

**TO: ALL MEMBERS OF THE DERBY CITY COUNCIL**

You are summoned to attend a meeting of the Derby City Council in the Council Chamber at the Council House, Derby on Wednesday 2 March 2005 at 6 pm.

**A G E N D A**

1. To receive apologies.
2. To receive Declarations of Interest.
3. To approve the minutes of the meeting of the Council held on 26 January 2005.

**DOCUMENT 3**

**Motion - That the minutes of the meeting of the Council held on 26 January 2005 be approved as a correct record, confirmed and signed by the Mayor**

4. To receive any announcements from The Mayor.
5. To receive any Statements from Members of the Council Cabinet.
6. To receive any questions from the public to Members of the Council Cabinet and the answers to those questions.
  - a. Mr A Dunn - Riverlights
  - b. Mr A Dunn - Cityscape as consultee on planning applications
7. To receive any written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority, and the answers to those questions.
8. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.
9. To consider the minutes and recommendations of the Council Cabinet dated 8 and 22 February 2005 requiring the approval of the Council.

**DOCUMENT 9 & 9C****294/04 Housing Revenue Account Budget****DOCUMENT 9A**

1. To set the Housing Revenue Account – HRA – 30 year plan for 2005/06 to 2032/33 as set out in Appendix 2 of the report.

2. To recommend Council to adopt the HRA budget for 2005/06 as set out in Appendix 5 of the report.
3. To approve the revision to the Derby Homes Management Fee for 2004/05 and approve the fee for 2005/06 as set out in Appendix 4 of the report.
4. To note that any minor variations in the HRA budget in 2005/06 during the year may be reported to Council Cabinet under contract and procedures matters.

**295/04                      2003-04 Joint Audit and Inspection Letter**

**DOCUMENT 9B,  
9B(1)**

1. To note the contents of the Joint Audit and Inspection Letter
2. To recommend Council to note the contents of the letter.

**311/04                      The Council's Vision, Objectives and Priorities and  
Draft Corporate Plan 2005-08**

**DOCUMENT 9D,  
9D(1)**

To recommend Council to approve the Council's Vision, Objectives and Priorities and Corporate Plan 2005-08.

**312/04                      General Fund Revenue Budget 2005/06 to 2007/08  
and Council Tax Setting for 2005/06**

**DOCUMENT 9E**

The text of Minute No 312/04 is set out in Document 9C and in the motion at the end of item 9.

**313/04                      School Funding 2005/06**

**DOCUMENT 9F**

To recommend to Council:

1. To make changes to the formula for funding schools, subject to the final budget decisions, as follows:
  - implement the new banding system for funding system for funding special and enhanced resource school places, and nurture groups
  - introduce a revised formula for the remainder of the special schools' budget and delegate the budget for self-prepared and residential meals
  - increase the new special school formula factors by 5%
  - increase age-weighted funding for the Foundation Stage and Key Stages One and Two by 2.62% to support primary and nursery schools in implementing workforce forum
  - add £178,000 to funding distributed through the English as an Additional Language factor
  - add £150,000 to the catering allocation through a factor for paid meals
  - introduce a factor to support primary schools which have a net inflow of pupils with statements from outside their normal area
  - introduce a "PFI factor" as a technical measure to comply with passporting requirements
  - introduce a temporary PFI factor for da Vinci Community College from 2006/07 to support the school as it builds up its numbers

- apply 17% of the remaining growth above inflation to the Foundation Stage, 7% to Key Stage One, 40% to Key Stage Two and special schools, 21% to Key Stage Three and 15% to Key Stage Four
  - exempt the special school formula, enhanced resource school places and nursery schools' transitional protection from the minimum funding guarantee
2. To agree the principles of allocating Standards Funds set out in Appendix 4 of the report and to distribute teachers' pay and threshold grants on the basis of actual numbers.
  3. To make changes to the Scheme for Funding Schools set out in Appendix 5 relating to contract procedure rules and buildings issues.

**314/04                      Treasury Management Strategy and Prudential Code Indicators 2005/06                      DOCUMENT 9G**

To recommend to Council:

1. To approve the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4 of the report.
2. To adopt the Treasury Management Strategy for 2005/6, including the Annual Investment Strategy, as set out in Appendix 3 of the report.
3. To authorise the Director of Finance to determine whether to agree to the transfer to the Council of net external loans from Derbyshire County Council relating to assets transferred to the Council upon Local Government Reorganisation in 1997.

**315/04                      Capital Programme 2005/06 – 2007/08                      DOCUMENT 9H, 9H(1)**

To recommend to Council:

1. To approve the changes to the 2004/05 Capital Programme as detailed in Appendix 2 of the Capital Programme 2004/5-2007/8 report from the Director of Finance and to note the latest monitoring position.
2. To approve the commencement of schemes over £100,000 as set out in section 2.11 of the Capital Programme 2004/5-2007/8 report from the Director of Finance.
3. To approve the 2005/6 to 2007/8 capital programme set out in the Capital Programme 2004/5-2007/8 report from the Director of Finance.

**316/04                      Housing Capital Programme 2005/06 to 2007/08                      DOCUMENT 9I**

To recommend to Council to approve the proposed housing capital programme for 2005/06 to 2007/08.

**317/04                      Derby Cityscape Masterplan                      DOCUMENT 9J**

To recommend to Council:

1. To adopt the Masterplan principles as a guide to the City Council's regeneration plans for Derby City Centre.

2. To ask the Planning Control Committee be asked to take the Masterplan proposals into account as a key material consideration in the planning process.
3. To approve the principle of producing a Development Plan Document in the form of an action plan to carry forward the Cityscape proposals in the Castle Ward and Derby Royal Infirmary areas.
4. To authorise the Director of Development and Cultural Services to refer any applications resulting from Cityscape proposals which are technically departures to the City of Derby Local Plan to the Secretary of State.

**322/04                      Consortium of Local Authorities Special Projects (CLASP)**

3. To recommend to Council:
  - To appoint a Councillor to the Board of Directors of the Company
  - To nominate a Councillor to be the shareholder's representative
  - To support the continuation of the CLASP Consortium and nominate a Councillor to represent the Council on the Management Committee
  - To approve the use of CLASP reserves to establish the trading activities of the Company.

