

Time began 6.00 pm
Time ended 7.15 pm

COUNCIL CABINET

17 JANUARY 2006

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

Also present: Councillors Hickson and Jones

This record of decisions was published on 19 January 2006. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

227/05 Apologies

An apology for absence was received from Councillor Williamson.

228/05 Late Items Introduced by the Chair

There were no late items.

229/05 Identification of Urgent Items to which Call-In will not apply

There were none.

230/05 Declarations of Interest

Councillor Bolton declared a personal interest in Minute Number 234/05 as she is appointed by the Council as a Director of Support, Councillor Jones declared a personal interest in Minute Number 234/05 as she is appointed by the Council as a Director of Derby Law Centre. Councillor Bayliss declared a personal interest in Minute Number 236/05 as he is appointed by the Council as a Non-Executive Director of Derby Homes. Councillor Wynn declared a personal interest in Minute Number 232/05 as he is the Chair of Governors at Nightingale Junior School. Councillor Hussain declared a personal and prejudicial interest in part of Minute Number 238/05 as he is a board member of Sahahra.

231/05 Minutes of the Previous Meeting

The minutes of the meeting held on 20 December 2005 were confirmed as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

232/05 Primary School Place Planning Strategy

The Council Cabinet considered a report on the Primary School Place Planning Strategy. Council Cabinet agreed at its meeting on 12 July 2005 the content of the draft Primary School Place Planning Strategy. It was agreed that there should be a wide consultation on this draft strategy. The consultation period closed at the end of October 2005. There was a broad acceptance of the Proposals and Principles outlined in the draft strategy.

Decision

To approve the Primary School Place Planning Strategy as it appeared in Appendix 3 of the report.

Key Decisions

233/05 Supporting Derby Project

The Council Cabinet considered a report on the Supporting Derby Project. Partners working through the Prosperous City Executive of Derby City Partnership have developed a project to help local people take up forthcoming job opportunities at the redeveloped Eagle Centre by targeting training programmes and assisting companies with recruitment. The 'Supporting Derby' project has secured funding under Derby and Derbyshire Economic Partnership's £300,000 allocation to Derby to employ a Project Manager and support the development of a training centre. The Council has been a key partner in the initiative and is best placed to be the Accountable Body. The project will develop a model for partnership working on employment and skills that can be rolled out to future developments within Derby. It will be an important way of supporting the retail sector in the city, which has been identified as a growth area of the local economy through the City Growth Strategy project.

Options Considered

1. The project developed in Birmingham was successful in helping local residents, particularly those from target groups take up job opportunities at the Bull Ring Centre. This had been used as a model of best practice in developing the Supporting Derby project.
2. Derby City Partnership must work proactively with developers to make sure that Derby residents directly benefit from investment through accessing training and taking up job opportunities.

Decision

1. To agree to the Council acting as Accountable Body for the Supporting Derby project.
2. To retrospectively approve a bid for external funding to pay for the 'Supporting Derby' initiative and to approve the launch of the project.
3. To recommend that Council approve the addition of capital elements of the project to the Regeneration and Community capital programme and to commence the scheme subject to written confirmation that all the external funding is in place.

Reasons

The project is strategically important within Derby City Partnership and is included in the Community Strategy. It will help develop a model for structured partnership working on new developments and investment in Derby City that will maximise the benefits for local residents. In particular, the project targets new job and training opportunities to local people.

234/05 Community Grants Budget 2006/07

The Council Cabinet considered a report on the Community Grants Budget 2006/07. A number of options had been considered for the allocation of the Community Grants Budget – CGB – grants to voluntary sector organisations for 2006/07. A total of 45 organisations had applied for CGB funding in 2006/07. The CGB now had an assumed budget of £851,491 in 2006/07, subject to the setting of the Council's budget in March 2006.

Options Considered

1. Following the appraisal process three broad options were considered to balance the budget ...
 - reduce all organisations by a certain percentage to fit the available budget
 - use total scores achieved for each organisation and fund those organisations who achieved above a certain total score
 - continue to fund all currently funded organisations and not bring in any new applicants.
2. The third option was the recommended proposal. The proposal had the support of Council Cabinet Members and would leave an unallocated balance of £13,861 in the CGB to be retained as a contingency in 2006/07.

