

Time began 6.00pm
Time ended 7.06pm

COUNCIL CABINET

15 MARCH 2005

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

Also present: Councillor Williamson

This record of decisions was published on 17 March 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.

328/04 Apologies

An apology for absence was received from Councillor Samra.

329/04 Late items to be introduced by the Chair

There were no late items.

330/04 Identification of Urgent Items to which Call-In will not Apply

There were no urgent items.

331/04 Declarations of Interest

Councillor Burgess declared personal prejudicial interests in item 11 Twinning Grant – May Week festival because he was going on the trip and item 12 Mainstream Funding for Social Care Voluntary and Community Organisations because he was president of Derby Kids Camp.

332/04 Minutes of the Previous Meeting

The Part 1 minutes of the meeting held on 22 February 2005 were approved as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

333/04 Disabled People's Advisory Committee Project Group

The Council Cabinet considered a minute extract from the Disabled People's

Advisory Committee, DPAC, regarding the minutes of the DPAC Project Group meeting held on 30 December 2004. DPAC were advised that the new footbridge at Derby Station was now in place and that individual feedback about the bridge and any difficulties it's caused should be voiced. A letter was also circulated to members from Midland Mainline asking for feedback on travel experiences with Midland Mainline within the last six months.

Decision

To authorise the Director of Development and Cultural Services to write to Network Rail, Midland Mainline and the local MPs in support of the Disabled People's Advisory Committee's concerns about the lack of facilities for all categories of traveller at Derby Station and in particular the Council's serious concerns that the replacement footbridge was not fully accessible and asking that the letter be forwarded to the Minister for Disabled People.

334/04 Request Weight Restriction on A514

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding the request for a weight restriction on the A514.

Decision

1. To approve the request for a weight restriction on the A514.
2. To request the Director of Development and Cultural Services to commence the process to implement the weight restriction on the A514.

335/04 Education Capital Projects

The Council Cabinet Considered a report from the Education Commission regarding the Education Service Capital Programme 2005/06 - 2007/08. Comments were made on the difficulty of understanding the report in the format it was presented. Concern was expressed that many of the proposals were for works to repair school buildings that were considered to be generally unsuitable for their purpose. With the current reduction in pupil numbers, concern was expressed as to whether this was the best way of using the capital funding.

Decision

1. To approve the Education Service Capital Programme 2005/6 to 2007/8.
2. To request that, for future reports the format should be revised to make it more readily understandable and easier to interpret.

Best Value

336/04 Best Value Review of Bereavement Services

The Council Cabinet considered a report from the Planning and Environment Commission regarding the Best Value review of Bereavement Services.

The Council also considered a report from the Director of Commercial Services responding to the Commission's report on the Best Value review of Bereavement Services.

Decision

To approve the response to the Planning and Environment Commission on the Best Value report on Bereavement Services set out in the report.

Key Decisions

337/04 Annual Arts Grants 2005/06

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding Annual Arts Grants. Each year, the arts organisations submit an application for grant support outlining their objectives and programme plan for the coming year which was supported by a copy of their Business Plan and annual accounts.

Options Considered

1. To increase all the current year's grants by a standard 2.7% inflation, which would not allow any funds for new clients, such as, Opus, Red Earth, and Flying Donkeys.
2. All current grants remain at a standstill, which would put increasing pressure on the larger organisations as their services costs and contractor fees increase at an estimated annual rate of 6-8%. This would yield greater scope for targeted support for emerging organisations.

Decision

To approve the allocation of the Arts Grants for 2005/2006 set out below.