9. ***Motion:***

***To approve the minutes and recommendations of the Council Cabinet dated 8 and 22 February 2005, and***

- 1. To note the final local government finance settlement announcement.***
- 2. To approve for 2005/6 the departmental estimates and associated virements and use of reserves as included in Appendices 1 and 3 of the report, incorporating the proposals listed in paragraphs 3.18 to 3.39 of the report.***
- 3. To note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 of the report, and to adjust the 2004/5 budget to reflect the proposed use of reserves to support 2005/6 budgets.***
- 4. To approve the measures proposed to manage budget risks in 2005/6 and in future years, set out in paragraphs 3.63 to 3.66 of the report.***

5. To approve a budget requirement for Derby City Council for the year ended 31 March 2006 of £269,679,000.

6. To approve within this total:

| <b>Service estimates of:</b>                             | <b>£</b>           |
|--|--------------------|
| <b>Education Department</b>                              | <b>154,370,000</b> |
| <b>Social Services Department</b>                        | <b>67,058,000</b>  |
| <b>Development and Cultural Services Department</b>      | <b>37,423,000</b>  |
| <b>Commercial Services Department</b>                    | <b>4,195,000</b>   |
| <b>Chief Executive's Department</b>                      | <b>33,052,000</b>  |
| <b>Cross departmental contingencies</b>                  | <b>1,900,000</b>   |
| <b>Census backdated/LPSA1 Reward/LGBGI Grant</b>         | <b>-4,475,000</b>  |
|  | <hr/>              |
|  | <b>293,523,000</b> |
| <b>Capital charges</b>                                   | <b>-25,075,000</b> |
| <b>Net appropriations from Pump Priming Fund</b>         | <b>-21,000</b>     |
| <b>Contributions from earmarked reserves as follows:</b> |                    |
| <b>Corporate reserves</b>                                | <b>-2,666,000</b>  |
| <b>Services' reserves</b>                                | <b>-693,000</b>    |
| <b>Appropriations to corporate reserves</b>              | <b>4,225,000</b>   |
| <b>Public Priority revenue financing capital</b>         | <b>386,000</b>     |
|  | <hr/>              |
|  | <b>269,679,000</b> |

7. To note that, at its meeting on 26 January 2005, the Council calculated the amount of 68,589.4 as the Council's Tax Base for the year 2005/6 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.

8. To calculate the following amounts for the year 2005/6 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 – the Act.

- (a) £505,764,000 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) £236,085,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) and (b) of the Act.

(c) **£269,679,000** *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) **£204,931,560** *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) **£943.99** *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 7. above, calculated by the Council, in accordance with Section 33 of the Act.*

(f) *for the following Valuation Bands:*

|          | <b>£</b>      |          | <b>£</b>        |
|----------|---------------|----------|-----------------|
| <b>A</b> | <b>629.33</b> | <b>E</b> | <b>1,153.77</b> |
| <b>B</b> | <b>734.21</b> | <b>F</b> | <b>1,363.54</b> |
| <b>C</b> | <b>839.10</b> | <b>G</b> | <b>1,573.32</b> |
| <b>D</b> | <b>943.99</b> | <b>H</b> | <b>1,887.98</b> |

*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. To note that for the year 2005/6, 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>A</b> | <b>86.01</b>  | <b>E</b> | <b>157.69</b> |
| <b>B</b> | <b>100.35</b> | <b>F</b> | <b>186.36</b> |
| <b>C</b> | <b>114.68</b> | <b>G</b> | <b>215.03</b> |
| <b>D</b> | <b>129.02</b> | <b>H</b> | <b>258.04</b> |

- 10. To note that for the year 2005/6, 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>A</b> | <b>36.63</b> | <b>E</b> | <b>67.16</b>  |
| <b>B</b> | <b>42.74</b> | <b>F</b> | <b>79.37</b>  |
| <b>C</b> | <b>48.84</b> | <b>G</b> | <b>91.58</b>  |
| <b>D</b> | <b>54.95</b> | <b>H</b> | <b>109.90</b> |

- 11. Having calculating the aggregate in each case of the amounts in 8, 9 and 10 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 2005/6 for each of the categories of dwellings shown below:**

|          | £               |          | £               |
|----------|-----------------|----------|-----------------|
| <b>A</b> | <b>751.97</b>   | <b>E</b> | <b>1,378.62</b> |
| <b>B</b> | <b>877.30</b>   | <b>F</b> | <b>1,629.27</b> |
| <b>C</b> | <b>1,002.62</b> | <b>G</b> | <b>1,879.93</b> |
| <b>D</b> | <b>1,127.96</b> | <b>H</b> | <b>2,255.92</b> |

**12. To note the budget plans for 2006/7 and 2007/8 set out in this report for budget planning purposes and their indicative status.**

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

(In the above motion "report" refers to the Joint Report of the Chief Executive and Director of Finance to the Council Cabinet meeting on 22 February 2005 entitled "General Fund Revenue Budget 2005/06 to 2007/08 and Council Tax Setting for 2005/06")

10. To consider a report of the Director of Corporate Services on Members' Allowances – Recommendations of the Independent Remuneration Panel for 2005/06.

**DOCUMENT 10**

**Motion:**

- 1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2.**
- 2. To include in the list of approved duties for Travel and Subsistence and Dependent Carers Allowances, attendance at Members' surgeries and any meeting to which a Member is invited as a ward councillor.**
- 3. To link increases in Basic and Special Responsibility Allowances in 2005/06 to the average salary award for local authority employees of 2.95% with effect from 1 April 2005.**
- 4. Not to pay a Special Responsibility Allowance to members of the Planning Control Committee, other than the Chair.**
- 5. To amend the Members' Allowance Scheme accordingly.**

11. To consider a report of the Director of Development and Cultural Services on the Derby and Derbyshire Waste Local Plan - Adoption.

**DOCUMENT 11**



***Motion – To adopt the Revised Edition of the Derby and Derbyshire Waste Local Plan, as modified by the Council Cabinet decision on 9<sup>th</sup> November 2004, in accordance with the provisions of Part II of the Town and Country Planning Act 1990 and to authorise the carrying out of the legal adoption process.***

12. To consider a report of the Director of Corporate Services concerning an Appointment to the Liversage Trust Charity

**DOCUMENT 12**

***Motion – To appoint Councillor Samra to the Liversage Trust until 23 September 2008.***

13. To consider a report of the Director of Corporate Services concerning the Urgent Non-Executive Decisions made by the Chief Executive

**DOCUMENT 13**

***Motion – To note the report***

14. To consider the minutes and recommendations of the Social Care and Health Commission dated 28 February requiring the approval of the Council.