Decision

1. To continue funding 13 organisations on a three year basis – 11 of whom will be in their final year of CGB funding in 2006/07, to begin funding a further 2 organisations on a three year basis and to fund 10 organisations on a one year basis during 2006/07.
2. To approve the allocation of the Community Grants Budget grants to voluntary sector organisations for 2006/09 as outlined in the report and detailed in the appendices.
3. To approve grants to existing CGB funded organisations at the same level as they were funded in 2005/06, with no inflationary increase.
4. To note the comments of the Community Regeneration Commission.

Reasons

The Community Grants Budget is limited, so the Council had not been able to support all the organisations which applied for funding in 2006/7. Continuing to fund existing CGB funded organisations was the option which would cause the least disruption to the voluntary organisations supported by the Council.

235/05 Connecting Derby Procurement

The Council Cabinet considered a report on Connecting Derby Procurement. It would be necessary to agree the costs of the work with a contractor prior to the completion of the Statutory Processes to ensure that Connecting Derby was completed as soon as possible.

Options Considered

A normal tender process could be entered into once it was confirmed that the statutory processes had all been approved. However this would mean that a price for the works would not be available for approximately 5-6 months after this date and this would obviously delay the release of funding and the commencement of works.

Decision

1. To approve a partnership procurement process for the appointment of a contractor to carry out the completion of Connecting Derby.
2. To delegate the selection of a preferred bidder, contract negotiation and award of tender to the Corporate Director, Regeneration & Community in conjunction with the Corporate Directors of Resources, and Corporate & Adult Social Services, and in consultation with the Cabinet Member for Planning and Transportation.

Reasons

The Department of Transport (DfT) would not release further funding until the projected costs for all of the outstanding works had been finalised. A partnership procurement process would enable a preferred bidder to be chosen at an early stage. This would ensure that all of the projected costs of the works would be known and available to be forwarded to the DfT as soon as confirmation of the planning and other applications and orders have been approved. This would then enable construction to commence on site at the earliest opportunity.

236/05 Derby Homes Service Access Review Proposed Closure of Local Housing Office

The Council Cabinet considered a report on the Derby Homes Service Access Review Proposed closure of Local Housing Offices. Derby Homes conducted a Best Value Service Access Review over a nine-month period up until March 2005. It examined the way in which Derby Homes customers make contact and how the organisation delivers its front line services. In order to make sure that services are delivered efficiently, within the Best Value framework, they examined the long-term sustainability of the local housing offices. This followed an earlier, operational decision to close cash offices later in 2005.

Options Considered

1. To close all ten offices where cash offices were closing because of their falling efficiency levels. These were the current nine part-time offices plus Stockbrook Street. This would mean the closure of Chellaston, Spondon, Littleover, Chaddesden Park, Osmaston, Austin, Cowsley, Old Sinfin, Stockbrook Street and Brook Street.
2. Derby Homes had been asked, as at recommendation 2.3 to carry out further consultations and to bring back further recommendations on how to rationalise and improve front line services by the summer of 2006.

Decision

1. Subject to the views of the Community Regeneration Commission:
 - (1) To approve the new arrangements proposed for four full-time offices, three part-time offices and a further five offices offering more limited opening for the time being, as outlined at 1.14 in the Director of Resource's report.
 - (2) To approve the closure of the three part-time offices, as soon as practicable, at Littleover, Chellaston and Spondon.
 - (3) To ask Derby Homes to carry out further consultations, with the aim of resolving the situation by summer 2006, on the closure of

three of the limited opening offices referred to in 2.1 of the report at Cowsley, Chaddesden Park and Osmaston. This would allow time for:

- further examination of their potential as part of the Council's neighbourhood access strategy
 - monitoring the continuation of improved performance standards for the Enquiry Centre
 - evaluating the success of surgeries.
2. To authorise the Cabinet Member for Housing and Social Inclusion to approve the recommendations following consideration of the comments from the Community Regeneration Commission.

Reasons

1. The Best Value Service Access Review concluded that there was no longer a justification for sustaining 15 local offices.
2. Derby Homes' management fee is reducing because of Right to Buy – RTB – sales, and this reduction in revenue is projected to continue which means that Derby Homes needs to make savings.

237/05 Children's Social Care Voluntary and Community Sector Funding for 2006/07

The Council Cabinet considered a report on Children's Social Care Voluntary and Community Sector Funding 2006/07. This report sets out the Children's Social Care Mainstream and Joint Grant Funding to be provided to Voluntary and Community Sector Organisations in 2006/2007. Owing to the Council restructuring, Adults' Social Care Grant Funding had been set out in a separate report. The majority of Children's Social Care Grant Funding would continue to be funded through Children's Social Care budgets. However, it was proposed that grants to meet lower level Children's social care services should be transferred to the Community Grants Budget framework, with 50% of the budget for these services transferring from Children's social care budgets and the shortfall being met corporately.

