

Time commenced - 6.00 pm  
Time adjourned - 9.32 pm

## **COUNCIL MEETING 1 MARCH 2004**

Present: The Mayor (Councillor P S Berry)  
Councillors Ahern, L Allen, Bayliss, Beech, E Berry, Blanksby, Bolton, Brown, Burgess, Care, Carr, Chera, Crosby, Dhamrait, Gerrard, Graves, Gupta, J E Hickson, P J Hickson, Hird, A Hussain, F Hussain, Jackman, Jackson, Jones, Kalia, Latham, Liversedge, Lowe, MacDonald, Nath, Redfern, Repton, Roberts, Samra, Skelton, Smalley, Travis, Troup, Turner, Webb, West, Williamson, Willitts, Wilsoncroft, Winter, Wynn.

### **Apologies for Absence**

Apologies for absence were received from Councillors Baxter and Rehman.

### **Declarations of Interest**

Councillor Troup declared a personal interest in the amendment to the motion on the Budget and the Council Tax relating to the Citizen Advice Bureau because his stepdaughter was employed by the bureau.

### **Announcements from the Mayor**

The Council stood in silence in memory of the late Councillor Ron Allen and tributes to Councillor Allen were paid by Councillors Burgess and Jackson. The Mayor stated that Councillor Allen's funeral would be held at 11.00 am on Friday 5 March 2004 at the English Martyrs Church, Hollis Street.

### **71/03 Minutes of the Previous Meeting**

**Resolved that the minutes of the meeting of the Council held on 28 January 2004 be approved as a correct record, confirmed and signed by the Mayor.**

### **72/03 Statements by Members of the Council Cabinet**

There were no statements by members of the Council Cabinet.

### **73/03 Public Questions**

There were no questions from members of the public.

## **74/03      Written Questions about the Business or Functions of the Derbyshire Police Authority or Derbyshire Fire Authority**

There were no written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority.

## **75/03      Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet**

Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet were asked as follows:

1.      By Councillor Graves, concerning call-in, answered by Councillor Burgess, Leader of the Council and Council Cabinet Member for Corporate Policy.
2.      By Councillor Repton, concerning parking charges at Markeaton Park, answered by Councillor West, Council Cabinet Member for Leisure and Cultural Services.
3.      By Councillor Wynn, concerning arrangements for suitable alternative venues for adult education courses currently run at St Helen's House, answered by Councillor L Allen, Council Cabinet Member for Lifelong Learning.
4.      By Councillor Wynn, concerning the future of Castle Nursery, answered by Councillor L Allen, Council Cabinet Member for Lifelong Learning.
5.      By Councillor Wynn, concerning the Cabinet's response to the Education Commission's recommendations in respect of the grouped schools PFI project, answered by Councillor Burgess, Leader of the Council and Council Cabinet Member for Corporate Policy.
6.      By Councillor Graves, concerning Council Tax increases, answered by Councillor P J Hickson, Council Cabinet Member for Performance Management, Economic Development and Housing.

## **76/03      Minutes and Recommendations of the Council Cabinet**

The Council considered the minutes and recommendations of the Council Cabinet, requiring the approval of the Council, set out in Appendix A to these minutes. The Mayor said that the budget related minutes of the Council Cabinet would be taken as one item for the purpose of debate, and that he proposed to

allow Councillors Burgess, P J Hickson and Williamson to speak for more than five minutes in the budget debate.

It was moved by Councillor Burgess, and seconded to:

- (1) approve the minutes and recommendations of the Council Cabinet dated 3 and 24 February 2004.
- (2) note the final local government finance settlement announcement.
- (3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29.
- (4) note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 and to adjust the 2003/5 budget to reflect the proposed use of reserves to support 2004/5 budgets.
- (5) approve the measures proposed to manage 2004/5 budget risks, set out in paragraphs 4.41 to 4.46.
- (6) approve a budget requirement for Derby City Council for the year ending 31 March 2005 of £251,890,400.
- (7) approve within this total:

Service estimates of:

Education Department	141,093,000
Social Services Department	61,756,000
Development and Cultural Services Department	34,167,000
Commercial Services Department	3,495,000
Chief Executive's Department	50,933,400
Allocation following consultation	350,000
	<hr/> 291,794,400

Less capital charge	(38,626,000)
Add net appropriations to Pump Priming Fund	114,000
Less contributions from earmarked reserves as follows:	
Corporate reserves	(1,316,000)
Services' reserves	(76,000)
	<hr/> 251,890,400

- (8) note that, at its meeting on 13 January 2004, the Council calculated the amount of 67,930.80 as the Council's Tax Base for the year 2004/5 accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.
- (9) calculate the following amounts for the year 2004/5 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).