**DOCUMENT 14  
TO FOLLOW**

***Motion – To follow***

*M A Jooke*

Director of Corporate Services  
and Deputy Chief Executive

The Council House  
Derby DE1 2ZL  
25 February 2005

PACA75



### **COUNCIL MEETING 26 JANUARY 2005**

Present: The Mayor (Councillor Skelton)  
Councillors Ahern, Allen, Baxter, Bayliss, E Berry, P Berry, Blanksby, Bolton, Brown, Burgess, Care, Carr, Chera, Dhamrait, Dhindsa, Gerrard, Graves, Gupta, Hickson, Higginbottom, Hird, Hussain, Jackman, Jackson, Jones, Khan, Latham, Leeming, Liversedge, Lowe, MacDonald, Marshall, Nath, Redfern, Rehman, Repton, Richards, Roberts, Samra, Smalley, Tittley, Travis, Troup, Turner, Webb, West, Williamson, Willitts, Winter, Wynn

### **Apologies for Absence**

There were no apologies for absence.

### **Declarations of Interest**

All members present at the meeting declared personal interests in the matters referred to Minute No. 63/04 Licensing Act 2003: Proposed Changes to Constitutional Arrangements and Members' Allowances – in respect of the matters in that Minute that relate to Members' Allowances.

Other interests were declared as follows:

| <b>Councillor</b> | <b>Interest</b>   |
|-------------------|---|
| Jackson           | Council Cabinet Minute No. 217/04 – personal interest as a Council representative on the Q Arts Management Committee  |
| Gupta             | Council Cabinet Minute No. 277/04 – personal and prejudicial interest as she is employed by Connexions Derbyshire Ltd and the project she is working on is funded through the Council's external funding unit |
| Blanksby          | Council Cabinet Minute No. 217/04 – personal interest as a Council representative on the Metro Cinema Management Committee  |
| Gerrard           | Notice of Motion – Silverhill School Asbestos Incident – personal interest as a member of his family is connected with the school   |

Chera Council Cabinet Minute No. 272/04 – personal interest as a member of his family is a Council tenant.

## Announcements from the Mayor

There were no announcements from the Mayor.

## 54/04 Minutes of the Previous Meeting

**Resolved that the minutes of the meeting of the Council held on 24 November 2004 be approved as a correct record, confirmed and signed by the Mayor.**

## 55/04 Statements by Members of the Council Cabinet

There were no Statements by Members of the Council Cabinet.

## 56/04 Public Questions

Questions from members of the public were asked and answered as follows:

1. By Mr A Dunn, concerning the disposal of public open space at the old police station in Full Street, answered by Councillor Hickson, Deputy Leader of the Council and Council Cabinet Member for Performance Management, Economic Development and Housing.
2. By Mr A Dunn, concerning the use of Connecting Derby money for a new bus station, answered by Councillor Care, Council Cabinet Member for Planning, Transportation and Environment.
3. By Mrs P Woolley, concerning the proposed siting of the Quad development on the Sir Peter Hilton Memorial Gardens, answered by Councillor West, Council Cabinet Member for Leisure and Cultural Services.
4. By Mrs P Woolley, concerning alternative sites for the Quad development, answered by Councillor West, Council Cabinet Member for Leisure and Cultural Services.
5. By Mr K Scott-Savage, concerning expenditure on and visitors to the Quad development, answered by Councillor West, Council Cabinet Member for Leisure and Cultural Services.

## 57/04 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.

## 58/04 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 and answered as follows:

1. By Councillor Graves, concerning questions posed as part of the Simalto Budget Consultation exercise, answered by Councillor Burgess, Leader of the Council and Council Cabinet Member for Corporate Policy.
2. By Councillor MacDonald, concerning the provision of library facilities in Chaddesden Ward, answered by Councillor West, Council Cabinet Member for Leisure and Culture Services.

## 59/04 Business Remaining from the Previous Meeting

The meeting of the Council on 24 November 2004 had been adjourned in accordance with Rule CP10. The following business had been held over to this meeting.

1. *Notice of Motion – Post Office Closures*

At the previous meeting, Councillor Smalley had moved the following motion:

“Council condemns the Government’s tacit support and approval of the programme of post office closures that have recently occurred in Derby and calls upon them to act to prevent further closures within the City.”

At the previous meeting, Councillor Roberts had moved the following amendment but the amendment had not been put to the meeting.

“I move that the motion be amended by the deletion of all words after the word ‘Council’ and the insertion in their place of the words “wishes to retain the cross party support for the campaign to resist the programme of post office closures that have recently occurred in Derby and is grateful for the support of the city’s Labour MP’s. However whilst welcoming this support to save the local post offices, this Council condemns the action of the Post Office, in their relentless pursuit of closures. Council therefore calls on all the city’s elected

representatives to continue to press the Post Office to retain as many post offices as possible.”

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

“Council wishes to retain the cross party support for the campaign to resist the programme of post office closures that have recently occurred in Derby and is grateful for the support of the city’s Labour MP’s. However whilst welcoming this support to save the local post offices, this Council condemns the action of the Post Office, in their relentless pursuit of closures. Council therefore calls on all the cities elected representatives to continue to press the Post Office to retain as many post offices as possible.”)

The Council consented to a request by Councillor Roberts to withdraw the amendment.

The motion was put to the meeting and carried.

**Resolved that Council condemns the Government’s tacit support and approval of the programme of post office closures that have recently occurred in Derby and calls upon them to act to prevent further closures within the City.**

## *2. Review of Proposals to Close Post Offices in Derby*

The Council considered a report of the Director of Corporate Services concerning the review conducted by the Scrutiny Management Commission into proposals to close post offices in Derby.

**Resolved, on the motion of Councillor Troup, that the report be noted.**

## *3. Other matters*

The Council noted that, because of the urgency of the matters referred to in Item 12 of the agenda for the Council meeting on 24 November 2004, decisions had been taken by the Chief Executive under his delegated powers and endorsed by all three political group leaders (Minute No. 70/04 refers).

## **60/04 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 the Appendix A to these minutes.

It was moved by Councillor Burgess, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 30 November, 21 December 2004 and 18 January 2005.

It was moved by Councillor Smalley, and seconded, that the motion be amended by the addition of the words “with the exception of paragraph 2 of the resolution in Minute No. 217/04 which be not approved because of the size of the capital and revenue contributions required.”