Derby Playhouse	£407,500
Q Arts	£120,000
Derby Dance Centre	£116,400
Metro Cinema	£55,200

Viva Orchestra	£19,900
First Movement	£8,100
Derby Concert Promoters Association	£5,000
Derby Jazz	£4,300
Surtal Asian Arts	£5,100
MACE	£2,000
Derby West Indian Community Association	£2,500
Derby Chamber Music Society	£1,080
OPUS	£1,000
Red Earth	£2,000
Flying Donkeys	£1,000
Small Grants Pot	£4,483

Reasons

1. Arts grants achieve two important objectives
 - The first was to sustain organisations that provided continuity in the calendar of arts opportunities in the city.
 - The second was to nurture new organisations as they built up their expertise and capacity. This was an investment in the future cultural life of Derby.
2. In almost every case the grants made by the Council were used as match funding to apply for further finance from external sources. Increasingly, our grants were being directed where they would maximise this total income for arts activity.
3. Our partners in Quad were particularly important to us in this stage of the project. We have not been able to meet their requests in full, but we were recommending changes in funding designed to ensure that the project remained on track.
4. Our partners in the Three Cities Urban Cultural Programme were recommended for significant increases this year, in recognition of this pioneering work of regional and national importance.

At this point, Councillor Hickson took the Chair

338/04 Twinning Grant – May Week Festival 2005

The Council Cabinet Considered a report from the Director of Corporate Services regarding the May Week Festival Twinning Grant.

Options Considered

No other options considered.

Decision

To approve the payment of £55.00 to each participant of the Derby citizens group led by the current Osnabrück Envoy. As things stand, this would give a total grant of £1,540, but this figure may increase if more participants come forward.

Reason

The visit was eligible for assistance under the Council's Scheme. Having declared an interest in the above item, Councillor Burgess left the meeting during the discussion and voting thereon

339/04 Mainstream Funding for Social Care Voluntary and Community Organisations 2005/06

The Council Cabinet considered a report from the Director of Social Services regarding mainstream funding for social care voluntary and community organisations 2005/2006.

Options Considered

None

Decision

1. To approve the grants set out in Appendices 2 and 3 of the report.
2. To approve in principle the additional grant funding set out in paragraph 3.10 of the report, subject to receiving the contributions identified from partners.
3. To note that the Invest to Save Bid and match funding requirements for the MHA Live at Home scheme, set out in paragraph 3.8 of the report, would be subject to a further report.
4. To agree the proposal in paragraph 3.14 of the report in relation to Derby Kids Camp.

Reasons

1. The report set out the recommendations for mainstream funding to be paid to voluntary organisations for 2005/2006.
2. In the final year of their funding agreements, voluntary sector organisations were invited to reapply to the mainstream programme for a continuation of their funding. All services funded through the mainstream programme were monitored and reviewed on a continuous basis to ensure accountability. Continued funding was therefore dependent on this ongoing process of monitoring and review, as well as on the funding application process.
3. Funding through the mainstream programme was normally subject to three year Service Level Agreements. Appendix 2 of the report detailed those organisations with a current three-year agreement, which did not yet need renewing. Appendix 3 of the report detailed the organisations that would receive a new funding agreement from April 2005.
4. Some requests for funding above inflation and some new applications had been received from voluntary sector organisations, which were not currently receiving funding from the mainstream programme. These applications had been assessed alongside applications from currently funded organisations. The recommendations were set out in the supporting information of the report.
5. The Council has agreed to an inflationary increase of 2.7% for the voluntary sector funding for 2005/2006. It was recommended that all organisations receive the 2.7% inflationary increase, except in the specific cases, which were described in the supporting information of the report. Mainstream funding was therefore recommended at the levels shown in the Appendices of the report.

Having declared an interest in the above item, Councillor Burgess left the meeting during the discussion and voting thereon.

At this point, Councillor Burgess took the Chair

340/04 Joint Funding Commitments to the Social Care Voluntary Sector 2005/06

The Council Considered a report from the Director of Social Services regarding the Joint Funding commitments to the social care voluntary sector 2005/06.

Options Considered

None.

Decision

To approve the arrangements and financial commitments for the schemes receiving Joint Funding for 2005/2006 as detailed in Appendix 2 of the report.

