

Time began - 4.00 pm
Time ended - 5.30 pm

**COUNCIL CABINET
23 JULY 2002**

Present: Councillor Williamson - Chair
Councillors Bayliss, Bolton, Kalia , Nath, Repton, Roberts, Wilsoncroft
and Wynn.

Also present: Councillor Burgess

Apologies for Absence

Apologies for absence were received from Councillor Gerrard.

Late Items to be Introduced by the Chair

There were no late items.

Urgent Items to which Call In will not apply

There were no urgent items.

Declarations of Interest

Councillor Burgess declared a personal interest in any matters relating to Derby Homes as he was a representative of the Council on the Board.

77/02 Minutes of the Previous Meeting

The Part 1 minutes of the meeting held on 9 July 2002 were approved as a correct record and signed by the Chair.

Matters Referred to the Council Cabinet

78/02 Tree Management Policy

The Council Cabinet considered a report from the Director of Commercial Services setting out details of a request from Area Panel 2 to consider revising the Tree Management Policy in light of a petition received relating to trees on public open space to the rear of properties on Whitehouse Close, Shelton Lock. Residents had been concerned about the obstruction of sunlight, loss of view and seasonal debris being shed by trees.

Decision:

- 1) To note the concerns of the petitioners and the policy background to the issue

- 2) To request the Council Cabinet Member for Environment and Direct Services to discuss with officers the issues raised and bring back to the Cabinet a report on whether the Policy required modification following the first months of operation.
- 3) To request that Area Panel 2 be informed accordingly.

Best Value

79/02 Best Value Review of Promoting Learning and Access to Jobs

The Council Cabinet considered a report from the Director of Education setting out the terms of reference for the Best Value Review of Promoting Learning and Access to Jobs.

Decision

To approve the terms of reference for the Best Value Review of Promoting Learning and Access to Jobs and refer it to the Lifelong Learning and Culture Overview and Scrutiny Commission for consideration.

80/02 Best Value Review Community and Family Support Services – Action Plan Progress Report

The Council Cabinet received a report from the Director of Social Services setting out progress made on the Action Plan prepared following the Best Value Review of Community and Family Support Services.

Decision

To note progress made on the action plan and refer the report to Social Care, Health and Housing Overview and Scrutiny Commission for consideration.

81/01 Street Cleaning Improvement Plan – Progress Report

The Council Cabinet considered a report from the Director of Development and Cultural Services setting out progress made on the improvement plan prepared for the Best Value Review of Street Cleaning.

Decision

- 1) To note progress made on the improvement plan for the Best Value Review of Street Cleaning and refer the report to the Environment and Sustainability Overview and Scrutiny Commission for consideration.

- 2) To receive a report at a future meeting on progress made on the gully cleaning service, with proposals for future contractual arrangements.

Key Decisions

82/02 Best Value and Construction Procurement

The Council Cabinet considered a report from the Director of Corporate Services setting out proposals to adopt a new procurement process for appointing contractors to carry out the bulk of the Council's construction programme over the next three to five years. It was also suggested that Derby Homes be recommended to adopt the same procurement approach and appoint the Council as its agent.

In accordance with Procedure Rule A126, the Chair of the Scrutiny Management Commission had been advised this item would be considered although not included in the Forward Plan.

Options considered

Traditional procurement methods were also considered.

Decision

- 1) To approve the procurement process set out in the report.
- 2) To authorise the Director of Corporate Services to enter into a framework agreement with selected Strategic Partners.
- 3) To authorise the Director of Corporate Services to enter into individual contracts under the framework agreement.
- 4) To waive contract procedure rule C15 - Requirement to Obtain Tenders - for the purposes of entering into individual contracts under the framework agreement.
- 5) To recommend Council to amend Contracts Procedure Rules to exempt individual contracts awarded under any framework agreement from the need to go through a competitive tendering process.
- 6) To recommend to the Derby Homes Board that they adopt the same approach to procuring their construction programme.
- 7) To request that the principles of Health and Safety identified in the Egan report, "Rethinking Construction" be incorporated into the contracts.

