borrowing Limits 2003/04

The Council Cabinet considered a report from the Director of Finance, setting out proposals for long term and short term borrowing limits for the 2003/04 financial year.

### Decision

To recommend Council to approve the financial year 2003/04:

- a) an overall borrowing limit of £263.8 million
- b) a short-term borrowing limit at no more than 20% of the overall borrowing limit, that is £52.8 million
- c) no more than 20% of the total interest payable be at rates of interest which can be varied by the lender or by reference to external factors -

Provided that the above be subject to such revision as may be necessary from time to time, and to such further direction as may be received. The Director of Finance be authorised to borrow within such limits as may be set from time to time.

## 350/02 Housing Allocations Policy

The Council Cabinet considered a report from the Director of Policy, setting out proposals to introduce a new allocations policy from 1 May 2003 in accordance with the Housing Act 1996 and the Homelessness Act 2002. Key components of the proposed scheme were to:

- produce one single allocation scheme applying it both to applicants for social housing and secure or introductory tenants seeking a transfer
- detail categories of applicants who are to be awarded “reasonable preference” within the allocation scheme
- provide a mechanism for local authorities to give some applicants a lesser preference
- provide additional information to applicants about their rights under the allocation scheme
- abolish the two year period during which local authorities were subject to the main homelessness duty to secure suitable accommodation until a settled housing solution is found
- provide additional circumstances in which the main homelessness duty can be brought to an end
- amend statutory arrangements for housing allocations to allow local

authorities to offer more choice to homeless people and others in housing need

- requires authority to take a strategic approach to combating homelessness
- provide a power to secure accommodation for homeless applicants who are not in priority need.

The Derby Homefinder choice-based letting system had been piloted in four areas of the city since February 2002 and was proposed to go city-wide from 1 May 2003.

### **Decision**

- 1) To amend the Housing Allocations Policy to include the amendments / additions suggested by Derby Homes
- 2) To recommend Council to approve the Housing Allocations Policy and adopt it as part of the Budget and Policy framework to be implemented on 1 May 2003.

## **Performance Monitoring**

### **351/02 Five Lamps Junction – Signal Operation**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out the conclusions of a review of signal operation approved at Council on 12 February 2003 following the Council resolution, the following action had been taken by officers and amendments proposed:

- the signals be modified so that all traffic on Garden Street continues to be stopped together, but that in the absence of a pedestrian demand or once that demand has been satisfied, traffic be allowed to filter
- that signals be modified to incorporate MOVA equipment to enable the filter to take place
- to maintain the closure of Willow Road junction with St Alkmund's Way

### **Decision**

To note the changes made and in hand, and support the signalling changes proposed to enable filtering of traffic from Garden Street to Kedleston Road.

## **Finance and Contract Procedure Matters**

### **352/02 Finance and Contract Procedure Matters**

The Council Cabinet considered a report from the Directors of Finance and Corporate Services, setting out proposals to waive contract procedure rules to award a contract for

the Local Transport Plan Capital scheme at The Hollow to allow reconstruction and reshaping the carriage way and the creation of a new footway on the section of The Hollow between Carlyle Avenue and Harper Avenue.

### **Decision**

To waive Contract Procedure Rules and authorise the Director of Development and Cultural Services to award a contract for the Local Transport Plan capital scheme 2003/2004 of The Hollow, Littleover to Dannager and Walsh subject to the Director of Finance approving the finally agreed price.

## **353/02 Insurance Tender**

The Council Cabinet considered a report from the Director of Finance, setting out proposals to award a contract for the Council's insurance to Zurich Municipal following a tendering exercise.

### **Decision**

1. To award the five-year contract to Zurich Municipal.
2. To approve the funding of additional insurance costs as set out in paragraph 6.
3. To restrict the level of self-insurance provision on the liability cover to £700k with an underwriting review of the Council's overall level of provision to be carried out during 2003/04.

## **354/02 Public Priorities Fund – Proposed Allocation of Additional Street Care Funding**

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out proposals to allocate the additional £1 million to street care issues approved in the budget.

### **Decision**

To approve the allocations as follows:

Radford Street	Carriageway ponding	6,500
London Road	Raise kerbs / surface footway	4,500
Surrey Street	New kerbs and resurface footway	3,800
Chapman Avenue	New kerbs and surface footway	44,400
Bretton Avenue	Reconstruct footway	64,100
Thornhill Road	New kerbs and surface footway	28,200
Connaught Road	New kerbs and surface footway	23,100
Bailey Street	New kerbs and surface footway	15,500
Carnegie Street	New kerbs and surface footway	18,900
Hopetoun Street	New kerbs and surface footway	30,300
Dairyhouse Road	Reconstruct footway	7,400

Brackens Avenue	Reconstruct footway	31,100
Ellesmere Avenue	Drainage	6,000
Burton Road	Reconstruct footway	11,400
Carlyle Street	New kerbs and surface footway	38,900
Carsington Crescent	Even no's Birchover to Jacksdale	68,500
Draycott Drive	Reconstruct footway	32,200
Eden Street	Reconstruct footway	7,000
Haddon Drive	Reconstruct footway	24,400
Haydn Road	Reconstruct footway	40,500
Marina Drive	Reconstruct footway	18,500
Penrhyn Avenue	New kerbs and surface footway	66,600
Highfield Gardens	Reconstruct footway	17,200
Highfield Road	Reconstruct footway	42,200
Scarsdale Avenue	New kerbs and surface footway	33,300
Spinney Road	New kerbs and surface footway	26,900
Thorpe Drive	Reconstruct footway	20,700
Reactive Maintenance Fund		125,000
Road Markings		20,000
Tree Maintenance		32,900
Street Furniture		10,000
Footpath Maintenance		20,000
New Area and Neighbourhood		40,000
Co-ordination Officer Post		
City Centre		20,000
		1,000,000

2. To delegate authority to the Director of Development and Cultural Services to approve any variations to the proposed allocation of £1 million in conjunction with the Council Cabinet Member for Planning and Prosperity.

MINUTES END