- a) £407,414,400 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) £155,524,000 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) £251,890,400 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) £190,493,243 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 98(4) of the Local Government Finance Act 1988 (Community Charge).
- e) £903.82 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 2.6 above, calculated by the Council, in accordance with Section 33 of the Act.
- f) for the following Valuation Bands:

	£		£
A	602.55	E	1104.67
B	702.97	F	1305.52
C	803.40	G	1506.37
D	903.82	H	1807.64

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.

- (10) note that for the year 2004/5, Derbyshire Police Authority, as 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	81.92	E	150.19
B	95.57	F	177.49
C	109.23	G	204.80
D	122.88	H	245.76

- (11) note that for the year 2004/5, Derbyshire Fire Authority, as 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	34.89	E	63.97
B	40.71	F	75.60
C	46.52	G	87.23
D	52.34	H	104.68

- (12) having calculated the aggregate in each case of the amount in (9), (10), and (11) 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 2004/5 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
A	719.36	E	1,318.83
B	839.25	F	1,558.61
C	959.15	G	1,798.40
D	1,079.04	H	2,158.08

- (13) authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

The Council consented to the alteration of the motion as follows:

- in paragraph (4) substitute “2003/04” for “2003/05”
- in paragraph (8) substitute “28 January 2004” for “13 January 2004”
- in paragraph (9)e) substitute “(8)” for “2.6”.

*Amendment 1 – Derby Citizens Advice Bureau – Lost.*

It was moved by Councillor Bayliss, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £36,000 for the Derby CAB, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05, and further:

- a) that the additional £36,000 be written into the Community Grants base budget for 2004/05 and
- b) that this amount be allocated to the CAB for this and subsequent years subject to the appropriate service level agreement."

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

" (3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £36,000 for the Derby CAB, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserves and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05, and further:

- a) that the additional £36,000 be written into the Community Grants base budget for 2004/05 and
- b) that this amount be allocated to the CAB for this and subsequent years subject to the appropriate service level agreement.")

Councillor Troup declared a personal interest in the amendment because his stepdaughter was employed by the Derby Citizens Advice Bureau.

In accordance with Rule CP68, it was demanded by at least ten members that a recorded vote be taken on the amendment.

The following members voted for the amendment:

Councillors Ahern, Bayliss, Beech, Blanksby, Bolton, Chera, Dhamrait, Gerrard, Graves, Gupta, A Hussain, F Hussain, Jackson, Kalia, MacDonald, Nath, Redfern, Repton, Roberts, Turner, Williamson, Wilsoncroft, Wynn (23)

The following members voted against the amendment:

The Mayor (Councillor P S Berry), Councillors L Allen, E Berry, Brown, Burgess, Care, Carr, Crosby, J E Hickson, P J Hickson, Hird, Jackman, Jones, Latham, Liversedge, Lowe, Samra, Skelton, Smalley, Travis, Troup, Webb, West, Willitts, Winter (25)

The amendment was declared lost.

*Amendment 2 – Public Priorities Fund – Lost.*

It was moved by Councillor Wynn, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £650,000 to increase the level of the Public Priorities Fund, to be paid for from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £650,000 to increase the level of the Public Priorities Fund, to be paid for from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question be now put.

In accordance with Rule CP68, it was demanded by at least ten members that a recorded vote be taken on the amendment.

