

Time began 6.00 pm
Time ended 6.50 pm

**COUNCIL CABINET
21 FEBRUARY 2006**

Present Councillor Williamson - Chair
Councillors Bayliss, Bolton, Dhindsa, Hussain, Nath,
Repton, Roberts and Wynn

In Attendance Councillors Hickson and Jones

This record of decisions was published on 23 February 2006. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

250/05 Apologies

There were no apologies for absence.

251/05 Late Items Introduced by the Chair

There were no late items.

252/05 Identification of Urgent Items to which Call-In will not apply

There were none.

253/05 Declarations of Interest

Councillor Bayliss declared a personal and prejudicial interest in Minute number 257/05 as Raleigh Homes were a client of his employer, McConnells. Councillor Bayliss declared a personal interest in Minute number 268/05 as he was the Chair of Governors at Bolton Primary School and a Council appointed board member of Derby Homes.

254/05 Minutes of the Previous Meeting

The minutes of the meeting held on 17 January 2006 were confirmed as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

255/05 Resolutions from Council – 25 January 2006

The Council Cabinet considered the following resolutions passed by full Council on 25 January 2006.

“Museum Opening Times

Council notes the proposed budget options to restrict Pickford's House opening to the general public and restrict Sunday and Bank Holiday opening of other museums that are part of the Budget consultation process. Council requires the Council Cabinet to also consider the aims to market Derby in and outside of the city when they review these proposals."

Decision

To note that the issue of marketing Derby in and outside the city was being progressed.

"Pickford's House Museum

Council acknowledge Pickford's House is a valuable asset in the city and is concerned that the proposals contained in the budget may significantly reduce attendances by the general public and families and thus reduce the tourist offer in the city, Council therefore calls on the Cabinet to:

1. Fully consider the views taken in the consultative process and take appropriate action.
2. Give a clear undertaking that Pickford's House will not be closed and sold off to meet budgets shortfalls."

Decision

To confirm that views were being taken into account and that this issue would be considered at a Special Meeting of Council Cabinet on 1 March 2006.

256/05 Meetings with Individual Cabinet Members

The Council Cabinet considered a minute extract from the Scrutiny Management Commission regarding revised proposals for the arrangements for meetings with Individual Cabinet Members. The Commission had agreed with the Leader and Deputy Leader that, except where dates and times of Cabinet member meetings had already been agreed with Scrutiny Chairs, these meetings would be held at 4.00pm.

Resolved to endorse the recommendations in the report.

257/05 Section 106 Procedure

The Council Cabinet considered a minute extract from the Planning Control Committee and a report of the Assistant Director – Development which proposed new procedures for a Section 106 Monitoring Protocol. The report had been considered by the Planning Control Committee at its meeting on 27 October 2005. The report detailed the process followed for negotiating Section 106 agreements and explained how Members could comment during the consideration of the planning applications. It went on to recommend a process for consultation with Ward Members on the proposed use of Section 106 contributions achieved on specific projects. It also proposed the

preparation and circulation of a quarterly monitoring report on the achievement and use of Section 106 contributions to keep Members and the public up to date.

A further report from the Corporate Director – Regeneration and Community provided details on the Planning Control Committee's decision relating to the management and implementation of Section 106 arrangements. The report also provided an update on the Council's proposals for further guidance on planning obligations and recent Government proposals for a 'Planning Gain Supplement'.

Decision

1. To note the report and the decision of the Planning Control Committee regarding Section 106 planning agreements and to support its recommendation.
2. To note Planning Control Committee's decision to implement the monitoring and implementation arrangements outlined in the protocol approved on 27 October 2005.

Having declared a personal and prejudicial interest in this item Councillor Bayliss left the meeting during its consideration.