Reasons:

- 1) The Government sees "Rethinking Construction" as a Best Value approach to construction procurement as part of its modernising Government agenda. The

extent to which these principles are adopted is a performance measure that will be taken into account when assessing the Council's Capital Strategy, Schools Asset Management Plan, Housing Investment Plan and Local Transport Plan.

- 2) To respond quickly to fluctuating programmes, including the delivery of Derby Homes' exceptionally large-scale programme, over a relatively short period, by reducing the needs to tender individual contracts.
- 3) To bring about the improvements in construction procurement that should result in reductions in costs, time, accidents and defects in increases in predictability of cost and time productivity and profitability.
- 4) To develop regeneration initiatives linked to investment and promote the local economy and training opportunities for local people

83/02 Grants to Voluntary Sports and Community Organisations

The Council Cabinet considered a report from the Director of Education regarding applications received from voluntary sports and community organisations for grant assistance.

In accordance with procedure Rule A126, the Chair of the Lifelong Learning and Culture Overview and Scrutiny Commission have been advised this item would be considered although not included in the Forward Plan.

Options Considered

Other potential sources of external funding that applicants may be able to access are being explored. The Council's Lottery Officer will be able to provide advice and assistance to applicants in this process.

Decision

- 1) To approve applications for grant assistance to voluntary sports organisations as follows:

City of Derby Swimming Club	£5,300
Derby Ladies Athletic Club	£2,600
Derby and County Athletic Club	£4,080
North of England Athletic Association	£2,450
Derbyshire County District Athletic Association	£500
Derbyshire Judo Club	£500
Allestree Cricket Club	£500
Derby Schools Sports Association	£1,000

- 2) To approve applications for grant assistance to voluntary community organisations as follows:

GAD KHALSA Youth Club	£500
Darley Abbey Community Association	£1,908
Spondon Community Association	£2,000
Mickleover Community Association	£1,175
Sunnyhill Community Association	£1,500

- 3) To defer consideration of the application from Bramblebrook Community Association until it is established whether the bar at the centre is being run in accordance with the guidelines laid down by the Charity Commission.
- 4) To write to Etwall Eagle Swimming Club and advise them of other potential sources of external funding.
- 5) To request that the Council's Lottery Officer contact those applicants who had not been awarded the full amount requested, to offer them advice and support on identifying potential sources of external funding.

Reason:

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

84/02 Seed Challenge Funding – Standards Fund 2002/03

The Council Cabinet considered a report from the Director of Education setting out proposals to use Seed Challenge Funding for school building repairs and improvements as a means of leveraging in external funding from sponsors, parents and other partners. The report indicated the basis of the funding, the requirements of the schools to match fund projects and the process for agreeing applications received from schools. The Council Cabinet had previously approved projects for a total of £153,695 and the report set out proposals to allocate a further £26,262 leaving an unallocated balance of £100,746 for further projects.

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

Options Considered

No alternative options had been considered. All applications received since the last report met the criteria and were being recommended for approval.

Decision

To agree the following projects:

School	Project Details	Amount awarded
Chellaston Junior	Additional work on toilet refurbishment	£4,000
Firs Estate Primary	Fit plasterboard partition to create new Staff office	£395
Gayton Junior	Install water heaters	£5,000
Homefields Primary	Provide benching to enable IT suite provision	£447
Parkview Primary	Improve fencing	£598
St Albans Primary	Create secure area for Reception classroom Including fencing and gates	£2,000
Shelton Infants	Replace fencing on nursery playground With taller fencing	£1,977
Walter Evans CE Primary	Provide fixed cabling as part of mobile ICT Suite	£1,470
Walter Evans CE Primary	Fencing	£375
Wren Park Primary	Refurbish boys and girls junior Toilets	£10,000
		£26,262

Reason

- 1) The projects proposed by schools are in line with the requirements of the funding. Schools have confirmed they are able to match funds from external funds as required.
- 2) Projects using the balance of unallocated funding will need to be agreed as soon as possible in order to maximise the use of the grant available by March 2003.