The following members voted for the amendment:

Councillors Ahern, Bayliss, Blanksby, Bolton, Chera, Dhamrait, Gerrard, Graves, Gupta, A Hussain, F Hussain, Jackson, Kalia, MacDonald, Nath, Redfern, Repton, Roberts, Turner, Williamson, Wynn (21)

The following members voted against the amendment:

The Mayor (Councillor P S Berry), Councillors L Allen, E Berry, Brown, Burgess, Care, Carr, Crosby, J E Hickson, P J Hickson, Hird, Jackman, Jones, Latham, Liversedge, Lowe, Samra, Skelton, Smalley, Travis, Troup, Webb, West, Willitts, Winter (25)

Councillors Beech and Wilsoncroft had left the Council Chamber before the recorded vote was taken.

The amendment was declared lost.

*Amendment 3 – Home Care Charges – Lost*

It was moved by Councillor F Hussain, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £441,000 to make the cost of the Council's home care service free at the point of need to service users, to be funded from a combination of a reduced contribution to cover social pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £441,000 to make the cost of the Council's home care service free at the point of need to service users, to be funded from a combination of a reduced contribution to cover social pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question be now put.

In accordance with Rule CP68, it was demanded by at least ten members that a recorded vote be taken on the amendment.

The following members voted for the amendment:

Councillors Ahern, Bayliss, Blanksby, Bolton, Chera, Dhamrait, Gerrard, Graves, Gupta, A Hussain, F Hussain, Jackson, Kalia, MacDonald, Nath, Redfern, Repton, Roberts, Turner, Williamson, Wynn (21)

The following members voted against the amendment:



The Mayor (Councillor P S Berry), Councillors L Allen, E Berry, Burgess, Care, Carr, Crosby, J E Hickson, P J Hickson, Hird, Jackman, Jones, Latham, Liversedge, Lowe, Samra, Skelton, Smalley, Travis, Troup, Webb, West, Willitts, Winter (24)

Councillors Beech, Brown and Wilsoncroft had left the Council Chamber before the recorded vote was taken.

The amendment was declared lost.

*Amendment 4 – Twin Bin Scheme – Lost*

It was moved by Councillor Jackson, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £550,000 to increase the number of areas into which the twin bin scheme will be rolled out next year from four to seven as originally planned by Labour, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £550,000 to increase the number of areas into which the twin bin scheme will be rolled out next year from four to seven as originally planned by Labour, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question be now put.

In accordance with Rule CP68, it was demanded by at least ten members that a recorded vote be taken on the amendment.

The following members voted for the amendment:

Councillors Ahern, Bayliss, Blanksby, Bolton, Chera, Dhamrait, Gerrard, Graves, Gupta, A Hussain, F Hussain, Jackson, Kalia, MacDonald, Nath, Redfern, Repton, Roberts, Turner, Williamson, Wynn (21)

The following members voted against the amendment:

The Mayor (Councillor P S Berry), Councillors L Allen, E Berry, Burgess, Care, Carr, Crosby, J E Hickson, P J Hickson, Hird, Jackman, Jones, Latham, Liversedge, Lowe, Samra, Skelton, Smalley, Travis, Troup, Webb, West, Willitts, Winter (24)

Councillors Beech, Brown and Wilsoncroft had left the Council Chamber before the recorded vote was taken.

The amendment was declared lost.

#### *Amendment 5 – Anti-Poverty Budget – Lost*

It was moved by Councillor Gerrard, and seconded, that paragraph (3) of the motion be amended by the addition of the following words:

"...subject to the inclusion of a further £30,000 to reinstate the Anti Poverty budget to its 2003/04 level, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £30,000 to reinstate the Anti Poverty budget to its 2003/04 level, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question now be put.

The amendment was put to the meeting and lost.

#### *Amendment 6 – Library Opening Hours - Lost*

It was moved by Councillor Repton, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £18,000 to enable library opening hours to be extended, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £18,000 to enable library opening hours to be extended, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question now be put.

The amendment was put to the meeting and lost.

#### *Amendment 7 – Law Centre/Furniture Project - Lost*

It was moved by Councillor Redfern, and seconded, that paragraph (3) of the motion be amended by the addition of the words:

"...subject to the inclusion of a further £40,000 to increase the level of grant aid to the Derby Law Centre and Furniture Project, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals

listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £40,000 to increase the level of grant aid to the Derby Law Centre and Furniture Project, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question now be put.

The amendment was put to the meeting and lost.