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 E Berry, P Berry, Brown, Hickson, Leeming, Liversedge, Samra, Smalley, Willitts (9)

The following members voted against the amendment:

The Mayor (Councillor Skelton), Councillors Allen, Burgess, Care, Carr, Hird, Jackman, Jones, Latham, Lowe, Marshall, Richards, Travis, Troup, Webb, West, Winter (17)

The following members abstained:

Councillors Ahern, Baxter, Bayliss, Blanskby, Bolton, Chera, Dhamrait, Dhindsa, Gerrard, Graves, Gupta, Higginbottom, Hussain, Jackson, Khan, MacDonald, Nath, Redfern, Rehman, Repton, Roberts, Tittley, Turner, Williamson, Wynn (25)

The amendment was declared lost.

It was moved by Councillor West, and seconded, that the motion be amended by the addition of the words “with the exception of the resolution in Minute No. 217/04 which be amended by the deletion of all of paragraph 2. with the exception of the third bullet point, and the insertion of the words:

2. To note that the estimated financial contribution required from the Council is a cash contribution of between £1.013m and £2.331m, generating annual debt financing costs of between £93k and 213k, plus a contribution of land valued at £1.0m, plus a revenue contribution of £94k in 2006/7 rising to a full year annual cost of £186k from 2007/8.
3. To recommend Council to agree to amend the Capital Programme to incorporate a capital contribution at the £1.013m level together with the associated revenue financing costs, a contribution of land valued at £1.0m, and a revenue budget contribution of £94k and £186k respectively within the 2006/7 and 2007/8 forward budgets, subject to:

- the success of the external funding applications, including a contribution of £3.1m from EMDA.

(The effect of the amendment, if approved, was that Minute No. 217/04 would read as follows:

- “1. To note the current position of the Quad project in relation to site, architecture, capital funding and revenue costs.
2. To note that the estimated financial contribution required from the Council is a cash contribution of between £1.013m and £2.331m, generating annual debt financing costs of between £93k and 213k, plus a contribution of land valued at £1.0m, plus a revenue contribution of £94k in 2006/7 rising to a full year annual cost of £186k from 2007/8.
3. To recommend Council to agree to amend the Capital Programme to incorporate a capital contribution at the £1.013m level together with the associated revenue financing costs, a contribution of land valued at £1.0m, and a revenue budget contribution of £94k and £186k respectively within the 2006/7 and 2007/8 forward budgets, subject to:
  - the success of the external funding applications, including a contribution of £3.1m from EMDA.
  - regular progress reports being made back to Council Cabinet on design and funding,
4. To commission the architect to proceed with detailed design through until the end of March 2005 when a further report will be brought to Cabinet reporting on decisions on capital funding applications prior to a decision on commissioning the construction of the building.”)

The amendment was put to the meeting and carried.

**Resolved, on the motion of Councillor Burgess, to approve the minutes and recommendations of the Council Cabinet dated the 30 November 2004 (as amended), 21 December 2004 and 18 January 2005.**

## 61/04 Minutes and Recommendations of the Licensing and Appeals Committee

The Council considered the minutes and recommendations of the Licensing and Appeals Committee, requiring the approval of the Council, set out in the Appendix B to these minutes.

It was moved by Councillor Jones, and seconded, to approve the minutes and recommendations of the Licensing and Appeals Committee dated 13 October and 8 December 2004.



It was moved by Councillor Jones, with the consent of the Council, that the motion be altered by the addition of the words “with the exception of Minute No. 35/04 which be referred back for further consideration.”

The altered motion was put to the meeting and lost.

**Resolved to approve the minutes and recommendations of the Licensing and Appeals Committee dated 13 October and 8 December 2004.**

## **62/04 Notice of Motion – Report into Asbestos Incident at Silverhill School**

It was moved by Councillor Wynn, and seconded, that Council notes with regret that the August 2004 report into the asbestos incident at Silverhill School last year has not yet been published.

Council therefore instructs the Director of Corporate Services to make available the full Internal Audit report on the release of asbestos at Silverhill Primary School to three members of each of the Conservative, Liberal Democrat and Labour Groups, as nominated by their respective Group Leaders, subject to satisfactory provisions for confidentiality.

The Council consented to Councillor Wynn altering the motion to read as follows:

“Council notes that with regret that the August 2004 report into the asbestos incident at Silverhill School last year has not yet been published.

Council therefore instructs the Director of Corporate Services to provide the full Internal Audit report on the release of asbestos at Silverhill Primary School to all City Councillors on demand, subject to satisfactory provisions for confidentiality.”

The altered motion was put to the meeting and lost.

## **63/04 Licensing Act 2003 – Proposed Changes to Constitutional Arrangements and Members’ Allowances**

The Council considered a report of the Director of Corporate Services concerning Proposed Changes to Constitutional Arrangements and Members’ Allowances as a result of the implementation of the Licensing Act 2003.

It was moved by Councillor Burgess, and seconded:

1. To approve the proposed constitutional arrangements to enable the Council to implement its new duties and powers under the Licensing Act 2003.
2. To dissolve the Licensing and Appeals Committee, Licensing Sub Committee A and Licensing Sub Committee B.
3. To establish a General Licensing Committee and General Licensing Sub Committee with the following terms of reference and delegated powers:

#### **General Licensing Committee**

Will, within Council policies and in relation to licences that cover alcohol, regulated entertainment, public entertainment, late night food takeaways, theatres, cinemas and other licences granted under the Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Late Night Refreshment Houses Act 1969, Theatres Act 1968 and Cinema Act 1985.

- Take decisions relating to licensing and appeals functions that would fall within the definition of key decisions if these were executive functions
- Make proposals to Council about policy matters relating to these functions
- Approve arrangements for meetings of the General Licensing Sub Committee

#### **General Licensing Sub Committee**

Will, within Council policies and in relation to licences that cover alcohol, regulated entertainment, public entertainment, late night food takeaways, theatres, cinemas and other licences granted under the Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Late Night Refreshment Houses Act 1969, Theatres Act 1968 and Cinema Act 1985.