Key Decisions

258/05 Developing the Area and Neighbourhood Agenda in Derby

The Council Cabinet considered a report on Developing the Area and Neighbourhood Agenda in Derby. The Council had given a commitment to developing the Area and Neighbourhood agenda, in line with Government policy and ODPM guidance on neighbourhood management. The overall purpose of area and neighbourhood management was to empower local people in order that they could influence and, where appropriate, design and commission service provision for their local area or neighbourhood. Appendix 2 to the report summarised the results of partnership working on how Derby should develop the next stages of area and neighbourhood working with a set of specific proposals around:

- The implementation of neighbourhood management structures and coordinated safety and streetcare teams in Derby's five priority neighbourhoods
- The establishment of local area planning teams with the five Area Panel areas
- A review of links between area panels and area and neighbourhood working

- Developing links between area and neighbourhood working, integrated children's services, New Deal for Communities and city centre management.

Options Considered

The proposals built on current arrangements and on knowledge and experience of area and neighbourhood working in Derby and elsewhere. An extensive range of options for community engagement and neighbourhood working existed around the country. The proposals were strongly influenced by a belief that the Council needed to introduce immediate improvements which would make neighbourhoods cleaner and safer to demonstrate the commitment of public agencies to those issues raised on a daily basis, as a means of developing a more constructive dialogue with local people on the planning co-ordination and improvement of a wider range of public services.

Decision

1. To approve the proposals contained in the paper "Developing the Area and Neighbourhood Agenda in Derby," and to authorise the Cabinet member for Community Services, Regeneration, Equalities and E-Government, in consultation with the Leader, to approve any necessary amendments following consideration by the Community Regeneration Commission.
2. To agree to the implementation of Neighbourhood Teams in the five priority neighbourhoods of:
 - Osmaston/Allenton
 - Sinfen
 - Normanton
 - Austin Estate
 - Stockbrook
3. To agree to the further development of proposals for Area Planning Teams within the 5 Area Panels, with a pilot area panel review initiative starting in Area Panels 2 and 3 during 2006/07.
4. To arrange an all-member briefing on Area and Neighbourhood arrangements and further discussion through Cabinet Member/Overview and Scrutiny liaison.

Reasons

1. To develop genuine partnerships with local people in order to identify local issues and produce local solutions for specific services.
2. To deliver improved, cleaner, safer and greener services as the beginning of an approach to integrate service delivery within neighbourhoods.

3. To use this as a means of improving communication and engagement with local residents and enable them to have a greater say in the design and delivery of local services.

259/05 Future Arrangements for the Management and Delivery of Services to People with Learning Disabilities in Derbyshire and Derby – response to Consultation

The Council Cabinet considered a report on Future Arrangements for the Management and Delivery of Services to People with Learning Disabilities in Derbyshire and Derby. A public consultation has just been completed and the response indicated broad support for the principle of further integration of services. However, a number of themes or key challenges had emerged from the consultation which required further work.

Options Considered

The preferred option was explained in the consultation document. A thorough analysis of the feedback had occurred, which had led to the recommendations within the report being proposed.

Decision

1. To approve in principle the proposed further integration of services for people with learning disabilities.
2. To bring a further report to Council Cabinet in March 2006 to confirm and clarify arrangements for pooled budgets, detailed organisation frameworks and structures and confirming consultation with staff.

Reasons

1. Further integration as outlined in the report was a long-established commitment of all the partner organisations and was in accord with Government policy.
2. The balance of the feedback was generally positive about further integration.
3. The development of more integrated services would provide more effective support to people with learning disabilities.

Budget and Policy Framework

260/05 Derby's Community Strategy 2006-2009, the 2020 Vision

The Council Cabinet considered a report on Derby's Community Strategy 2006-09, the 2020 Vision. The comments of the Community Regeneration Commission were reported to the Council Cabinet meeting.

Decision

To recommend Council to approve the draft Community Strategy 2006-2009.

261/05 Draft Corporate Plan 2006-09

The Council Cabinet considered a report on the Draft Corporate Plan 2006-09. On 17 January 2006 the Council Cabinet approved the structure and working draft of the 2006-09 Corporate Plan as a basis for further development. The report provided an update on the drafting process and highlighted comments made by Scrutiny Management Commission for consideration.