#### *Amendment 8 – Sports Pitches - Lost*

It was moved by Councillor Ahern, and seconded, that paragraph (3) of the motion be amended by the addition of the words

"...subject to the inclusion of a further £91,000 to prevent the closure of Council sports pitches, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".

(The effect of the amendment, if approved, was that paragraph (3) of the motion would read as follows:

"(3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29., subject to the inclusion of a further £91,000 to prevent the closure of Council sports pitches, to be funded from a combination of a reduced contribution to cover social services pressures, departmental underspends, reduced trading services reserve and unallocated reserves, to be determined by the Director of Finance, together with any necessary consequential amendments to other parts of this motion, acknowledging that this additional expenditure will not result in any increase in the proposed level of the Council Tax for 2004/05".)

It was moved by Councillor Graves, seconded and carried that the question be now put.

The amendment was put to the meeting and lost.

During the debate on the budget Councillor Nath asked a question under Rule CP21, which was answered by Councillor Burgess, Leader of the Council and Council Cabinet Member for Corporate Policy.

**Resolved:**

- (1) to approve the minutes and recommendations of the Council Cabinet dated 3 and 24 February 2004.**
- (2) note the final local government finance settlement announcement.**
- (3) approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29.**
- (4) note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 and to adjust the 2003/4 budget to reflect the proposed use of reserves to support 2004/5 budgets.**
- (5) approve the measures proposed to manage 2004/5 budget risks, set out in paragraphs 4.41 to 4.46.**
- (6) approve a budget requirement for Derby City Council for the year ending 31 March 2005 of £251,890,400.**
- (7) approve within this total:**

**Service estimates of:**

<b>Education Department</b>	<b>141,093,000</b>
<b>Social Services Department</b>	<b>61,756,000</b>
<b>Development and Cultural Services Department</b>	<b>34,167,000</b>
<b>Commercial Services Department</b>	<b>3,495,000</b>
<b>Chief Executive's Department</b>	<b>50,933,400</b>
<b>Allocation following consultation</b>	<b>350,000</b>
	<b>291,794,400</b>

**Less capital charge** (38,626,000)

**Add net appropriations to Pump Priming Fund** 114,000

**Less contributions from earmarked reserves as follows:**

**Corporate reserves** (1,316,000)

**Services' reserves** (76,000)

**251,890,400**

- (8) note that, at its meeting on 28 January 2004, the Council calculated the amount of 67,930.80 as the Council's Tax Base for the year 2004/5 accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.**

**(9) calculate the following amounts for the year 2004/5 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).**

- a) £407,414,400 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) £155,524,000 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) £251,890,400 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) £190,493,243 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 98(4) of the Local Government Finance Act 1988 (Community Charge).**
- e) £903.82 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 (8) above, calculated by the Council, in accordance with Section 33 of the Act.**

**f) for the following Valuation Bands:**

	£		£
A	602.55	E	1104.67
B	702.97	F	1305.52
C	803.40	G	1506.37
D	903.82	H	1807.64

**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.**

- (10) note that for the year 2004/5, Derbyshire Police Authority, as 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:**

	<b>£</b>		<b>£</b>
<b>A</b>	<b>81.92</b>	<b>E</b>	<b>150.19</b>
<b>B</b>	<b>95.57</b>	<b>F</b>	<b>177.49</b>
<b>C</b>	<b>109.23</b>	<b>G</b>	<b>204.80</b>
<b>D</b>	<b>122.88</b>	<b>H</b>	<b>245.76</b>

- (11) note that for the year 2004/5, Derbyshire Fire Authority, as 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:**

	<b>£</b>		<b>£</b>
<b>A</b>	<b>34.89</b>	<b>E</b>	<b>63.97</b>
<b>B</b>	<b>40.71</b>	<b>F</b>	<b>75.60</b>
<b>C</b>	<b>46.52</b>	<b>G</b>	<b>87.23</b>
<b>D</b>	<b>52.34</b>	<b>H</b>	<b>104.68</b>

- (12) having calculated the aggregate in each case of the amount in (9), (10), and (11) 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 2004/5 for each of the categories of dwellings shown below:**

