

Time began - 4.00 pm
Time ended - 5.30 pm

**COUNCIL CABINET
9 JULY 2002**

Present: Councillor Williamson - Chair
Councillors Bayliss, Bolton, Gerrard, Nath, Repton, Roberts, and
Wilsoncroft.

Also present: Councillors Burgess, Graves and Hickson

Apologies for Absence

Apologies for absence were received from Councillors Kalia and Wynn

Late Items to be Introduced by the Chair

The Chair agreed to admit a late item relating to a motion on Derby Bus Station approved by Council on 3 July 2002.

Urgent Items to which Call In will not apply

There were no urgent items.

Declarations of Interest

Councillors Bayliss and Hickson declared personal non-prejudicial interests in item 11 "Housing Investment Programme 2002 – outcome of Recent Consultation and Proposed Amendments as they were representatives of the Council on the Board of Derby Homes.

Councillor Bayliss also declared a personal non-prejudicial interest in item 7 as the report referred to the Liversage Trust of which he was a Trustee.

54/02 Minutes of the Previous Meeting

The Part 1 minutes of the meeting held on 25 June 2002 were approved as a correct record and signed by the Chair.

55/02 Council Cabinet Forward Plan

Decision

To approve and publish the Council Cabinet Forward Plan for the period commencing 1 August 2002.

Matters Referred to the Council Cabinet

56/02 Residents Parking Scheme – Provision of Visitors Parking Permits

The Council Cabinet considered a report from the Scrutiny Management Commission on a petition received at the Area Panel 3 meeting held on 20 March 2002 requesting the provision of visitor parking permits by Crompton Street Residents. The petition, which contained 34 signatures had requested that visitors parking permits be made available. Since on street charges had been introduced, visitors have been required to pay an appropriate charge if they wish to park on Crompton Street between 8.00 am and 6.00 pm Monday to Saturday.

In response to the petition, the Scrutiny Management Commission recommended that the Council Cabinet:

- look again in more favourable terms at the Residents Parking Scheme on Crompton Street and to seek to find a solution that did not penalise residents or their visitors
- to undertake a review of the experimental parking scheme in the Liversage Trust area, incorporating consultation on the inclusion of Nottingham Road within the Scheme.

Decision

1. To note the recommendations of the Scrutiny Management Commission.
2. To request the Director of Development and Cultural Services to investigate the concerns raised and report back to the Council Cabinet on a practical way forward.

57/02 Rycote Centre Closure

The Council Cabinet considered a report from the Scrutiny Management Commission on a petition received about the closure of the Rycote Centre. Petitioners had expressed concern on what was to happen to users of the centre following closure and concern about the consultation exercise undertaken by Social Services as part of the Best Value Review Exercise. The Scrutiny Management Commission recommended that the Council Cabinet undertake further consultation to reconsider

the deadline for closure of the centre, to indicate what alternative services were to be provided, and provide a report back on the issue within the next three months.

Decision

1. To note the report of the Scrutiny Management Commission.
2. To ask the Director of Social Services and the Council Cabinet Member for Social Care to take on Board the issues raised and report back to the Council Cabinet by September and then to the Social Care, Health and Housing Overview and Scrutiny Commission.

58/02 Shaftesbury Sports Centre – Gold Card Scheme

The Council Cabinet considered a report from the Scrutiny Management Commission on a petition received from a group of users at the Shaftesbury Sports Centre requesting the Council to review the introduction on Gold Card Scheme at the Centre and provide new and improved facilities. The Scrutiny Management Commission recommended that the Council review the Goldcard Scheme with a view to responding to the needs of users only wishing to use one centre.

Councillor Graves reported that at the request of the lead petitioner, this item had been withdrawn.

59/01 Best Value Performance Plan

The Council Cabinet considered a review considered a report from the Scrutiny Management Commission on the Best Value Performance Plan and made the following comments:

- in relation to Housing, the Commission felt that the current objective to review current opening hours to meet the needs of customers should be extended to looking at different opening times and not simply lengthening existing hours. With reference to the objective of bringing 100% of the housing stock up to the decency standard by 2010, the Commission questioned whether the Council should consider the introduction of a decency standard for tenants particularly in relation to anti-social behaviour
- in relation to parks, the Commission considered that a review of the range of services to provide better value for money and clear objectives, may have some correlation to reducing vandalism. With reference to reducing the amount of dog fouling in parks and open spaces, the Commission asked for a definite programme for providing bins in parks and some comparative figures of incidents of dog fouling in parks with bins and those without.

