

Time began 6.00pm
Time ended 6.48pm

**COUNCIL CABINET
20 APRIL 2010**

Present: Councillor Allen (Chair)
Councillors Care, Carr, Jones, Naitta, Skelton and
Troup

In attendance Councillor Dhindsa, Jennings, Roberts and
Williamson

This record of decisions was published on 22 April 2010. 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.

211/09 Apologies for Absence

There were no apologies for absence.

212/09 Late Items Introduced by the Chair

There were no late items.

**213/09 Identification of Urgent Items to which Call-In
will not apply**

There were no items.

214/09 Declarations of Interest

There were no items.

215/09 Minutes of the meeting held on 16 March 2010

The minutes of the meeting held on 16 March 2010 were agreed as a correct record and signed by the Chair subject to the inclusion of Councillor Troup's declaration of a personal and prejudicial interest in the item on the Community Legal Advice Centre because his step daughter was employed there.

Matters Referred

**216/09 Contract and Procurement with RSS Waste
Management**

The Council Cabinet considered a minute from the Audit and Accounts Committee which stated that the Committee had considered the project

agreement for the contract and procurement with RRS Waste Management. The Committee expressed concerns about the isolation of clause 9 of the project agreement and its component parts to allow the expenditure of £180k as part costs of an appeal against the refusal of planning permission.

The Committee asked Council Cabinet to review its decision to support the continuation of the project in light of the refusal of planning permission by the Council's own Planning Committee.

Decision

To request a detailed report reviewing the decision to the next meeting.

Key Decisions

217/09 Housing Private Finance Initiative: Final Tender

The Council Cabinet considered a report on Housing Private Finance Initiative: Final Tender. On 28 November 2008, Council Cabinet approved the re-scoping of the Housing PFI Project, using only the sites at Spondon and Alvaston. Since that time, there had been issues with Planning on the available sites, but these had now been resolved. Due to the financial crisis and the unavailability of additional land, the PFI could only be delivered by developing the sites as 100% 'affordable' properties. One Bidder had withdrawn from the PFI process and this had been reported to the Homes and Communities Agency - HCA. HCA had advised that the Housing PFI scheme could still be delivered by continuing the process with a single Bidder, which was good news.

Options Considered

There were no other options considered.

Decision

1. To authorise proceeding with the Housing PFI Project, subject to all approvals processes required by the HCA being approved.
2. To delegate authority to the Corporate Director of Resources in consultation with the Cabinet Member for Housing and Environment, any decisions required to progress the project.

Reasons

1. To allow the Housing PFI to continue as programmed, to provide the rented affordable housing in accordance with planning policy.
2. The timetable as outlined at Appendix 2 was very tight and did not allow for further reports to be submitted to Council Cabinet.

218/09 Determination of Admission Arrangements for Community and Voluntary Controlled Schools 2011 - 2012

The Council Cabinet considered a report on Determination of Admission Arrangements for Community and Voluntary Controlled Schools 2011 – 2012. The Council had consulted as required on the proposed admission arrangements and relevant area for 2011-2012. Following consultation, it was proposed that our current admission arrangements, set out on page 11 of the Secondary 'Admissions Handbook 2010-2011 and page 8 of the Primary 'Admissions Handbook 2010-2011, found at www.derby.gov.uk/admissions should be adopted as our arrangements for 2011- 2012. Appendix 2 lists all the Published Admission Numbers for Community and Voluntary Controlled School in Derby City, with any previous Published Admission Numbers indicated.

Options Considered

There were no other options considered.

Decision

To amend the admission arrangements for 2011 / 2012 by setting:

- National closing dates for Primary and Secondary transfer -15 January and 31 October respectively.
- Published Admission Number (PAN) for Boulton Primary to decrease from 50 to 30 to reflect the strategy for a managed reduction in primary surplus places.
- Published Admission Number for Littleover Community School to increase from 252 to 265 to reflect the increase in the number of normal area applications.