**All dwellings in Valuation Band:**

	<b>£</b>		<b>£</b>
<b>A</b>	<b>719.36</b>	<b>E</b>	<b>1,318.83</b>
<b>B</b>	<b>839.25</b>	<b>F</b>	<b>1,558.61</b>
<b>C</b>	<b>959.15</b>	<b>G</b>	<b>1,798.40</b>
<b>D</b>	<b>1,079.04</b>	<b>H</b>	<b>2,158.08</b>

- (13) authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.**

## 77/03      Date of the Annual Meeting and Mayor-Making Ceremony in 2004

The Council considered a report of the Director of Corporate Services concerning the date of the Annual Meeting and Mayor-Making Ceremony in 2004 and proposing changes to the dates of other meetings in the June/July period.

**Resolved, on the motion of Councillor Burgess, that, subject to the making of an Order combining the City Council and European Parliament elections on 10 June 2004 the Annual Meeting of the Council and Mayor-Making Ceremony be held on 30 June 2004, at 11 am at the Assembly Rooms and 6 pm at the Council House, and that the following changes be made to the dates of meetings in the June/July period:**

Body	Current Date	Proposed Date
Council Cabinet	Tuesday 15 June	Tuesday 15 June <sup>1</sup>
Licensing & Appeals Committee	Wednesday 16 June	Tuesday 6 July
Disabled People's Advisory Cttee	Thursday 17 June	Thursday 17 June <sup>2</sup>
Planning Control Committee	Thursday 24 June	Thursday 1 July
Community Regeneration Comm.	Tuesday 29 June	Monday 12 July
Area Panel 1	Wednesday 30 June	Wednesday 7 July
Planning Control Committee	Thursday 22 July	Thursday 29 July
Planning & Environment Comm.	Thursday 29 July	Thursday 22 July

1      Urgent items only

2      This meeting should remain as only one current Councillor member of DPAC is retiring in 2004

MAYOR



MINUTES OF COUNCIL CABINET REQUIRING THE  
APPROVAL OF COUNCIL

**COUNCIL CABINET**  
**3 FEBRUARY 2004**

Present: Councillor Burgess – Chair  
Councillors L Allen, E Berry, Care, Carr, P Hickson, Webb  
and West

This record of decisions was published on 5 February 2004. The key decisions set out in this record will come into force and may then be implemented on the expiry of 5 clear days unless a decision is called in.

## **Performance Monitoring**

**298/03 Comprehensive Performance  
Assessment 2003 – Audit Commission  
Relationship Manager's Report**

The Council Cabinet considered a report from the Director of Finance setting out the Relationship Manager's Report which showed the progress that the Council had made in addressing the priorities that it set following the Comprehensive Performance Assessment - CPA 2002, including the self assessment which began that process, and other planning and performance management processes, including the 2003-06 Corporate Plan.

As part of the CPA process of 2003, councils' relationship managers had produced a report summarising progress against the improvement priorities identified following the 2002 CPA. The Audit Commission would publish these reports and expected that an appropriate Committee of the Council would consider that report.

### **Decision**

To recommend Council to note the content of the Relationship Manager's Report.



MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL
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## **COUNCIL CABINET 24 FEBRUARY 2004**

Present: Councillor Burgess – Chair  
Councillors L Allen, E Berry, Care, Carr, P Hickson, Webb  
and West

This record of decisions was published on 26 February 2004. The key decisions set out in this record will come into force and may then be implemented on the expiry of 5 clear days unless a decision is called in.

## **Budget and Policy Framework**

### **325/03 Draft Corporate Plan 2004-07**

The Council Cabinet considered a joint report from the Chief Executive and Director of Finance, setting out the fourth draft of the 2004-07 Corporate Plan. A draft of the plan was brought to the Council Cabinet on 3 February 2004 when it was referred to the Scrutiny Management Commission. The draft was appended to the report and included some recent amendments not included in the previous drafts. These included:

- explaining the contribution Building for Excellence would make to deliver our improvement agenda
- the review of the 2003-06 Corporate Plan based on the 3<sup>rd</sup> quarter 2003-04 performance monitoring report
- the inclusion of estimated performance and targets for key performance measures to monitor the Council's objectives

It was reported that the plan should be approved by Council on 1 March 2004 at the same time as the 2003/04 budget

### **Decision**

1. To note the contents of the draft plan and consider the comments of the Scrutiny Management Commission and the Overview and Scrutiny Commissions.
2. To recommend Council adopt the plan.
3. To recommend that Council delegate authority to make amendments to reflect up to date information, minor textual amendments and final targets to the Chief Executive and Director of Finance, in consultation with the Leader of the Council.