Decision

To note the comments of the Scrutiny Management Commission and ask the Directors of Policy and Commercial Services to take into account the spirit of the issues raised in implementing the plan.

60/02 Comprehensive Performance Assessment

The Council Cabinet considered a report from the Scrutiny Management Commission on the Comprehensive Performance Assessment. The Scrutiny Management Commission had endorsed the draft comprehensive performance assessment

Decision

To note the report of the Scrutiny Management Commission.

61/02 Best Value Review of ICT

The Council Cabinet considered a report from the Scrutiny Management Commission on the improvement plan prepared as a result of the Best Value Review of Information and Communication Technology.

The Commission raised the following points:

- the Commission felt that it was important to consult with the public who would be using the ICT facilities. It was suggested that there was a need to look at delivering some form of training for the public
- it was felt that more information was required on the Council's website
- consultation with Members should be undertaken prior to carrying out maintenance on the network
- ICT support outside of office hours was requested

Decision

To note the comments of the Scrutiny Management Commission and ask the Directors of Policy and Corporate Services to take into account the spirit of the issues raised.

62/02 Draft Race Equality Scheme

The Council Cabinet considered a report from the Scrutiny Management Commission on the Draft Race Equality Scheme. The Commission had welcomed the scheme

adding that the scheme should include specific targets against which individual departments could measure performance.

Decision

To note the comments of the Scrutiny Management Commission.

63/02 Notice of Motion – Derby Bus Station

The Council Cabinet considered a notice of motion approved by Council at its meeting on 3 July 2002. The motion asked the Cabinet to set up a Cross Party Working meeting of members and officers, as a matter of urgency, to be given comprehensive legal and related advice with the intention of this leading to a meeting with Metro Holst to express the Council's views.

Decision

To set up as meeting of the Leader and two Councillors from each of the three political groups.

Best Value

64/02 Museums Best Value Review Improvement Plan

The Council Cabinet considered a report from the Director of Development and Cultural Services outlining progress made on the actions resulting from the Museum Service Best Value Review approved by the Council's Executive and the Council in February 2002. Particular attention was drawn to the establishment of new regional structures for English museums and the Council's application to be part of a consortium or "hub" of leading museum services in the East Midlands

Decision

To note progress on the actions contained within the Museums Best Value Improvement Plan and to refer the report to the Lifelong Learning and Culture Overview and Scrutiny Commission for consideration.

65/02 Best Value Review of Services for Children in Public Care – Terms of Reference

The Council Cabinet considered a report from the Director of Social Services setting out the scope and terms of reference for Best Value Review of Children Looked after Services to be undertaken during 2002.

Decision

1. To approve the scope and terms of reference for the Best Value Review and undertake the review through a project management approach incorporating the three project sub groups as follows:
 - social work and care planning for children in public care
 - provide a service for children in public care
 - quality assurance for children in public care.
2. To refer the Scope and Terms of Reference to the Corporate Parenting Joint Sub-Commission for consideration.

66/02 Strategic Procurement Review

The Council Cabinet considered a report from the Director of Finance setting out the terms of reference for the forthcoming review of procurement and the proposed project plan. It was anticipated that the review would be completed by October 2002 with a final report prepared by December 2002.

Decision

To approve the terms of reference project plan for the Strategic Procurement Review and refer it to the Scrutiny Management Commission for consideration.

Key Decisions

67/02 Response to Derby Cityscape

The Council Cabinet considered a report from the Director of Development and Cultural Services setting out the results of consultation on Derby CityScape and how the comments made by major stakeholders were informing the process of achieving a framework for future developments in the City. It was reported that there were a number of implementation options being considered, one of which was the establishment of an urban regeneration company.

In accordance with procedure rule AI26, the Chair of the Planning and Prosperity Overview and Scrutiny Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

1. To note the comments made during the consultation and support the way in which these were informing amendments to the final document.
2. To note the future implementation proposals available including setting up an urban regeneration company as an option.