Reasons

To agree the proposed admission arrangements and published admission numbers for 2011-2012 in order to ensure consistency for parents and compliance with the School Admissions Code of Practice.

219/09 Adult Learning Service Course Fees

The Council Cabinet considered a report on Adult Learning Service Course Fees. There had been a number of recent changes to government policy around adult learning and a reduction in government funding which would take effect from September 2010. Consequently there was a need to consider a new structure of fees for Adult Learning Service (ALS) courses.

Options Considered

1. To reduce the number and range of courses offered in order to reduce the overall running costs of the service. This could lead to a reduction in choice and opportunity for Derby residents.
2. To introduce a course fee subsidy from council funding. This option had not been recommended due to current Council budget pressures.

Decision

1. To approve the adoption of a new structure for Adult Learning Service course fees for the 2010/11 academic year.
2. To agree that any minor adjustments to the rates of fee remissions and concessions as a result of the Equalities Impact Assessment should be approved by the Corporate Director for Children and Young People in consultation with the Cabinet Member for Adult Services and Health.

Reasons

Derby City Council's ALS was mainly funded by the Skills Funding Agency (SFA) and was obliged to adopt a fees policy that was in line with SFA priorities. The SFA had taken on the allocation of funding role from the Learning and Skills Council (LSC) from 1 April 2010. In order to continue to offer the current broad range of courses the Council would need to change the course fees structure from September 2010. This was necessary due to a reduction in the overall funding which would be received from the SFA for the 2010/11 academic year.

220/09 Darley Abbey Regeneration Strategy

The Council Cabinet considered a report on Darley Abbey Regeneration Strategy. To outline the interim findings of an almost completed study and to seek an indication from the Council about the level of commitment the authority was willing to give to the implementation of the eventual Strategy, to suggest the process for the Council to adopt this Strategy, to highlight funding considerations.

Options Considered

'Doing Nothing' was not currently an option, because of the opportunities presented by World Heritage status and the recent announcement of the Council's new Regeneration Fund. To do nothing at this stage could result in the deterioration of some extremely valuable buildings in a very significant conservation area.

Decision

1. To note the importance and current condition of the Darley Abbey Mills and Stables.
2. To note the study findings and potential ways forward that would require the Council to adopt the draft final Strategy to achieve the regeneration of this site.
3. To approve the preparation of a bid for £900,000 capital from the Regeneration Fund towards measures to regenerate the Darley Abbey Mills and Stables - £300k towards a Heritage Grants Fund and up to £600k towards essential repairs of the Stable Block.

Reasons

To enable the study to be completed and a draft Regeneration Strategy to be prepared that both reflect the views of the Council.

221/09 Streetpride Updates on Progress and Approval of Way Forward

The Council Cabinet considered a report on Streetpride Updates on Progress and Approval of Way Forward. Streetpride would be launched on the 17 May.

This would include:

- the launch of the new telephone number for the service “0333 2006981”.
- a staffing structure would be in place of existing staff, an interim service director, heads of service and area operational managers.
- key vehicles would be branded with the Streetpride logo, new telephone number and key messages.
- all front line staff would be wearing high-visibility Streetpride jackets.

The report set out the progress that had been made in readiness for the launch of the Streetpride initiative across the Council and sought decisions in support of establishment of area operational managers and the focus for future engagement work with the Neighbourhood Boards and Forums.

Options Considered

1. We have considered whether existing staff could take on area operational manager roles within their existing remit, but it was not considered appropriate if we wanted Streetpride to promote a different way of working.
2. It was not appropriate to have an option of not setting out service standards, as again this was key to the way that Streetpride would progress in the future.