Options Considered

No other options were considered.

Decision

1. To approve the proposed level and scope for Voluntary Sector grant funding for Children's Social Care and Jointly Funded services, set out in Appendix 2 of the report.

2. To approve the transfer of small grants to meet lower level services to the Community Grants Budget process.
3. To approve consultation with the VCS on the transfer of remaining grant funded services to contract services.
4. To approve the relocation of responsibility for funding the Derby Millennium Network social care post from a Children's budget to the Adult Social Care Budget.

Reasons

Owing to the significant budgetary pressures faced by the Council, it had not been possible to recommend any inflationary or other increases for 2006/7. Furthermore, it was no longer possible for social services budgets to continue meeting needs which fell below the moderate band of the Council's eligibility criteria. It was nevertheless recognised that these lower level services make an important contribution to community well-being, therefore responsibility for these lower level grants should transfer to the Community Grants Budget.

238/05 Adults' Social Care Voluntary and Community Sector Funding for 2006/07

The Council Cabinet considered a report on Adults' Social Care Voluntary and Community Sector Funding for 2006/07. The report set out the Adults' Social Care Mainstream and Joint Grant Funding, to be provided to Voluntary and Community Sector Organisations in 2006/2007. Owing to the Council restructuring, Children's Social Care Grant Funding was set out in a separate report. It was proposed that grants to meet lower level of eligibility for Adults social care services should be transferred to the Community Grants Budget framework, with 50% of the budget for these services transferring from Adults Social Care budgets and the shortfall being met corporately.

Options Considered

No other options were considered.

Decision

1. To approve the Voluntary Sector grant funding for Adults' Social Care and Jointly Funded services, set out in Appendices 2 and 3 of the report.
2. To approve the transfer of small grants to meet lower level services to the Community Grants Budget process.
3. To approve consultation with the VCS on the transfer of remaining grant funded services to contract services.

Reasons

Owing to the significant budgetary pressures faced by the Council, it has not been possible to recommend any inflationary or other increases for 2006/7. Furthermore, it was no longer possible for social services budgets to continue meeting needs which fell below the moderate band of the Council's eligibility criteria. It was nevertheless recognised that these lower level services made an important contribution to community well-being, therefore responsibility for these lower level grants should transfer to the Community Grants Budget.

Having declared a personal and prejudicial interest in the application from Sahahra Councillor Hussain left the meeting during consideration of that application.

239/05 Best Value Review of Home Care for Older People

The Council Cabinet considered a report on the Best Value Review of Home Care for Older People. The Best Value Review of Home Care for Older People was part of the Council's programme of Best Value Reviews. It had been undertaken using the Authority's approved methodology and toolkit. The recommendations of this Review and the Improvement Plan needed to be considered. The major objectives were described in 1.8 of this report.

Options Considered

The Review was required to be presented to Cabinet.

Decision

To approve the report and the key recommendations from the Best Value Review and the Improvement Plan.

Reasons

1. The Council's process for signing off completed Best Value Reviews and their associated Improvement Plans require that they be presented to Cabinet.
2. Home Care for Older People was an area of great significance to the Council as it met the needs of many older people in Derby and took up a large amount of resources. The Best Value Review had highlighted the need for significant change if the service was to continue to meet the needs of older people in the future, provide value for money and enable performance targets to be achieved.

240/05 Refreshing Derby's Local Area Agreement

The Council Cabinet considered a report on refreshing Derby's Local Area Agreement. The report described progress made in refreshing Derby's Local Area Agreement, LAA, for 2006 and presented the first draft of the Agreement

for consideration by Members. Derby's pilot LAA started on 1 April 2005 and covered three areas of activity or blocks:

- Children and Young People
- Healthier Communities and Older People
- Safer and Stronger Communities.

There were a number of changes which would impact upon the refreshed LAA for 2006:

- In line with Government guidance, it had been agreed to introduce a fourth economic block – 'Economic Development and Enterprise'.
- The opportunity to align the LAA with the work of the Area and Neighbourhood project board, supporting the Council's priority of reducing inequalities across the Derby City areas.
- The introduction of a 'single pot' for funding streams. Future governance arrangements for the LAA were being considered as part of the Derby City Partnership review taking place from January to March 2006.

Options Considered

No other options were considered.