Reason

To enable comments to be made to the consultants, and for a final document of Derby Cityscape to be prepared which would be used as a promotional document in the implementation process.

68/02 Visual Arts and Media Centre

The Council Cabinet considered a report from the Director of Development and Cultural Services setting out proposals to progress the Visual Arts and Media Centre (VAMC). The Council and its VAMC Consortium Partners had to identify preferred sites for the project, to enable this to go forward for detailed examination as part of the impending feasibility study. The report proposed the "Market Place" site recommended by BDP in the Derby Cityscape proposals should be selected for that purpose. A BDP position statement on the project was attached to the report.

In accordance with procedure rule A126, the Chair of the Planning and Prosperity Overview and Scrutiny Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

Seven alternative sites had been considered.

Decision

To identify sites within the Market Place and Full Street site, as preferred sites for the visual arts media centre, to go forward for full examination as part of the detailed feasibility study to be prepared as the next stage of the project

Reasons

1. A decision needed to be made on preferred sites to enable a feasibility study to be prepared.
2. The "Market Place" site as proposed by BDP Consultants within Derby CityScape as the preferred site from seven short-listed options was too restrictive.

69/02 Review of the Council Arrangements for Corporate Governance

The Council Cabinet considered a joint report from the Director of Finance and Corporate Services setting out work undertaken to assess the Council's arrangements for Corporate Governance, and the proposed approach to demonstrating the Council's commitment to the principles of Corporate Governance. The Council had undertaken a self assessment on how it compared against the principles of corporate governance. Self assessment showed that out of 36 requirements of the five dimensions set out in the framework, the Council could demonstrate full compliance with 24 and partial compliance with a further 11.

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

1. To approve the Corporate Governance Policy Statement.
2. To approve the inclusion of a "Statement of Assurance" annually, accompanying the report on statement of accounts.
3. To approve the adoption of a local code on Corporate Governance based on the CIPFA / SOLACE framework.
4. To approve the action plan for achieving full compliance with Best Framework.

Reason

Drawing up an open and flexible local code of corporate governance would help the Council to enhance its processes on modernisation, community leadership and engagement and continuous performance improvement.

70/02 Media Relations Protocol

The Council Cabinet considered a report from the Director of Policy setting out a draft media relations protocol to clarify good practice within the new political management arrangements. The code had been drawn up taking into account the code of recommended practice relating to local government publicity, and was intended as a guide, as not all situations could be covered.

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not

included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

To approve the draft media relations protocol and refer it to the Scrutiny Management Commission for consideration.

Reasons

1. The Council already had a number of guides on drafting news releases and the system for clearance and distribution. The draft protocol was seen as a document that would help clarify media relations following the new political management arrangements introduced in December 2001.
2. It is intended to sit alongside the Member/Officer protocol and will amplify the section on press releases.

71/02 Property Maintenance Strategy

The Council Cabinet considered a report from the Director of Corporate Services setting out a Draft Property Maintenance Strategy. The Strategy aimed to limit the amount spend on reactive repairs and increase the amount spend on planned maintenance to begin to address the backlog of maintenance and ensure that the limited funding available was spent on the highest priority needs, considering not only maintenance needs but also service needs through full option appraisal, and by setting a clear means of determining priorities.

In accordance with procedure rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

To approve the maintenance strategy and implement with a review in January 2003.

Reasons

1. To increase the planned maintenance proportion of the total maintenance budget to begin to address the maintenance backlog. This was in line with the July 2001 Corporate Asset Management Plan.

2. To ensure that the available budgets be spent on the highest priority corporate need.

72/02 Commissioning of Alternative Accommodation and Support within the City of Derby for People with Learning Disabilities currently living at Aston Hall Hospital

The Council Cabinet considered a report from the Director of Social Services proposing action to meet targets for the closure of long stay hospitals for people with learning disabilities. A project board chaired by the Greater Derby Primary Care Trust had been set up to oversee the closure of Aston Hall Hospital. Derby Social Services was leading the commissioning of alternative accommodation and support for 15 people who had elected to be resettled in Derby City. Social Services were to establish and manage the contracts for the care of the individuals.