Reasons

1. Cabinet was asked to approve the arrangements for the Joint Funding Programme for 2005/2006. These were joint commitments between Derby Social Services Department and one or more of the following: Greater Derby Primary Care Trust, Central Derby Primary Care Trust, Southern Derbyshire Primary Care Trusts and Derbyshire County Council. These funding arrangements were first supported through the Joint Finance programme with Southern Derbyshire Health Authority.
2. The recommendations for 2005/2006 were uplifted in line with inflation only, except where specified in the supporting information of the report. The agency providing the majority of the funding usually assumed responsibility for the administration of the funding arrangements, although this was not always the case.
3. Where Derby Social Services was the lead agency, it was recommended that Joint Funding should be increased by 2.7% for 2005/2006, in line with Derby City Council's overall inflationary increase to voluntary sector grants. It was expected that the Primary Care Trusts would provide the same inflationary increase, as this had been the case in previous years. Any schemes administered by Derbyshire County Council would be increased in line with the County Council's increases to the voluntary sector.

341/04 Confirmation of Derby's Local Area Agreement

The Council Cabinet considered a joint report from the Directors of Policy and Finance regarding Derby's Local Area Agreement - LAA.

Options Considered

The Council could withdraw from the LAA process if it felt that the benefits were only marginal. However, this would deprive us the opportunity to influence a major national policy initiative which was likely to be further rolled-out in 2006-07 and subsequently. Derby, like other Councils, has identified the inefficiencies arising from multiple funding streams.

Decision

1. To approve the final draft Local Area Agreement as the basis for agreement with the Government.
2. To confirm the delegated authority to the Chief Executive, in consultation with the Leader of the Council and the Directors of Finance and Policy, to conclude negotiations on behalf of the Council and its partners to this agreement.
3. To note the role of the Council as the accountable body for the agreement, and the governance arrangements necessary to support this role.
4. To note the further work to be undertaken with Derby City Partnership to develop appropriate governance arrangements to enable partners to work towards agreed outcomes, and that these arrangements would be subject to further Cabinet approval.
5. To approve, subject to the agreement of Derby City Partnership and the need for Cabinet agreement to any later changes, the initial conditions to apply to disbursements by the Council of pooled LAA funds in 2005/06, as set out in Appendix 1 of the report but to disperse the Single Community Programme quarterly in advance.

Reason

The Government expects negotiations on draft agreements to be completed by the end of March 2005, enabling agreements to take effect from 1 April 2005. The Council needed to be in a position to act as the accountable body from that time.

342/04 Review of Supplementary Language Classes

The Council Cabinet considered a report from the Director of Education regarding the review of supplementary language classes. Financial support had been provided, by the City Council and previously by the County Council, to supplementary classes with the purpose of enabling minority communities to develop structured opportunities to pass on language and cultural values to their children.

Options Considered

Variations to the proposed formula had been considered, and one option had been to allocate all of the funding through a formula, without separate rent allocations. This would result in significant variations in grant for three groups and cause particular problems for groups that do not have access to free, appropriate accommodation.

Decision

1. To approve the process for future grant distribution to support language classes.
2. To approve the allocations for 2005/06, subject to checking pupil numbers, financial information and the match to funding criteria.

Reason

The budget for 2005-2006 includes additional funding for supplementary language classes, to address the shortfall of recent years and make some provision for any new groups. The approach to the allocation of funding had therefore been reviewed, in order to propose an appropriate formula, and to determine the allocations from 2005/06 awards.

343/04 Grants to Sports and Community Groups

The Council Cabinet considered a report from the Director of Education regarding grants to sports and community groups.

Options Considered

The Regeneration Co-ordinator in the External Funding Unit of Derby City Partnership had been consulted on the grant applications. It was considered that the projects did not meet the necessary funding criteria for the National Lottery 'Awards for All Scheme' and that no other source of funding was currently available.

Decision

1. To approve a grant of £2,700 to Oakwood Community Association, a voluntary community organisation, as detailed in the supporting information and Appendix 2 of the report.
2. To approve a grant of £1,600 and £6,500 to Derventio Excel, a voluntary sports organisation, as detailed in Appendix 3 of the report.