## 326/03 Revenue Budget 2004/05 – 2006/07 and Council Tax Setting 2004/05

The Council Cabinet considered a joint report from the Chief Executive and the Director of Finance setting out the General Fund Revenue Budget 2004/05 to 2006/07 and Council Tax setting for 2004/05.

### Decision

To recommend Council to:

1. note the final local government finance settlement announcement.
2. approve for 2004/5 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 4.17 to 4.29.
3. note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 and to adjust the 2003/5 budget to reflect the proposed use of reserves to support 2004/5 budgets.
4. approve the measures proposed to manage 2004/5 budget risks, set out in paragraphs 4.41 to 4.46.
5. approve a budget requirement for Derby City Council for the year ending 31 March 2005 of £251,890,400.
6. approve within this total:

	£
Service estimates of:	
Education Department	141,093,000
Social Services Department	61,756,000
Development and Cultural Services Department	34,167,000
Commercial Services Department	3,495,000
Chief Executive's Department	50,933,400
Allocation following consultation	350,000
	<hr/>
	291,794,400
 <i>Less capital charge</i>	 (38,626,000)
<i>Add net appropriations to Pump Priming Fund</i>	114,000
<i>Less contributions from earmarked reserves as follows:</i>	
Corporate reserves	(1,316,000)
Services' reserves	(76,000)
	<hr/>
	251,890,400
	<hr/>

7. note that, at its meeting on 13 January 2004, the Council calculated the amount of £67,930.80 as the Council's Tax Base for the year 2004/5 accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.
8. calculate the following amounts for the year 2004/5 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).
  - a. £407,414,400 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. £155,524,000 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. £251,890,400 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. £190,493,243 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 98(4) of the Local Government Finance Act 1988 (Community Charge).
  - e. £903.82 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 2.6 above, calculated by the Council, in accordance with Section 33 of the Act.
  - f. for the following Valuation Bands:

£	£
A 602.55	E 1104.67
B 702.97	F 1305.52
C 803.40	G 1506.37
D 903.82	H 1807.64

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. note that for the year 2004/5, Derbyshire Police Authority, as 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 TBA	E TBA
B TBA	F TBA
C TBA	G TBA
D TBA	H TBA

10. note that for the year 2004/5, Derbyshire Fire Authority, as 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 TBA	E TBA
B TBA	F TBA
C TBA	G TBA
D TBA	H TBA

11. having calculated the aggregate in each case of the amount in 8.8 and 8.9 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 2004/5 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

£	£
A TBA	E TBA
B TBA	F TBA
C TBA	G TBA
D TBA	H TBA

12. authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

## 327/03 Capital Programme 2004/05 – 2006/07

The Council Cabinet considered a report from the Director of Finance setting out details of the Capital Programme 2004/05 to 2006/07.

## **Decision**

1. To recommend Council to approve the 2004/05 capital programme, and the indicative programme for 2005/06 and 2006/07 as set out in the report subject to the inclusion of Mickleover Pavilion in the list of flagship schemes in Appendix 5 with a commitment to provide funding towards the scheme, subject to the production, by the end of August 2004 to the satisfaction of the Council Cabinet, an affordable design, a suitable management structure and a business plan.
2. To amend paragraph 2.15 of the Director of Finance's report to reflect the inclusion of the Mickleover Pavilion in 1 above.

## **328/03 Prudential Code for Capital and Treasury Management Strategy**

The Council Cabinet considered a report from the Director of Finance setting out the prudential indicators relating to the Council's planned use of capital borrowing for the next three years.

The CIPFA Code of Practice for Treasury Management required approval of the proposed Treasury Management Strategy, which was attached at Appendix 2 of the report. It was broadly similar to those approved in previous years, revised primarily to take account of current market conditions, changed legislative arrangements, and the estimated capital spending financing requirement for 2004/5.