Decision

1. To note the contents of the draft Plan and the comments of the Scrutiny Management Commission.
2. To recommend Council adopt the Plan.
3. To recommend that Council delegate authority to make amendments to reflect up to date information, final actions and intended outcomes, to the Chief Executive and Director of Resources, and to finalise the plan in consultation with the Leader of the Council.

262/05 Children and Young People's Plan 2006-2008

The Council Cabinet considered a report on the Children and Young People's Plan 2006-08. As part of the Integrating Children's Services project, substantial work had been carried out to develop the draft of the first Children and Young People's Plan 2006-2008 for Derby. The plan had been developed under the Children Act 2004 with staff from all of the agencies working with children and young people, and consultation on the draft had been carried out with those organisations.

Decision

To recommend Council:

1. To approve the Children and Young People's Plan for 2006 to 2008 for submission to the Education Commission and the Social Care and Health Commission.
2. To agree that detailed changes arising from the continuing work on the plan should be made in consultation between the Cabinet Member for

263/05 School Funding Formula

The Council Cabinet considered a report on School Funding Formula. The report set out proposed changes to the funding formula for schools, and allocation of Standards Funds, for the 2006/07 and 2007/08 financial years.

Decision

To recommend Council:

1. To make changes to the formula for funding schools, subject to the Council's final budget decisions, as follows:
 - To allocate growth above inflation equally across all phases in 2006/07, but with a weighting of 3:2 in favour of secondaries in 2007/08, and with the allocation in both years directed to Additional Educational Needs factors as well as age-weighted funding
 - To incorporate the funding for post-threshold teachers in the formula, based on actual numbers
 - To distribute 50% of the existing allocation for English as an Additional Language on the basis of numbers of pupils in underachieving groups
 - To increase the residential special school base allowance by £15,000 following a support staff regrading.
2. To update the formula for funding schools in 2007/08 for factors which are pupil related, but not for premises factors, except for changes which were already planned.
3. To allocate the Ethnic Minority Achievement Grant (EMAG) in 2006/07 to schools in the same proportions as previous years, but to introduce a formula in 2007/08, using numbers of pupils who are entitled to free meals and also have either English as an additional language or are in a nationally underachieving group, with thresholds of 10 pupils for primary schools, 35 for secondary schools and 5 for special schools, and a flat rate allocation of £14,000 for each nursery school with more than 30 pupils with English as an additional language or nationally underachieving groups.

264/05 Schools Capital Programme 2006/7 – Phase 1

The Council Cabinet considered a report on the Schools Capital Programme 2006/7 – Phase 1.

Decision

To recommend Council:

1. To approve the final phase of 2005-6 Schools Access Initiative projects shown in Appendix 2 of the report.
2. To approve the phasing of the 2005 Targeted Capital Fund projects in appendix 3 of the report.
3. To approve the commencement of the design and tendering process and start of the Modernisation projects list in appendix 4 of the report.
4. To approve scheme commencement reports for those schemes over £100,000 in appendix 4 of the report.
5. To approve the revised scheme costs in appendices 3 and 4 of the report.
6. To approve projects in Voluntary Aided (VA) schools as shown in appendix 5 of the report.

265/05 Treasury Management Strategy and Prudential Code Indicators 2006/07

The Council Cabinet considered a report about the Treasury Management Strategy and prudential code indicators 2006/07.

Decision

1. To recommend that Council approve the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4 of the report.
2. To recommend Council to adopt the Treasury Management Strategy for 2006/07, including the Annual Investment Strategy, as set out in Appendix 3 of the report.

266/05 Derby Joint Local Transport Plan: 2006-2011, LTP2 Report of Capital Settlement Expenditure and Related Work Programmes for 2005/06 and Broad Spend Levels for 2007/08 – 2010/11

The Council Cabinet considered a report on Derby Joint Local Transport Plan: 2006-2011, LTP2 Report of Capital Settlement Expenditure and Related Work Programmes for 2005/06 and Broad Spend Levels for 2007/08 – 2010/11.