Decision

1. To note the progress that had been made towards the launching of a Streetpride service from 17th May 2010.
2. To approve in principle, the next stages of the development of the Streetpride initiative in terms of analysing customer services data and engaging with Neighbourhoods to deliver services tailored to identified priorities.
3. To approve the establishment of and funding proposal for four Area Operational Managers to provide a key link to the neighbourhoods and to coordinate the delivery of integrated services.
4. To note the current service standards for reactive works, set out in Appendix 2, that were in place within the current Streetpride services.
5. To approve the development of a service standards document, covering planned and reactive works, and give delegated approval to the Strategic Director for Neighbourhoods in consultation with the relevant Cabinet Members, to approve this document prior to consultation with neighbourhoods.

Reasons

1. To provide an update for Members on the progress towards the establishment of the Streetpride service.
2. To approve the next stages of the work in terms of neighbourhood engagement around service standards and identifying their priorities.

In accordance with Procedure Rule AI26, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

222/09 Transforming Adult Social Care (Personalisation) Progress Report

The Council Cabinet considered a report on Transforming Adult Social Care (Personalisation) Progress Report. The Transforming Adult Social Care (Personalisation) programme was now well established. The Personalisation Board had been operational since October 2008, with four initial work streams which together comprise phase 1 of the programme. Phase 1 was due to end in March 2010. This report outlined progress to date and the suggested focus for phase 2 of the programme which will run up to October 2010. The 4 work streams currently were:

- Information, Assessment and Support Planning

- Development of Resource Allocation System (RAS)
- Market and provider development
- Development of prevention and well being services.

The current structure of the programme was included as Appendix 2. We have benefited from very strong support from Age UK, Derby and Disability Direct since the beginning of the programme. Local authority progress in implementing the Personalisation programme was monitored nationally through the Association of Directors of Adult Services working alongside the Department of Health (DH).

Options Considered

This was a national programme with cross party support. It was a key performance and change area, with national progress milestones.

Decision

1. To note the progress of the Personalisation work programme in general and supports the focus of Phase 2 implementation.
2. To agree the establishment of a reserve of £1.2m for Transforming Social Care into the future, from April 2011 to March 2013 to allow maximum opportunity for this wide ranging change programme to be implemented, by providing extended transitional funding.
3. To agree the use of part of the 2010/11 Transforming Social Care Grant to accelerate progress with NHS Derby City on the prevention and well being element of the programme, specifically to focus on falls and Telecare / Telehealth.

Reasons

1. The personalisation programme was led through the Personalisation Board; the focus suggested in this report builds on progress to date and reflected the priorities discussed with partners.
2. Given the complexity of the Transformation programme, it was realistic to extend the period of transitional financial support to ensure maximum spread of the potential changes. The creation of this reserve would give the city opportunity to implement this programme without the impediment of a lack of transitional financial support, especially post March 2011. It would also reduce financial risk to the Council during 2011 - 2013.
3. It was important that we develop a stronger approach to prevention and well being jointly with NHS Derby City. The funding of this one-year post would allow additional capacity to focus on this area.

223/09 Awarding of the Golf Courses Management Contract

The Council Cabinet considered a report on Awarding of the Golf Courses Management Contract. The report sought authorisation for the awarding of a contract for the management and maintenance of the City's golf courses at Allestree Park and Sinfyn.

Options Considered

There were no options considered.

Decision

To authorise the terms set out in the confidential report.

Reasons

There were no reasons.

224/09 The Rocket Site, Breadsall

The Council Cabinet considered a report on The Rocket Site, Breadsall which sought authorisation to terms provisionally agreed for a surrender of the existing lease and for sale to an Registered Social Landlord with a view to bringing the site back into beneficial use.

Options Considered

There were no other options considered.

Decision

To authorise the terms set out in the confidential report.

Reasons

There were no reasons.

225/09 Accommodation Strategy

The Council Cabinet considered a report on Accommodation Strategy. Council Cabinet on 24 November 2009, Minute 123/09 refers, resolved to proceed with a scheme of refurbishment and extension at the Council House to meet the Council's central office accommodation needs. It was therefore necessary to acquire office space for decant accommodation to suit the timing of the programme. Accommodation had been identified for both the customer services and main office functions and provisional heads of terms for leasing the space agreed.