1. Determine applications for a personal licence if there is a police objection
2. Determine applications for a personal licence from persons with an unspent conviction
3. Determine applications for premises licence/club premises certificate if a relevant representation is made
4. Determine applications for a provisional statement if a relevant representation is made

5. Determine applications to vary a premises licence/club premises certificate if a relevant representation is made
  6. Determine applications to vary a designated personal licence holder if there is a police objection
  7. Determine applications for a transfer of premises licence if there is a police objection
  8. Determine applications for interim authorities if there is a police objection
  9. Determine applications to review premises licence/club premises certificate
  10. Decide whether to object when the local authority is a consultee and not the lead authority
  11. Determine a police representation to a temporary event notice.
4. To establish a Taxi Licensing and Appeals Committee and Taxi Licensing Sub Committee with the following terms of reference and delegated powers:

#### **Taxi Licensing and Appeals Committee**

Will, within Council policies

1. Take decisions relating to licensing and appeals functions that are not the responsibility of the General Licensing Committee and would fall within the definition of key decisions if these were executive functions
2. Make proposals to Council about policy matters relating to these functions
3. Approve arrangements for meetings of sub committees and panels

#### **Taxi Licensing Sub Committee**

Will, within Council policies and in relation to hackney carriages and private hire vehicles:

1. Determine individual applications where there is a proposal to refuse a licence, unless within Council policies it is an automatic ground of refusal
2. Suspend or revoke licences or issue written warnings

3. Determine appeals by applicants for advertising on hackney carriages who are aggrieved at a decision of the Assistant Director – Environmental Health and Trading Standards.
  
5. To agree that the following sub committees and panels become sub committees and panels of the Taxi Licensing and Appeals Committee:
  - Housing Appeals Sub Committee
  - Education Awards and Transport Sub Committee
  - Employee Appeals Sub Committee
  - Disciplinary Sub Committee
  - Disputes Resolution Sub Committee
  - Social Services Secure Accommodation Panel
  - Discretionary Housing Payments Appeals Sub Committee
  
6.
  - 1) To agree that General Licensing Committee shall comprise fifteen Members (Labour 7, Liberal Democrat 4, Conservative 3, Independent 1).
  
  - 2) To agree that the Taxi Licensing and Appeals Committee shall comprise ten Members (Labour 5, Liberal Democrat 3, Conservative 2).
  
  - 3) To agree that the Planning Control Committee shall comprise ten Members (Labour 5, Liberal Democrat 3, Conservative 2).
  
7.
  - 1) To approve the following recommendations of the Independent Remuneration Panel.
    - a) To discontinue the current special responsibility allowance payable to members of the Licensing and Appeals Committee
  
    - b) To provide for the following new special responsibility allowances to apply from 1 February 2005 to 31 March 2006 or until the Scheme is amended further:

| Committee                                     | Position   | Pro-rata Percentage | Number | Yearly Allowance<br>£ |
|---|------------|---------------------|--------|-----------------------|
| General Licensing Committee – 15 members      | Vice Chair | 17.5%               | 4      | 4646.54               |
|   | Member     | 12.5%               | 10     | 3318.96               |
| Taxi Licensing & Appeals Committee 10 members | Vice Chair | 12.5%               | 2      | 3318.96               |
|   | Member     | 4%                  | 7      | 1062.07               |

Note – the Chairs of the two committees will continue to receive a 25% special responsibility allowance as the chair of a regulatory committee.

- c) To provide that, except for the chairs and vice chairs, members of the General Licensing Committee and Taxi Licensing and Appeals Committee may receive their special responsibility allowances in addition to any other special responsibility allowances to which they may be entitled.
- 2) To approve the revised Members' Allowances Scheme at Appendix 3 and to amend the existing Scheme.
- 8. To approve the amendments to the Constitution set out in Appendix 4.
- 9. To approve the revised appointments to certain committees, set out in Appendix 5, for the remainder of the current municipal year.

It was moved by Councillor Hickson, and seconded, that the motion be amended by the alteration of paragraphs 7. 1) b) and 7. 2) to provide for a Vice Chair of the General Licensing Committee to receive a Special Responsibility Allowance of 20%, equivalent to £5310.35 a year instead of 17.5% (£4646.54), and the deletion from paragraph 7. c) of the words "except for the Chairs and Vice Chairs."

(The effect of the amendment, if approved, was that paragraph 7. 1) of the motion would read as follows:

- "7. 1) To approve the following recommendations of the Independent Remuneration Panel.
- a) To discontinue the current special responsibility allowance payable to members of the Licensing and Appeals Committee
  - b) To provide for the following new special responsibility allowances to apply from 1 February 2005 to 31 March 2006 or until the Scheme is amended further:

| <b>Committee</b>                              | <b>Position</b> | <b>Pro-rata Percentage</b> | <b>Number</b> | <b>Yearly Allowance<br/>£</b> |
|---|-----------------|----------------------------|---------------|-------------------------------|
| General Licensing Committee – 15 members      | Vice Chair      | 20%                        | 4             | 5310.35                       |
|   | Member          | 12.5%                      | 10            | 3318.96                       |
| Taxi Licensing & Appeals Committee 10 members | Vice Chair      | 12.5%                      | 2             | 3318.96                       |
|   | Member          | 4%                         | 7             | 1062.07                       |

Note – the Chairs of the two committees will continue to receive a 25% special responsibility allowance as the chair of a regulatory committee.

- c) To provide that members of the General Licensing Committee and Taxi Licensing and Appeals Committee may receive their special responsibility allowances in addition to any other special responsibility allowances to which they may be entitled.”)

The amendment was put to the meeting and lost.

**Resolved:**

1. To approve the proposed constitutional arrangements to enable the Council to implement its new duties and powers under the Licensing Act 2003.
2. To dissolve the Licensing and Appeals Committee, Licensing Sub Committee A and Licensing Sub Committee B.
3. To establish a General Licensing Committee and General Licensing Sub Committee with the following terms of reference and delegated powers:

**General Licensing Committee**

Will, within Council policies and in relation to licences that cover alcohol, regulated entertainment, public entertainment, late night food takeaways, theatres, cinemas and other licences granted under the Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Late Night Refreshment Houses Act 1969, Theatres Act 1968 and Cinema Act 1985.

- Take decisions relating to licensing and appeals functions that would fall within the definition of key decisions if these were executive functions
- Make proposals to Council about policy matters relating to these functions
- Approve arrangements for meetings of the General Licensing Sub Committee

**General Licensing Sub Committee**

Will, within Council policies and in relation to licences that cover alcohol, regulated entertainment, public entertainment, late night food takeaways, theatres, cinemas and other licences granted under the Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Late Night Refreshment Houses Act 1969, Theatres Act 1968 and Cinema Act 1985.