Decision

To recommend Council:

1. To approve the allocation of the 2006/07 LTP funds between integrated transport, roads and bridge maintenance, Connecting Derby and the Inner Ring Road Integrated Maintenance Scheme, IRRIMS.
2. To approve the 2006/07 LTP preparation pool of integrated transport and maintenance schemes as shown in appendix 3.
3. To approve the revenue preparation pool for maintenance schemes as shown in appendix 4 subject to the confirmation of the 2006/07 revenue budget in a separate item at this meeting.
4. To continue to operate to increased financial limits set within the financial procedure rules for variations to the total cost of capital schemes that should be reported to cabinet, as set out in the financial implications in appendix 1.
5. To approve the broad allocation of spend for the remaining years of 2007/08 to 2010/11, subject to settlement figures received from Department for Transport, DfT, on a yearly basis.
6. To authorise the Director of Regeneration and Community in consultation with the Cabinet Member for Planning and Transportation to finalise the Local Transport Plan for submission to central government on 31 March 2006. (The most up to date version of the draft final LTP2 can be viewed on CMIS from Monday 20 February).
7. To refer the final Local Transport Plan to Full Council on 1 March 2006 to be adopted as a key policy framework document of the City Council.
8. To delegate powers to the Director of Regeneration and Community in consultation with the Cabinet Member for Planning and Transportation to finalise the LTP1 Delivery Report and any exceptional scheme or other bids that need to be submitted to central government in July 2006.

267/05 Statement of Community Involvement (SCI) – Consideration of representations made on the Draft SCI and Submission to Secretary of State

The Council Cabinet considered a report on the Statement of Community Involvement (SCI) – Consideration of representations made on the Draft SCI and Submission to Secretary of State. The preparation of the Statement of Community Involvement (SCI) was a requirement of the Planning and Compulsory Purchase Act 2004 and formed part of Derby's Local Development Framework. The SCI set out how stakeholders and the public could get involved throughout the various stages of plan preparation. It also indicated how the Council would consult on planning applications. In the first

half of 2005 the Council informally consulted business, community, environmental, hard-to reach groups and adjoining authorities during the preparation of a draft version of the SCI. At the end of August 2005, the draft SCI was published for wider public consultation. The next step would be to submit the finalised document to the Secretary of State.

The main change being recommended was the production of a non-technical summary that would provide a simple guide to the planning process in Derby. The Planning and Environment Commission had considered these matters on 10 February 2006 and comments were reported separately.

The intention was to submit the SCI to the Secretary of State in April. Following submission, there would be a six-week period during which formal representations could be made on the SCI. Any representations received would be considered by an Inspector appointed by the Secretary of State as part of the Examination into the Plan and before the final version was adopted.

Decision

To recommend Council:

1. To note the representations received to the public consultation on the draft SCI and to approve the recommended changes in response – Appendix 2 of the report.
2. To approve the amended Statement of Community Involvement - Appendix 3 of the report.
3. To authorise the Corporate Director, Regeneration and Community, in consultation with the Cabinet Member for Planning and Transportation, to approve any further minor changes to the amended SCI prior to submission to the Secretary of State.
4. To authorise the Corporate Director, Regeneration and Community to make the necessary arrangements to submit the amended SCI to the Secretary of State and to place this and any necessary supporting documents on Deposit.

268/05 Revenue Budget and Council Tax Setting

The Council Cabinet considered a report from the Director of Resources updating the Cabinet on developments since the consultation budget was launched including:

- details of the final Government Grant settlement for 2006/7
- comments on feedback from Overview and Scrutiny Commissions

- an updated position for service budgets following the consultation document produced in January 2006
- a statement of reserves held by the Council.

The report would provide the basis for Council Cabinet to formulate its final recommendation to Council on 1 March 2006 consistent with its aim to set a council tax at or below inflation levels.