Options Considered

A number of alternative premises within the city centre were considered but none of them met the requirements of the Council.

Decision

To approve the provisional heads of terms, as detailed in the confidential part of this agenda, for the taking of decant space to accommodate the Customer Services and main office functions whilst the refurbishment of the Council House takes place.

Reasons

1. To allow the decanting of staff from the Council House in time for the refurbishment and extension to take place the leases of the decant space need to be in place by early summer 2010.
2. Given the extent of the refurbishment and extension work proposed, it will not be possible to occupy the Council House whilst these works are carried out.

Performance Management

226/09 Derby Pointer Citizens' Panel – October 2009 Survey results

The Council Cabinet considered a report on Derby Pointer Citizens' Panel – October 2009 Survey results. The report provided an update on the key results of the October 2009 Pointer Panel survey and the proposed service improvements to be put in place.

Decision

1. To note the October 2009 Derby Pointer survey results and agree the service managers' improvement plans as outlined in Appendices 3-7 of the report.
2. To note that the results and proposed service improvements would be reported to panel members in the next 'Panel News' newsletter, which would be sent out with the April 2010 survey.

Contract and Financial Procedure Matters

227/09 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- changes to the capital programme, including additional capital grants
- additional revenue and capital grants allocations – Local Authority Business Growth Incentive - LABGI, Safer Stronger capital grant, Library UK Online grant, Highways Repair grant.
- temporary budget transfer across departments – Travel Plan
- EM Lawshare Consortium - Framework Contract
- extended school activity services – approved List
- extension of contracts - MITIE and Midland Counties Maintenance Contracts.

Decision

1. To approve and note the following changes in relation to the capital programme:
 - the changes in the capital programme as shown in Appendix 2 and to amend the 2010/11 to 2012/13 capital programme as set out in paragraph 3 of the report
 - the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
 - the addition of Brackensdale Junior school final phase of replacement windows, doors and concrete repairs as set out in paragraph 3.4 of the report
 - scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.6 of the report.
2. To note the additional grant allocations of £444,029 and approve the increased income and expenditure to the revenue and capital budgets, and allocation to reserves as set out in paragraph 4 of the report, relating to:
 - LABGI - £172,729
 - Safer Stronger Communities capital grant - £47,000
 - Libraries, UK Online grant - £40,000
 - Highway Repairs – winter damage - £184,300.
3. To approve the temporary transfer of £30,000 revenue budget from the Regeneration and Community Department to the Resources Department to continue the delivery of the Travel Plan, as set out in paragraph 5.

4. To approve the continued membership of the E M Lawshare Consortium, and to authorise the Director of Corporate and Adult Services to enter into the memorandum of understanding with Nottinghamshire County Council, as set out in paragraph 6 of the report.
5. To approve the establishment and use of an approved list of providers, subject to satisfactory checks being undertaken, for the provision of Extended Services for children and young people under section 14.9 of the Contract Procedure Rules, as set out in paragraph 7 of the report.
6. To approve a one year extension of the current MITIE and Midland Counties Maintenance contracts until 31 March 2011, as set out in paragraph 8 of the report.

228/09 Exclusion of Press and Public

To consider a resolution to exclude the press and public during consideration of the following item

“that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

Key Decision

229/09 Awarding of the Golf Courses Management Contract

The Council Cabinet considered exempt information in relation to the awarding of the golf courses management contract.

Decision

1. To approve the awarding of a 50 year contract subject to a satisfactory outcome of the public consultation.
2. To take steps to ensure the contract does not have any detrimental impact on the future use of Allestree Hall.

230/09 The Rocket Site, Breadsall

The Council Cabinet considered exempt information in relation to the Rocket Site, Breadsall.

Decision

To approve the terms set out in the report.

231/09 Accommodation Strategy

The Council Cabinet considered exempt information in relation to the accommodation strategy.

Decision

To approve the taking of decant accommodation on short term leases.

MINUTES END