

Time began 6.00 pm
Time ended 6.40 pm

**COUNCIL CABINET
4 JULY 2006**

Present Councillor - Roberts
Councillors Bolton, Graves, Hickson, Hussain, Latham,
Nath and Wynn

In attendance: Councillors Care and Higginbottom

This record of decisions was published on 6 July 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.

20/06 Apologies

Apologies for absence were received from Councillors Jones, Smalley and Williamson.

21/06 Late Items Introduced by the Chair

There were no late items.

22/06 Identification of Urgent Items to which Call-In will not apply

There were no items.

23/06 Declarations of Interest

There were no declarations of interest.

24/06 Minutes of the meeting held on 6 June 2006

The minutes of the meeting held on 6 June 2006 were confirmed as a correct record and signed by the Chair.

Matters Referred

25/06 Council Cabinet Portfolios: Proposed Re-Allocation of Youth Service

The Council Cabinet considered a report from the Children and Young People Commission on Council Cabinet Portfolios: Proposed Re-Allocation of Youth Service, which proposed moving the Youth Service from the Adult Services portfolio to the Children and Young People portfolio.

Decision

To defer a decision on the recommendations of the Children and Young People Commission until the next Council Cabinet meeting to allow further consideration and investigation to take place.

It was noted that Councillor Latham asked for her vote against the above to be recorded.

26/06 Housing Allocations Policy and Homelessness Topic Review

The Council Cabinet considered a report of the Community Commission relating to the former Community Regeneration Commission, on Housing Allocations Policy and Homelessness Topic Review.

Decision

To receive the report and take into account the recommendations when finalising the new Housing Allocations Policy.

Key Decisions

27/06 Future Arrangements for the Management and Delivery of Services for People with Learning Disabilities in Derbyshire and Derby

The Council Cabinet considered a report on Future Arrangements for the Management and Delivery of Services for People with Learning Disabilities in Derbyshire and Derby. The report summarised progress with the detailed preparatory work to establish fully integrated social care and health services following the public / stakeholder consultation process completed in December 2005 and reported to Cabinet on 21 February 2006.

Options Considered

There were no other options considered.

Decision

1. To note and comment on the report.
2. To approve delegated authority to the Cabinet Member for Adult Services and the Corporate Director Corporate and Adult Social Services to proceed with the formal staff consultation subject to all of the issues raised in this report being resolved to their satisfaction.

Reasons

1. Progress had been made on a number of significant issues but several important issues remained to be resolved. It was important that Cabinet were kept up-to-date on this important development for Adult Social Services.
2. All of the other partner agencies had approved delegated authority to Chief Officers to approve the commencement of the formal staff consultation subject to outstanding issues being resolved. An unnecessary delay would have occurred in preparing a report for Cabinet if Derby City Council did not adopt the same position.

28/06 Integrating Children and Young People's Services – Frontline Team

The Council Cabinet considered a report on Integrating Children and Young People's Services – Frontline Team. Work had been progressed on all aspects of developing Children's Trust arrangements and integrated strategy and service delivery in Derby. In order to provide services in an effective, integrated way, plans were well advanced for a pilot of multi-agency service teams in Area 1 of the city.

Options Considered

1. The sense of direction in planning for integrated frontline delivery of services was agreed through the Children and Young People's Partnership and the Partnership Members' Working Party. Within that there were various options for the formation of teams, and the services to be included in those teams or to remain as cross-city specialist services.
2. The main alternative options were:
 - to have four teams all covering the full 0-19 age range.
 - to have health staff included in the four teams.
3. All-age teams would take account of the fact that vulnerable children, or children with particular needs, are often part of families that have wider needs or siblings in a different age band also needing services. However, it was felt that at this first stage, this could risk extending their focus too widely. Such a structure would not be entirely ruled out for the future, but it was felt that this was not the safest and most appropriate way forward at present.
4. As a result of concerns about professional supervision and clinical governance, the PCT decided that primary health care staff should be separately line managed, whilst working in a co-ordinated way with the multi-agency teams and with the Team Manager working as part of the Area Management team.

Decision

1. To note the progress being made in relation to a range of initiatives for the integration of children and young people's services.
2. To approve the plans for integrated frontline service delivery teams on a pilot basis in Area 1.

Reasons

1. A great deal of progress had been made in establishing the Children's Trust arrangements and associated plans and activities in Derby. This involved the completion of the first Children and Young People's Plan and the piloting of a range of integrated processes. The Common Assessment Framework was being implemented and the Lead Professional and electronic information sharing.
2. In order to make the next very significant step in the delivery of integrated children and young people's services, it was necessary to integrate multi-agency teams, which would impact directly on children, young people and their families. A great deal of planning had gone into this in order to minimise risk in making such changes. It was anticipated that the changes could be put in place in the early autumn.