1. Determine applications for a personal licence if there is a police objection
  2. Determine applications for a personal licence from persons with an unspent conviction
  3. Determine applications for premises licence/club premises certificate if a relevant representation is made
  4. Determine applications for a provisional statement if a relevant representation is made
  5. Determine applications to vary a premises licence/club premises certificate if a relevant representation is made
  6. Determine applications to vary a designated personal licence holder if there is a police objection
  7. Determine applications for a transfer of premises licence if there is a police objection
  8. Determine applications for interim authorities if there is a police objection
  9. Determine applications to review premises licence/club premises certificate
  10. Decide whether to object when the local authority is a consultee and not the lead authority
  11. Determine a police representation to a temporary event notice.
4. To establish a Taxi Licensing and Appeals Committee and Taxi Licensing Sub Committee with the following terms of reference and delegated powers:

**Taxi Licensing and Appeals Committee**

**Will, within Council policies**

1. Take decisions relating to licensing and appeals functions that are not the responsibility of the General Licensing Committee and would fall within the definition of key decisions if these were executive functions
2. Make proposals to Council about policy matters relating to these functions
3. Approve arrangements for meetings of sub committees and panels

### **Taxi Licensing Sub Committee**

**Will, within Council policies and in relation to hackney carriages and private hire vehicles:**

- 1. Determine individual applications where there is a proposal to refuse a licence, unless within Council policies it is an automatic ground of refusal**
- 2. Suspend or revoke licences or issue written warnings**
- 3. Determine appeals by applicants for advertising on hackney carriages who are aggrieved at a decision of the Assistant Director – Environmental Health and Trading Standards.**
- 5. To agree that the following sub committees and panels become sub committees and panels of the Taxi Licensing and Appeals Committee:**  
  
**Housing Appeals Sub Committee  
Education Awards and Transport Sub Committee  
Employee Appeals Sub Committee  
Disciplinary Sub Committee  
Disputes Resolution Sub Committee  
Social Services Secure Accommodation Panel  
Discretionary Housing Payments Appeals Sub Committee**
- 6.**
  - 1) To agree that General Licensing Committee shall comprise fifteen Members (Labour 7, Liberal Democrat 4, Conservative 3, Independent 1).**
  - 2) To agree that the Taxi Licensing and Appeals Committee shall comprise ten Members (Labour 5, Liberal Democrat 3, Conservative 2).**
  - 3) To agree that the Planning Control Committee shall comprise ten Members (Labour 5, Liberal Democrat 3, Conservative 2).**
- 7.**
  - 1) To approve the following recommendations of the Independent Remuneration Panel.**
    - a) To discontinue the current special responsibility allowance payable to members of the Licensing and Appeals Committee**
    - b) To provide for the following new special responsibility allowances to apply from 1 February 2005 to 31 March 2006 or until the Scheme is amended further:**



| <b>Committee</b>   | <b>Position</b>   | <b>Pro-rata Percentage</b> | <b>Number</b> | <b>Yearly Allowance<br/>£</b> |
|--|-------------------|----------------------------|---------------|-------------------------------|
| <b>General Licensing Committee – 15 members</b>          | <b>Vice Chair</b> | <b>17.5%</b>               | <b>4</b>      | <b>4646.54</b>                |
|  | <b>Member</b>     | <b>12.5%</b>               | <b>10</b>     | <b>3318.96</b>                |
| <b>Taxi Licensing &amp; Appeals Committee 10 members</b> | <b>Vice Chair</b> | <b>12.5%</b>               | <b>2</b>      | <b>3318.96</b>                |
|  | <b>Member</b>     | <b>4%</b>                  | <b>7</b>      | <b>1062.07</b>                |

**Note – the Chairs of the two committees will continue to receive a 25% special responsibility allowance as the chair of a regulatory committee.**

- c) To provide that, except for the chairs and vice chairs, members of the General Licensing Committee and Taxi Licensing and Appeals Committee may receive their special responsibility allowances in addition to any other special responsibility allowances to which they may be entitled.
- 2) To approve the revised Members' Allowances Scheme at Appendix 3 and to amend the existing Scheme.
- 8. To approve the amendments to the Constitution set out in Appendix 4.
- 9. To approve the revised appointments to certain committees, set out in Appendix 5, for the remainder of the current municipal year.

## 64/04 Co-option to the Culture and Prosperity Overview and Scrutiny Commission

The Council considered a report of the Director of Corporate Services concerning Co-option to the Culture and Prosperity Overview and Scrutiny Commission.

**Resolved, on the motion of Councillor Burgess, to approve the co-option of Roy Hartle to the Culture and Prosperity Overview and Scrutiny Commission for the duration of its Topic Review of the World Heritage Site which lies within the City boundary.**

## 65/04 Byelaws for Opening and Closing of Arboretum Park

The Council considered a report of the Director of Commercial Services concerning Byelaws for the Opening and Closing of Arboretum Park.

**Resolved, on the motion of Councillor Burgess, to approve the Byelaws set out in Appendix 2 to the report, to authorise the Director of Corporate Services and Deputy Chief Executive to fix the Council's seal to the Byelaws, to carry out all necessary procedures and, subject to no duly made objections to the Byelaws being received by him, to apply for confirmation of the Byelaws to the Office of the Deputy Prime Minister, or such other Secretary of State as may at the time have responsibility for such.**

## 66/04 Appointment of Co-opted Member on the Education Commission

The Council considered a report of the Director of Corporate Services concerning the Appointment of a Co-opted Member on the Education Commission.

**Resolved, on the motion of Councillor Burgess, to appoint Tony Walsh, Chief Executive of Derby Racial Equality Council as the representative of other faiths/denominations on the Education Commission.**

## 67/04 Minority Ethnic Communities Advisory Committee – Representation of Minority Ethnic Communities

The Council considered a report of the Director of Corporate Services concerning the Representation of Minority Ethnic Communities on the Minority Ethnic Communities Advisory Committee.

**Resolved, on the motion of Councillor Burgess, to approve the allocation of the remaining unallocated seat on the Minority Ethnic Communities Advisory Committee to the Iraqi/Kurdish Community.**

## 68/04 Council Tax Base for 2005/06

The Council considered a report of the Director of Finance concerning the Council Tax Base for 2005/06.

**Resolved, on the motion of Councillor Burgess, that pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (S1 12003/3012), the Council agrees the council tax base for the year 2005/06 as 68,589.4 band D equivalent properties be approved in accordance with the calculations and estimates shown at appendix 3 to the report.**

## **69/04      School Admissions Forum – New Representatives**

The Council considered a report of the Director of Corporate Services concerning the Appointment of New Representatives to the School Admissions Forum.