Decision

1. To note the progress made in refreshing Derby's Local Area Agreement.
2. To approve the draft Local Area Agreement as the basis for further negotiation.
3. To give delegated authority to the Chief Executive, in consultation with the Leader of the Council and the Directors of Community & Regeneration and Resources, to negotiate the Local Area Agreement on behalf of the Council and its partners.
4. To receive further reports to confirm the Council's approval before the Agreement is entered into.

Reasons

The Government expects partnerships to submit a draft agreement in February 2006 so that negotiations be finalised, enabling agreements to take effect from 1 April 2006. The delegation requested will give us the flexibility needed to negotiate an agreement.

Budget and Policy Framework

241/05 Council Tax Base for 2006/07

The Council Cabinet considered a report on the Council Tax Base for 2006/07. The Council has to calculate the 'Council Tax Base' for 2006/07 as a means of raising council tax income from Derby council tax payers. The tax base was an estimated figure which equated to the effective number of domestic properties in terms of Band D in the Council's area during the year. It is used to translate total council tax income requirements in a headline charge for Band D. Charges for other bands were calculated as defined fractions of the headline charge. Due to the continued growth in the number of domestic properties the Council Tax Base could be increased from 68,589.4 to 68,966 Band D equivalent properties.

Decision

That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 12003/3012), Cabinet agrees the council tax base for the year 2006/07 as 68,966 band D equivalent properties be approved in accordance with the methodology and estimates shown at appendices 2 and 3 of the report.

242/05 The Council's Vision, Objectives and Priorities and Draft Corporate Plan 2006-09

The Council Cabinet considered a report on the Council's Vision, Objectives and Priorities and Draft Corporate Plan 2006/09. This report draws together the Council's updated vision, objectives and priorities for 2006-09 and provided an update on the corporate plan drafting process. In line with the refreshed Community Strategy, it was proposed that the Council adopt the vision of 'A city for all ages'. Objectives and priorities were presented to Cabinet and Scrutiny Management Commission during November and December. A working draft of the corporate plan had been put together and will be developed by officers over the next few weeks. A copy of the working draft had been placed on CMIS and would be updated regularly on the intranet for members to comment upon.

Decision

1. To confirm the Council's vision, objectives and priorities for 2006-09 as set out in Appendix 2 of the report.
2. To approve the structure and working draft of the Corporate Plan 2006-09 as the basis for further development.
3. To refer the draft corporate plan, amended as necessary, to Scrutiny Management Commission for comment at its meeting on 24 January 2006.

4. To note the timetable for approving the finalised Corporate Plan during February and March 2006.

243/05 City of Derby Local Plan – Consideration of Representations made on the Proposed Modifications and Adoption of Plan

The Council Cabinet considered a report on the City of Derby Local Plan – Consideration of Representations Made on the Proposed Modifications and Adoption of Plan. A Public Inquiry into objections to the draft City of Derby Local Plan (CDLP) Review was held in 2003-04 and the Inspector's report received in January 2005. Cabinet considered this at its 6 September meeting last year and a number of proposed modifications placed on deposit from the end of September to 11 November 2005. The report considered objections and supporting representations made to these modifications and sought authority to adopt the Plan. There had been a relatively small number of representations, reflecting the late stage in the Plan preparation process. There were slightly more supporting representations (nearly 40) than objections (around 35). Having said that, some of the objections raised issues that required careful consideration. A summary of the representations and full responses to them is set out in Appendix 2, which could be accessed on CMIS. A shorter summary of the main issues was given in the Director's report. One of the objections referred to the Inspector's recommendation that the Council should urgently review its strategy on convenience retail floor space. A review of this strategy was considered by Cabinet at the 6 September meeting and could be viewed on CMIS as Appendix 3. Also available on CMIS, as Appendix 4, was a copy of a retail report submitted with a planning application for development at the former Friar Gate station. This report argued the case in favour of retail use in the bonded warehouse and was relevant in considering the current objections. It was recommended that a number of very minor changes be made to the Plan, but these were not considered significant enough to need advertising as Further Modifications. Subject to Council approval, the next stage would be to adopt the Plan next month. Once adopted, it would replace the existing CDLP.

Decision

1. To approve the responses to representations, including recommended minor changes, as set out in Appendix 2.
2. To adopt the CDLP Review as previously modified and to authorise the Corporate Director, Regeneration and Community to make the necessary arrangements.
3. To authorise the Corporate Director, Regeneration and Community, in consultation with the relevant Cabinet Member to approve any further minor textual and/or technical changes to the Plan and to produce a final printed version of it once the six week period for High Court challenge had expired.