Decision

To recommend Council:

1. To note the final local government finance settlement announcement.
2. To approve for 2006/7 the departmental estimates and associated virements and use of reserves included in Appendices 2 and 4, incorporating the proposals listed in sections 4 and 6, subject to further recommendations of Council Cabinet at a special meeting arranged for 4.45pm on 1 March 2006.
3. To note the latest 2005/6 budget monitoring position provided in Appendix 8 of the report.
4. To approve the measures proposed to manage budget risks in 2006/7 and in future years, set out in section 11.
5. To note the budget plans for 2007/8 and 2008/9 set out in this report for budget planning purposes and their indicative status.
6. To approve the incorporation of specific grants and income as shown in Appendix 4 of the report, into the detailed budgets and in doing so authorise the relevant Chief Officers to publish any required notices and implement any increases in fees and charges that are consistent with the budget proposals.
7. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.
8. To note the comments of the Overview and Scrutiny Commissions.

269/05 Capital Budget 2006/07 to 2008/09

The Council Cabinet considered a report on Capital Budget 2006/07 to 2008/09. The report set out the 2006/07 to 2008/09 capital programme for recommendation to Council. The main areas of the programme were:

- £24m Education programme which mostly consists of repair, maintenance and improvements to the fabric of school buildings plus funding to devolved

schools.

- £22m Housing programme made up of £10m Housing Revenue Account and £12m Housing General Fund.
- £15m Local Transport Plan (LTP) to help deliver the Connecting Derby and Inner Ring Road maintenance scheme.
- £10m Development and Cultural Services programme (excluding LTP) which includes the QUAD development.

The programme was divided into funded service and corporate elements, reflecting the decision making process approved as part of the December 2005 Capital Strategy report to Cabinet. The 2005/06 programme had also been updated to reflect changes that had occurred since the monitoring reported to Cabinet in December 2005. Required changes totalled £200k. The main areas of change related to the addition of the Rethink Rubbish project, some amendments to the Local Transport Plan and the slippage of various schemes into 2006/07 following the development of 2006/07 budgets. The restated 2005/06 Capital Programme now totalled £80m. Financial Procedure Rules require Cabinet approval for the commencement of schemes in excess of £100k. Three schemes were included in the report for approval. A further report would be presented to a proposed special Council Cabinet meeting on 1 March 2006 to finalise the allocation of the building maintenance programme and the outcome of any discussions on public priorities. This would allow the Cabinet sufficient time to reflect on feedback from public consultation.

Decision

1. To recommend Council to approve the changes to the 2005/06 Capital Programme as detailed in Table 1 and Appendices 2 and 3.
2. To approve the commencement of schemes over £100k as set out in Appendix 4 subject to approval of the 2006/07 capital programme by Council on 1 March 2006.
3. To recommend Council to approve the 2006/07 to 2008/09 capital programme set out in the report.
4. To confirm that approval to proceed with individual capital schemes within this programme still depends upon compliance with scheme commencement procedures, in accordance with Financial Procedure Rules.
5. To recommend Council that conditional authority be given to Council Cabinet on 14 March 2006 to approve any necessary changes to the Education programme following the Education Scrutiny Commission meeting on 6 March 2006.

6. To agree that all bids for capital schemes which will depend upon SCE-R funding, or which cannot otherwise be fully supported from capital resources already approved with this programme, should require Cabinet approval.

270/05 Housing Revenue Account Business Plan and Budget 2006/07

The Council Cabinet considered a report on the Housing Revenue Account (HRA) Business Plan and Budget 2006/07.