**Resolved, on the motion of Councillor Burgess:**

- 1.      To approve the nomination from the Church of England Diocese to appoint Alison Jones to the School Admissions Forum until 31 March 2007.**
- 2.      To appoint Dr Keerthi Devendra and Nasreen Iqbal to the School Admissions Forum in their capacity as Parent Governor Representatives on the Education Commission until 31 March 2007.**

## **70/04      Urgent Non-Executive Decisions made by the Chief Executive**

The Council considered a report of the Director of Corporate Services concerning Urgent Non-Executive Decisions taken by Chief Executive since the previous meeting.

**Resolved, on the motion of Councillor Burgess, to note the report.**

MAYOR



### MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

#### **COUNCIL CABINET 8 FEBRUARY 2005**

Present: Councillor Burgess – Chair  
Councillors Allen, E Berry, Care, Carr, Samra and West

Also present: Councillor Williamson

This record of decisions was published on 10 February 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

### Budget and Policy Framework

#### 294/04 Housing Revenue Account Budget

The Council Cabinet considered a joint report from the Directors of Finance and Policy on the Housing Revenue Account Budget.

#### **Decision**

1. To set the Housing Revenue Account – HRA – 30 year plan for 2005/06 to 2032/33 as set out in Appendix 2 of the report.
2. To recommend Council to adopt the HRA budget for 2005/06 as set out in Appendix 5 of the report.
3. To approve the revision to the Derby Homes Management Fee for 2004/05 and approve the fee for 2005/06 as set out in Appendix 4 of the report.
4. To note that any minor variations in the HRA budget in 2005/06 during the year may be reported to Council Cabinet under contract and procedures matters.

# Performance Monitoring

## 295/04 2003-04 Joint Audit and Inspection Letter

The Council Cabinet received a presentation from Steve Valentine from PriceWaterhouseCoopers and considered a report of the Director of Finance regarding the Annual Audit and Inspection Letter. The letter provides a positive report on the Council's progress in 2003-04 and its continuing good governance and financial management. The Executive Summary identifies some of the key issues. The following are identified as strengths...

- In the context of Derby City Council achieving Excellent status under CPA, the Council had increased its capacity to sustain improvement.
- All three Best Value type inspections of Customer Access, Cultural Services and Supporting People found promising improvement prospects.
- Performance management processes had improved and officers had a greater understanding of the importance of effective performance management.
- The audit on the accounts is unqualified and the Council's finance team should be commended for their efforts in achieving an efficient and timely accounts closure.

### **Decision**

1. To note the contents of the Joint Audit and Inspection Letter
2. To recommend Council to note the contents of the letter.

### **COUNCIL CABINET 22 FEBRUARY 2005**

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

Also present: Councillor Williamson

This record of decisions was published on 24 February 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

## **Budget and Policy Framework**

### **311/04 The Council's Vision, Objectives and Priorities and Draft Corporate Plan 2005-08.**

The Council Cabinet considered a report from the Scrutiny Management Commission regarding the Council's visions, objectives and priorities and the draft Corporate Plan 2005-08. The Commission supported the vision, objectives and priorities and draft Corporate Plan and offered no comments to Council Cabinet.

The Council Cabinet also considered a report from the Director of Finance setting out the latest Draft of the Corporate Plan 2005-08.

#### **Decision**

To recommend Council to approve the Council's Vision, Objectives and Priorities and Corporate Plan 2005-08.

### **312/04 General Fund Revenue Budget 2005/06 to 2007/08 and Council Tax Setting for 2005/06.**

The Council Cabinet considered a joint report from the Chief Executive and the Director of Finance setting out the proposed General Fund Revenue Budget 2005/06 to 2007/08 and Council Tax Setting for 2005/06.

At the meeting the Director of Finance circulated a paper setting out minor amendments to the report.

## Decision

To recommend to Council:

1. To note the final local government finance settlement announcement.
2. To approve for 2005/6 the departmental estimates and associated virements and use of reserves as included in Appendices 1 and 3 of the report, incorporating the proposals listed in paragraphs 3.18 to 3.39 of the report.
3. To note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 of the report, and to adjust the 2004/5 budget to reflect the proposed use of reserves to support 2005/6 budgets.
4. To approve the measures proposed to manage budget risks in 2005/6 and in future years, set out in paragraphs 3.63 to 3.66 of the report.
5. To approve a budget requirement for Derby City Council for the year ended 31 March 2006 of £269,679,000.
6. To approve within this total:

|   |                    |
|---|--------------------|
| Service estimates of:                             | £                  |
| Education Department                              | 154,370,000        |
| Social Services Department                        | 67,058,000         |
| Development and Cultural Services Department      | 37,423,000         |
| Commercial Services Department                    | 4,195,000          |
| Chief Executive's Department                      | 33,052,000         |
| Cross departmental contingencies                  | 1,900,000          |
| Census backdated/LPSA1 Reward/LGBGI Grant         | <u>-4,475,000</u>  |
|   | 293,523,000        |
| Capital charges                                   | -25,075,000        |
| Net appropriations from Pump Priming Fund         | -21,000            |
| Contributions from earmarked reserves as follows: |                    |
| Corporate reserves                                | -2,666,000         |
| Services' reserves                                | -693,000           |
| Appropriations to corporate reserves              | 4,225,000          |
| Public Priority revenue financing capital         | <u>386,000</u>     |
|   | <u>269,679,000</u> |

7. To note that, at its meeting on 26 January 2005, the Council calculated the amount of 68,589.4 as the Council's Tax Base for the year 2005/6 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.



8. To calculate the following amounts for the year 2005/6 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 – the Act.

- (a) £505,764,000 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) £236,085,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) and (b) of the Act.
- (c) £269,679,000 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) £204,931,560 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) £943.99 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 7. above, calculated by the Council, in accordance with Section 33 of the Act.

(f) for the following Valuation Bands:

|   | £      |   | £       |
|---|--------|---|---------|
| A | 629.33 | E | 1153.77 |
| B | 734.21 | F | 1363.54 |
| C | 839.10 | G | 1573.32 |
| D | 943.99 | H | 1887.98 |

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. To note that for the year 2005/6, 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. To note that for the year 2005/6, 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 calculating the aggregate in each case of the amount in 8, 9 and 10 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 2005/6 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. To note the budget plans for 2006/7 and 2007/8 set out in this report for budget planning purposes and their indicative status.