29/06 Connecting Derby – Land Acquisition and Side Roads Order

The Council Cabinet considered a report on Connecting Derby – Land Acquisition and Side Roads Order. To ensure that Connecting Derby, including Five Lamps, completed in a timely fashion it was necessary to make Compulsory Purchase Orders so that all of the land/property required for the completion of the project was within the Council's possession and that any existing rights on the land may be extinguished. It was also necessary to make a Side Roads Order so that new roads might be created, existing roads be stopped up, new private means of access be created and existing ones stopped up.

The Director of Corporate and Adult Social Services outlined a number of technical changes to paragraphs 3&4 of the Decision and asked for them to be approved.

Options Considered

There were no other options considered, as the report only related to the acquisition of land and the Side Roads Order, as opposed to planning considerations which are fully assessed in the Environmental Statement accompanying the Planning Application.

Decision

1. To approve the making of any necessary Compulsory Purchase Orders in respect of all interests and rights and/or new rights in the land required for the completion of the Connecting Derby Project, including Five Lamps, pursuant to Sections 239, 240, 246, 249, 250 and 260 of the Highways Act 1980 and sections 32, 34 and 40 of the Road Traffic Regulation Act 1984 and all enabling powers.
2. To approve the making of any necessary Side Road Orders required for the completion of the Connecting Derby Project, including Five Lamps, pursuant to Sections 14, 124 and 125 of the Highways Act 1980 and all enabling powers.
3. To authorise the Director of Corporate and Adult Social services - CASS, to take all necessary steps to prepare and make any necessary Compulsory Purchase Orders, and make/issue any associated documentation and thereafter take all necessary steps pursuant to the Acquisition of Land Act 1981 and relevant legislation, including the conduct of any Public Inquiry and obtain the confirmation of the Compulsory Purchase Order(s) by the Secretary of State.
4. To authorise the Director of Corporate and Adult Social Services to take all necessary action to acquire and obtain possession of properties included in the Compulsory Purchase Order(s) either compulsorily or by agreement and to deal with all matters relating to the payment of compensation and statutory interest.

Reasons

1. Some land not in the ownership of the Council was required in order to secure the implementation of Connecting Derby and Five Lamps. Single ownership was required to enable the Project to proceed.
2. In order to secure the implementation of the Connecting Derby Project and the junction alterations at Five Lamps, a Side Roads Order would be necessary.
3. The Highways Act 1980 allowed for the making of Side Roads Orders which, in relation to the classified roads comprised in the Project, would authorise the Council:
 - to stop up, improve, raise, lower or otherwise alter a highway that crosses or enters the route of the road or is or will be otherwise affected by the construction or improvement of the road
 - to construct a new highway for purposes concerned with any such alteration as aforesaid or for any other purpose connected with the road or its construction

- provide for any other purpose incidental to these purposes.
4. It would be necessary to incorporate within the order, provisions pursuant to the Highways Act 1980 to stop up any private means of access to premises adjoining or adjacent to land comprised in the routes of the relevant roads, or forming the site of any works authorised by the order, and to provide new means of access to any such premises.
 5. The previous reports for Land Acquisition and Side Roads Orders in June 2001, May 2003, April 2004 and July 2004 did not include powers under sections 246 and 260 of the Highways Act 1980. These powers have now been included following advice given by the DfT that they will also apply.
 6. The above reports also did not include powers under the Road Traffic Regulation Act 1984 which relate to the provision of off-street parking places and access through car parks.

Contract and Financial Procedure Matters

30/06 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:

- additional external funding for Children and Young People's Services, including Dedicated Schools Grant, computers for pupils, choice advisers, 14 to 19 flexible funding
- specific proposals on the uses of the Youth Opportunity Fund
- addition to the capital programme 2006/07 and capital scheme commencement for a new Pupil Referral Unit – PRU - Brighton Road

Decision

1. To note the additional allocation of funding for dedicated schools grant, 14-19 flexible funding, computers for pupils and choice advisers and approve the additions to the Children's and Young Persons revenue budget and capital programme 2006/07.
2. To approve the arrangements to develop a 14-19 prospectus in partnership with Connexions Derbyshire and Derby County Council, including the financial contribution to its cost.
3. To agree that a further report on the allocation of other 14-19 flexible funding be presented to the Cabinet in due course.

4. To approve specific proposals totalling £40,555 on the use of the £135,000 Youth Opportunity Fund.
5. To approve the addition to the capital programme 2006/07 and commencement of the capital scheme for a new Pupil Referral Unit at Brighton Road at a cost of £137,000, subject to approval of funding in recommendation 1 above.

MINUTES END