Decision

To recommend to Council:

1. To approve the budget set out as part of the HRA Business Plan at Appendix 2 and detailed in Appendix 3 to the report of the Director of Resources.
2. To approve the management fee for Derby Homes set out in Appendix 4 to the report of the Director of Resources.
3. To approve additional funding of up to £0.68m in 2006/07 and £0.35m in 2007/08 to support Derby Homes as a result of a loss of Supporting People funding.
4. To commence the Estates Pride programme, subject to the views of the Local Area Agreement and other consultation processes, starting with funding of £3m for the period from now until the end of 2006/07, and a commitment to fund Neighbourhood Environmental Action Team (NEAT) and Youth Inclusion Programme (YIP) revenue schemes for up to five years. The detail of this programme is set out in the report of the Director of Resources and at Appendix 5.
5. To approve an incentive scheme for Derby Homes, with approval of the detailed scheme being delegated to the Cabinet Member for Housing and Social Inclusion.
6. To note the comments of the Scrutiny Management Commission.

Performance Management

271/05 2005-06 Quarter 3 – Performance Monitoring Report

The Council Cabinet considered a report on the 2005-06 Quarter 3 – Performance Monitoring. The purpose of the quarterly performance report was to underpin performance management within the Council in terms of monitoring the achievement of our corporate priorities, our Local Area Agreement and Public Service Agreement targets.

Decision

1. To note the performance of the Council against the targets included in its 2005-06 Best Value Performance Plan, 2005-08 Corporate Plan and Local Area Agreement, falling due to be reported on in the third quarter.
2. To give particular attention to those areas where the forecast year-end performance is currently below target and the action being taken to address this.

Contract and Financial Procedure Matters

272/05 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. This report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure Rules as follows:

- To award the contract to provide an independent visitor service without tendering
- To approve contracts for cash collection and deposit services
- To appoint building consulting services using an existing Derbyshire County Council contract without tendering independently.
- To include expenditure on the Safe, Healthy and Positive - SHAP project in revenue budgets from 2005/6 onwards.

Decision

1. To approve the request to waive Contract Procedure Rules to award a three year contract to CSV limited to provide an independent visitor service
2. To award contracts for cash collection and cash deposit services to G4S Cash Services Ltd and Security Plus Limited respectively.
3. To approve the request to waive Contract Procedure Rules to appoint Atkins, Faithful and Gould for various professional design and surveying services using a Derbyshire County Council contract.
4. To include New Deal for Communities (NDC) funding for the SHAP project totalling £259,543 between 2005/06 and 2008/09 in current and proposed future Education budgets.

273/05 Supporting People Budget – Action Plan Update

The Council Cabinet considered a report on Supporting People Budget – Action Plan Update.

Decision

1. To note the progress made on the Action Plan to achieve reduced spending on Supporting People contracts.
2. To note that only £300,000 of the 2005/06 overspend in Supporting People would be required to be funded by Council Corporate Reserves.
3. To refer this report to the Community Regeneration Commission in response to their request for an updated position.

274/05 Financial System Replacement

The Council Cabinet considered a report regarding the financial system replacement. On 14 June 2005, Cabinet endorsed the proposal to initiate OJEU procurement of a new core financial management system to replace the Anite FMS (CODAS) on the basis that the product was nearing the end of its life and could not deliver functionality required for more efficient business processes. The competitive tender exercise had been carried out and the evaluation process was now complete. Evaluation criteria and percentage weightings were agreed as part of the OJEU exercise. On the basis of whole-life cost, functionality, technical merit and quality criteria, Oracle Financials scored highest. Oracle Financials was a tried and tested system, used in a large number of Unitary and County Councils. It incorporated a high degree of flexibility to provide the Council with a powerful tool to underpin business process efficiencies and to empower managers and Members with timely, accurate and appropriate financial information. A summary of whole-life costs, based on five years, was shown in Appendix 1 of the report. The relevant capital funding was included in the Capital Programme, as presented to this meeting. Due to the market stability of Oracle Financials and its robust development and upgrade policy, the actual life of the product was likely to be in the region of 10 years. The implementation project would include the identification and delivery of a number of business process efficiencies. By use of capital funding for this project, the aim was to deliver revenue savings at an early stage.

Decision

1. To proceed to contract stage for the purchase of Oracle Financials, together with the appropriate hardware and services
2. To agree that an implementation project be set up to replace Anite FMS with Oracle Financials, to a target live date of April 2007.

MINUTES END