Reasons

The organisations applying for grant aid meet the Council's criteria and objectives for grant funding schemes.

Budget and Policy Framework

344/04 Revision of the Council's Environmental Policy

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding the revision of the Council's Environmental

Policy. The first Environmental Policy was adopted in 1998 but a revision to this document had been considered necessary for a number of reasons, including the changing nature of environmental issues such as climate change.

Decision

1. To approve the revised Environmental Policy as set out in appendix 3 of the report.
2. To recommend Council to formally adopt the new Environmental Policy.

Performance Monitoring

345/04 Quarter 3 – Performance Monitoring Report

The Council Cabinet considered a report from the Director of Finance regarding Quarter Three Performance Monitoring. The report provided a summary of the Council's performance in the third quarter against the statutory Best Value Performance Indicators, the targets agreed in the Council's first Local Public Service Agreement and the outcomes promised in the 2004-2007 Corporate Plan. The report also highlighted key areas of achievement and key areas for improvement.

Decision

1. To note the performance of the Council against the targets included in its 2004/2005 Best Value Performance Plan.
2. To give particular attention to areas where performance was forecast to be below target and the action being taken to address this, and to those areas where targets were likely to be exceeded.

346/04 Derby Homes' Performance Monitoring – Quarter 3 2004/05

The Council Cabinet considered a report from the Director of Policy regarding Derby Homes Quarter Three Performance Monitoring. The report examines the performance of Derby Homes during the period 1 October to 31 December 2004.

Decision

1. To note Derby Homes' 2004/05 third quarter performance.
2. To note that the monitoring information included the third available data set on the indicators that had been added for 2004/05 – there was, therefore, limited comparative information available.

3. To refer the report to the Community Regeneration Commission for consideration.

Contract and Financial Procedure Matters

347/04 Contract and Financial Procedures Matters Report

The Council Cabinet considered a joint report from the Directors of Finance and Corporate Services regarding the Contract and Financial Procedure Matters.

Decision

1. To approve the funding of the phase 2 ICT and e-Business Restructure and associated revenue budget virements as detailed in supporting information paragraph 2.1 in the report.
2. To approve the waiver of contract procedure rule, CPR, 15 tender requirements and award a contract to the Irongate Group Limited for design, printing and production of the Derby Joint Local Transport Plan: 2006-2011, LTP2 and associated documents.
3. To approve, under CPR24, the award of a contract to NPM Ltd until 31 March 2006, for the printing of Council Tax, Business Rates, Housing and Council Tax Benefit and Payroll documents.
4. To approve the waiver of CPR15 tender requirements and award a contract to British Trust Conservation Volunteers for the provision of a two year "Green Gym" project at Osmaston Park at a cost of £50,000.
5. To approve, in principle, a funding agreement with the Arts Council for the Quad scheme, including clawback and other terms as set out in paragraph 2.5 of the report.
6. To approve the commencement of spending on the Quad scheme Architects and other specialist fees only at a total estimated cost of £300,000 to be met from the first tranche of the Arts Council funding.
7. To approve a one-off budget transfer of £60,000 from the Environmental Health and Trading Standards forecast underspendings for 2004/5 to implement a replacement IT system.
8. To approve an eight month extension to the cash collection contract to December 2005.
9. To approve the payment of £100,675 to Walbrook Housing

Association to complete 49 individual Disabled Facility grant application works.

348/04 Education Service Capital Programme 2005/06 – 2007/08

The Council Cabinet considered a report from the Director of Education regarding the Education Service Capital Programme 2005/06 – 2007/08.

Decision

1. To approve the Education Service capital programme for 2005/6 to 2007/8, 2006/7 and 2007/8 elements of which are indicative except where stated otherwise in the report.
2. To approve the commencement of the design and tendering process for projects above £100k listed in Appendix 4 of the report.
3. To approve the re-phasing of £356,000 from the 2004/5 latest approval capital programme to the 2005/6 capital programme as set out in paragraph 3.8 of the report.

MINUTES END