4. To note the contents of Appendix 3 and Appendix 4 of the report and to have regard to these in reaching a decision on recommendations relating to them.
5. To accept the justification for modified Policies R2 and H13 set out in appendix 5 of the report
6. To recommend that Council approve the report and appendices on 25 January.

244/05 The Development of Regional Transport Priorities for the East Midlands for Funding through the Regional Funding Allocation

The Council Cabinet considered a report on the Development of Regional Transport Priorities for the East Midlands for Funding through the Regional Funding Allocation. The report:

- set out progress on work to prioritise major transport schemes for funding through the Regional Funding Allocation, RFA
- set out the list of schemes to be submitted to the East Midlands Regional Assembly. EMRA, for approval, and how this prioritised list might affect Derby and the Council's priorities for such schemes
- explained how this might impact upon the delivery of the long term transport strategy for Derby and the surrounding area.

Officers from all transport authorities in the East Midlands, together with EMRA, and the Government Office for the East Midlands, GOEM had worked together to put forward a balanced package which reflected the overall priorities of the Region and did not favour any one Authority's area. The proposed package would now go to EMRA for approval, then submission to Government by GOEM.

Decision

1. To support the Corporate Director, Regeneration and Community in ensuring that funding for Connecting Derby was secured through the RFA in line with the likely planning processes associated with the scheme.
2. To support the proposed package outlined in Appendix 2 of the report for submission to EMRA and the Secretary of State for Transport.

245/05 Housing Rents and Service Charges

The Council Cabinet considered a report on housing rents and service charges. The Government had set a policy to restructure social housing rents

over the 10 year period 2002/03 to 2011/12. This involved moving rents incrementally towards a target so that at the end of the tenth year, council housing rents would have converged with those of other Registered Social Landlords – RSLs. 2006/07 is the fifth year of rent restructuring and included some revisions to Government policy on the process with consequent changes being required to the policy used by the Council in determining the rent increase for its tenants.

Decision

1. To approve a variation to the policy of setting rents at the maximum possible while avoiding Rent Rebate Subsidy Limitation (RRSL) penalty to setting rents at a capped 5% increase for the next two years.
2. To recommend that Council on 25 January approve the revision of rent and service charges from 3 April 2006 on the basis set out in the report including:
 - an average weekly rental increase of £2.41 or 5% calculated over 52 weeks
 - an average weekly increase of 3.2% on Service Charges
 - an average weekly increase of 5% on Garage Rents.

Performance Management

246/05 Derby Pointer Panel – September 2005 Survey Results

The Council Cabinet considered a report on Derby Pointer Panel – September 2005 Survey Results.

Decision

1. To consider September's Derby Pointer survey results and the service managers' improvement plans.
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 to panel members with February/March 2006 survey.

247/05 School's Performance in Key Stage Assessments

The Council Cabinet considered a report on School's Performance in Key Stage Assessments. The purpose of the report was to present an analysis of progress and trends in all key areas of school performance, in order to inform current and future practice within schools and the Education Service. The report summarised performance in respect of Key Stage assessment for

Derby schools for the academic years ending 2001 to 2005, including comparison to national levels.

Decision

To endorse the report and, in particular, the priorities for addressing areas of identified under-achievement.

Contract and Financial Procedure Matters

248/05 Procurement of Software Modules – Integration of Pupil Databases

The Council Cabinet considered a report on Procurement of Software Modules – integration of pupil databases. As part of a continuing project to integrate pupil data across the Council's service, two further software modules were required for Special Educational Needs and Pupil Support Services. Tribal Group PLC was appointed following a tender in 2004 for the provision of a Central Pupil Database and the Admissions module. As the new modules would be part of the Central Pupil Database system, it was necessary that they were purchased from Tribal and this would require a waiver of Clause 6 of the Contract Procedure Rules.

Decision

That a waiver of Clause 6 of the Contract Procedure Rules be granted to allow the selection of Tribal Group PLC to supply two further software modules.

249/05 Contract and Financial Procedures Matters Report

The Council Cabinet considered setting out the following contract and financial procedures matter:

- Approval of a Scheme Commencement Report and Budget Variance – Foundation Stage 1 and 2 works at Ravensdale Infant School.

Decision

To give approval to the commencement of works at Ravensdale Infant School based on a revised total scheme cost of £471,963.

MINUTES END