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

## 313/04 School Funding 2005/06

The Council Cabinet considered a joint report from the Directors of Education and Finance regarding School Funding 2005/06. Each year the Council consults with schools over proposed changes to the formula and scheme for funding schools. The report summarised the responses to this years consultation and set out the proposals for allocating funding to schools during 2005/06. Major changes to funding for additional educational needs in mainstream schools had been introduced last year. The principle focus of formula changes this year had been on funding special schools and enhanced resource school places.

At the meeting the Director of Education advised the Council Cabinet that the second paragraph under 'ICT in schools; infrastructure and hands-on support (£1.704m)' in appendix 4 be amended to read:

"The split of the grant would be

- £541,000 for connectivity
- £294,000 to meet the governments target that two-thirds of teachers should have laptops by 2006
- £50,000 to continue the LEA programme of hands-on support
- The balance of £777,400 to be allocated on the basis of pupil numbers, with a minimum allocation of £5,500 for primary £4,500 for special schools, and £2,000 to nursery schools."

The Director of Education also reported that the Education Commission had discussed the proposals but had not made any specific recommendations to the Council Cabinet.

### Decision

To recommend to Council:

1. To make changes to the formula for funding schools, subject to the final budget decisions, as follows:

- implement the new banding system for funding system for funding special and enhanced resource school places, and nurture groups
  - introduce a revised formula for the remainder of the special schools' budget and delegate the budget for self-prepared and residential meals
  - increase the new special school formula factors by 5%
  - increase age-weighted funding for the Foundation Stage and Key Stages One and Two by 2.62% to support primary and nursery schools in implementing workforce forum
  - add £178,000 to funding distributed through the English as an Additional Language factor
  - add £150,000 to the catering allocation through a factor for paid meals
  - introduce a factor to support primary schools which have a net inflow of pupils with statements from outside their normal area
  - introduce a "PFI factor" as a technical measure to comply with passporting requirements
  - introduce a temporary PFI factor for da Vinci Community College from 2006/07 to support the school as it builds up its numbers
  - apply 17% of the remaining growth above inflation to the Foundation Stage, 7% to Key Stage One, 40% to Key Stage Two and special schools, 21% to Key Stage Three and 15% to Key Stage Four
  - exempt the special school formula, enhanced resource school places and nursery schools' transitional protection from the minimum funding guarantee
2. To agree the principles of allocating Standards Funds set out in Appendix 4 of the report and to distribute teachers' pay and threshold grants on the basis of actual numbers.
  3. To make changes to the Scheme for Funding Schools set out in Appendix 5 relating to contract procedure rules and buildings issues.

## 314/04 Treasury Management Strategy and Prudential Code Indicators 2005/06

The Council Cabinet considered a report from the Director of Finance regarding Treasury Management Strategy and Prudential Code Indicators 2005/6.

### **Decision**

To recommend to Council:

1. To approve the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4 of the report.

- 2 To adopt the Treasury Management Strategy for 2005/6, including the Annual Investment Strategy, as set out in Appendix 3 of the report.
3. To authorise the Director of Finance to determine whether to agree to the transfer to the Council of net external loans from Derbyshire County Council relating to assets transferred to the Council upon Local Government Reorganisation in 1997.

## 315/04 Capital Programme 2005/06 – 2007/08

The Council Cabinet considered a report from the Scrutiny Management Commission regarding the Capital Programme 2005/06 – 2007/08. Having considered the report on the Capital Budget 2005/6-2007/8 the Commission agreed to support the Capital Budget proposals that had been presented to them.

The Council Cabinet also considered a report from the Director of Finance setting out the proposed Capital Programme 2004/5-2007/8.

At the meeting the Director of Finance circulated a paper setting out minor amendments to the report.

### **Decision**

To recommend to Council:

- 1 To approve the changes to the 2004/05 Capital Programme as detailed in Appendix 2 of the Capital Programme 2004/5-2007/8 report from the Director of Finance and to note the latest monitoring position.
- 2 To approve the commencement of schemes over £100,000 as set out in section 2.11 of the Capital Programme 2004/5-2007/8 report from the Director of Finance.
3. To approve the 2005/6 to 2007/8 capital programme set out in the Capital Programme 2004/5-2007/8 report from the Director of Finance.

## 316/04 Housing Capital Programme 2005/06 to 2007/08

The Council Cabinet considered a joint report from the Directors of Policy and Finance setting out the proposed Housing Capital Programme 2005/06 to 2007/08.

The Director of Policy reported that the Community Regeneration Commission had expressed concern over the shortfall of private rented accommodation in the City.

## **Decision**

To recommend to Council to approve the proposed housing capital programme for 2005/06 to 2007/08.

## **317/04 Derby Cityscape Masterplan**

The Council Cabinet considered a joint report from the Directors of Development and Cultural Services regarding the Derby Cityscape Masterplan proposals for the regeneration of the City Centre.

## **Decision**

To recommend to Council:

1. To adopt the Masterplan principles as a guide to the City Council's regeneration plans for Derby City Centre.
2. To ask the Planning Control Committee be asked to take the Masterplan proposals into account as a key material consideration in the planning process.
3. To approve the principle of producing a Development Plan Document in the form of an action plan to carry forward the Cityscape proposals in the Castle Ward and Derby Royal Infirmary areas.
4. To authorise the Director of Development and Cultural Services to refer any applications resulting from Cityscape proposals which are technically departures to the City of Derby Local Plan to the Secretary of State.

## **Key Decisions**

### **322/04 Consortium of Local Authorities Special Projects (CLASP)**

The Council Cabinet considered a report from the Director of Corporate Services regarding the Consortium of Local Authorities Special Projects – CLASP and proposals to form a Trading Company.

## **Decision**

1. To agree to participate as a shareholder in the proposed trading company if established.

2. To instruct the clerk to the CLASP consortium to prepare the necessary legal documentation, company formation formalities, draft and issue the necessary protocols for the financial and governance arrangements and obtain appropriate insurances.
3. To recommend to Council:
  - To appoint a Councillor to the Board of Directors of the Company
  - To nominate a Councillor to be the shareholder's representative
  - To support the continuation of the CLASP Consortium and nominate a Councillor to represent the Council on the Management Committee
  - To approve the use of CLASP reserves to establish the trading activities of the Company.