## **Decision**

1. To recommend Council to approve the planned prudential indicators as set out in the report subject to an adjustment in Appendix 3, as now appended to these Minutes, to reflect the addition to the capital programme set out in paragraph 4.26 of the report on the 2004/5 revenue budget.
2. To adopt the Treasury Management Strategy set out in the report.

## **329/03 Housing Revenue Account Budget and Rent Rise for 2004**

The Council Cabinet considered a joint report from the Directors of Finance and Policy setting out a financial plan for the Housing Revenue Account – HRA - both as a budget for the next financial year and as an HRA business plan to inform longer-term strategy relating to housing.

The report set out the financial plan for the HRA, and the budget for the next financial year, 2004/5 in Appendix 2. The key updated HRA business plan figures, to reflect the proposed budget in Appendix 2 were set out as below:

<b>Year</b>	<b>Notes</b>	<b>Net expenditure for year £m</b>	<b>Interest earned on balance £m</b>	<b>HRA balance £m</b>
2003/04		-0.5	0.0	0.5
2004/05		4.0	0.1	4.7
2005/06		3.0	0.3	8.0
2006/07		3.0	0.4	11.4
2007/08		2.8	0.5	14.7
2008/09		2.7	0.7	18.1
2009/10		3.0	0.8	22.0
2010/11	1	0.5	0.9	23.4
2011/12		0.3	1.0	24.7
2012/13		0.4	1.0	26.1
2021/22	2	-0.4	1.6	37.8
2032/33	3	-2.0	0.2	3.2

The comments of the Community Regeneration Commission were reported at the meeting. The Commission recommended the Council Cabinet to:

1. accept the Derby Homes position that the management fee needs to be £365k per year higher than hitherto conceded by the Council
2. refer the results of the negotiations on the management fee back to the Commission, preferably prior to the final decision being taken by the Council Cabinet in March 2004
3. use all the resources and levers available to commence a programme of council house-style building to meet the chronic need for affordable homes in Derby
4. approve the report and the other recommendations contained therein.

The Council Cabinet were of the view:

1. that it was premature to revise the proposed management fee for Derby Homes set out in the report when negotiations were ongoing.
2. that it would not be practical to delay a decision on the management fee until the Commission had discussed the outcome of the negotiations.

## **Decision**

1. To recommend Council to:
  - a. approve the Housing Revenue Account, HRA, budget for 2004/05, set out in Appendix 2, and the basis for the HRA Business Plan for 2003/05, as attached at Appendix 3 of the report.



- b. approve the application of transitional protection to the transfer of Rent Rebates from the HRA to the General Fund.
  - c. agree that the planned Derby Homes Management Fee set out in 3.7.5 to the report would be the subject of further consultation with Derby Homes and that the Management Fee and retained management costs budget would be subject to further consideration by the Council Cabinet in March 2004.
  - d. appoint members to a joint working party with Derby Homes to consider the longer-term issues relating to HRA sustainability and the Derby Homes Management Fee, as set out in 3.7.18.
  - e. approve an increase in capitalised salaries in 2004/05 and 2005/06 from 2.5% to 2.8% of the Homes Pride programme.
2. To note the report of the Community Regeneration Commission.

## Performance Monitoring

### 331/03 Social Services Joint Review Draft Action Plan – Consultation Feedback

The Council Cabinet considered a report from the Director of Social Services setting out the responses to the Joint Review Draft Action Plan consultation, which ended on 28 November 2003. A total of 24 Organisations were invited to comment on the Joint Review Draft Action Plan and the recommended response to the feedback was as follows...

- No changes were made to the Joint Review Draft Action Plan following the consultation.
- The issue of Inter-agency Information Sharing was referred to the sub-group of the Children's Strategic Planning Partnership that was already working on this issue.
- The department's eligibility criteria were sent to the organisation that raised a question about how to access services
- Individual organisation consultation forms were forwarded to the appropriate lead officer for consideration.
- The Joint Review Action Plan be approved

## Decision

To recommend Council to approve the Joint Review Action Plan.