In accordance with procedure rule AI26, the Chair of the Social Care Health and Housing Overview and Scrutiny Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

1. To approve the proposal to issue tenders to the approved providers of Housing and Support inviting them to apply for the opportunity to become providers of support for the proposed new services in Derby.
2. To support the development of Block Contracts for Accommodation and support with the successful providers, upon completion of the tender process, subject to a further report to Cabinet to approve the Partnership Agreement between Council and the Primary Care Trust.

Reason

The proposed services will provide high levels of support to people in their own tenancies and so reflect the values and principles set out in the Government White Paper. Although these services were specifically for people moving out of Aston Hall Hospital, the development provided an opportunity to commission services to meet the future needs of other people with learning disabilities in Derby.

73/02 Affordable Warmth Strategy

The Council Cabinet considered a report from the Director of Policy setting out a draft affordable warmth strategy to tackle the issues of low income, inadequate or expensive heating systems and poor insulation which lead to people unable to afford adequate warmth within their homes.

The overall objective of the strategy was to make sure that no-one in Derby suffered from fuel poverty, that excess winter deaths were reduced or residents could afford to heat their homes adequately.

In accordance with procedure rule A126, the Chair of the Regeneration and Social Inclusion Commission had been advised that this item would be considered although not included in the Forward Plan.

Options Considered

No alternative options had been considered.

Decision

1. To approve the Affordable Warmth Strategy, and its launch in September 2002.
2. To authorise the Director of Policy, in consultation with the Cabinet Member for Housing and Social Inclusion, to make minor amendments to the Strategy following the consultation exercise.

Reasons

1. While there is no duty of the Council to produce an Affordable Warmth Strategy, central government welcomed their development and a number of Councils have decided to produce them. It is likely, with the publication of the UK Fuel Poverty Strategy in 2001 that more councils will develop their own strategies – local strategies enable deliver at the national level. The Council wants to tackle fuel poverty in Derby and this Affordable Warmth Strategy reflects and builds on the UK Fuel Poverty Strategy.
2. In order to launch the strategy in September, the Cabinet were asked to approve the draft strategy as a basis for consultation with a wide range of organisations and partners in Derby.

Budget and Policy Framework

74/02 Housing Investment Programme 2002: Outcome of Consultation and Proposed Amendments

The Council Cabinet considered a report from the Director of Policy setting out

proposed amendments to the Housing Investment Programme 2002 following consultation. The findings from the rounds of consultation indicated that the issues covered in the existing housing strategy should be strengthened to reflect emerging local issues including:

- better linkage of housing investment to neighbourhood regeneration
- promotion of community involvement in housing - related regeneration
- promotion of home ownership options amongst existing and emerging households unable to buy in the unsubsidised market
- development of cross boundary working with surrounding Councils to meet housing needs
- the need for a black and minority ethnic housing strategy
- need for more co-ordinated approach to tackling anti-social behaviour across tenures.
- need to meet the housing and related needs of asylum seekers and refugees
- development of an empty property strategy.

Decision

1. To revise both the housing strategy and the HRA business planning in line with the outcomes of the consultation.
2. To note performance against the action plans submitted last year in both documents.
3. To refer the report to the Social Care, Health and Housing Overview and Scrutiny Commission for consideration.

75/02 City-Wide Consultation Strategy

Council Cabinet considered a report from the Director of Policy providing an update on progress on development of a city-wide consultation strategy and seeking formal approval of the framework by Council.

Decision

1. To endorse the framework of the consultation strategy, and as this forms part of policy framework, to refer it to the Regeneration and Social Inclusion Overview and Scrutiny Commission for consideration.
2. To develop a cross-departmental implementation group, with partner representatives, to introduce the strategy within the Council.
3. To work with the Derby City Partnership to adopt the strategy.

Contract and Finance Procedures

76/02 Contact for Erection of Festive Lighting

The Council Cabinet considered a report from the Director of Corporate Services requesting a waiver of Contract Procedure Rule C15 to authorise the negotiation of a three year contract for the erection of festival lights in the City Centre and Normanton areas.

Decision

To authorise the waiver of Contract Procedure Rule C15 and the negotiation of a contract for the erection of festive lighting for three years with Remco Lights Ltd.

MINUTES END