Budget and Policy Framework

85/02 Corporate Asset Management Plan

The Council Cabinet considered a report from the Director of Corporate Services setting out the Draft Corporate Management Plan, which had to be submitted to the Government Office for the East Midlands (GOEM) by 31 July 2002. The report also set out the roles and responsibilities for Asset Management Planning.

Decision

- 1) To recommend Council to adopt the Corporate Asset Management Plan (AMP).
- 2) To authorise the Director of Corporate Services to make amendments to the plan

in consultation with the Cabinet Member with responsibility for Asset Management.

- 3) To refer the plan to the Scrutiny Management Commission for consideration so that its comments could be considered for the updated plan in July 2003.
- 4) To approve the roles and responsibilities for Asset Management Planning detailed in Appendix B.
- 5) To ask the Director of Corporate Services to ensure that Council Cabinet Members and relevant Ward Councillors are consulted on the disposal of property.

Reasons:

- 1) The Council is required to submit an updated AMP to GOEM by 31 July 2002.
- 2) A draft of the AMP has been sent to GOEM for initial comments and it may be necessary to make last minute amendments.
- 3) Revised guidance was received from DTLR in mid May leaving little time to prepare the AMP, the timetable had not allowed for Scrutiny Management Commission to consider and comment on the plan before submission to GOEM. Referring the plan to Scrutiny Management Commission in the autumn will allow input into next year's plan.
- 4) A requirement in the DTLR Assessment of Asset Management Planning is that roles and responsibilities of those involved are clearly defined. These were approved by Policy Committee in July 2000 and have been updated to take account of the revised constitution.

Performance Monitoring

86/02 Revenue Outturn 2001/02

The Council Cabinet considered a report from the Director of Finance setting out the total revenue expenditure for 2001/02 for all general fund services and presented it against the latest approved budget for each service showing an under spend of £1.7 million. The main variances were shown in detail for each department together with explanations and indication of any on going budget implications for future years. In addition, schools balances had increased by £1.6 million and trading services had returned a gross surplus of £1 million.

It was confirmed that proposals for the treatment of under spends and overspends, together with services carry forward proposals would be presented to the Cabinet for approval at its meeting on the 30 July 2002.

Decision

- 1) To note the Revenue Out Turn for the financial year 2001/02 and the variances to

the latest approved budget.

- 2) To note the Council's provisional revenue reserves position at 31 March 2002 as set out in Appendix 3.

87/02 Capital Outturn 2001/02

The Council Cabinet considered a report from the Director of Finance setting out the actual and committed spend relating to the 2001/02 Capital Programme. Achievements of the programmed investment were also reported.

Decision

- 1) To note the Capital Outturn for the financial year 2001/2002 and provisional financing.
- 2) To recommend Council to approve programme changes to the latest approved programme as set out in Appendix 1 to the report.
- 3) To recommend Council to approve slippage of £3.047 million in the Capital Programme as set out in Appendix 2 and add slippage in associated funding to the 2002/03 Capital Programme.

88/02 Revenue and Capital Budget Monitoring

The Council Cabinet considered a report from the Director of Finance setting out variances identified during the course of monthly revenue and capital budget monitoring and considered proposed action to address forecast variations.

Decision

- 1) To note the Revenue Budget monitoring position.
- 2) To note the monitoring issues relating to the 2002/03 Capital Programme.
- 3) To recommend Council to approve the latest approved Capital Programme as set out in appendix 2 to the report.
- 4) To recommend Council to approve the amendment to the 2002/03 capital programme for revisions to existing schemes and spend carried out in 2001/02 as set out in appendices 3 and 4 to the report.

89/02 Internal Audit Review 2001/02 - An Audit Plan 2002/03

The Council Cabinet considered a report from the Director of Finance setting out work undertaken by Internal Audit in 2001/02 and giving an overview of the 2002/03 Internal Audit Plan.

Decision

- 1) To note the activity of Internal Audit in 2001/02 and the outline plan of work for 2002/03.
- 2) To request that the Director of Finance prepare a report on the framework for reporting internal audit activity to Council.

Finance and Contract Procedure Matters

90/02 Financial and Contractual Procedural Matters

The Council Cabinet considered a report from the Director of Finance setting out the following financial procedure matters:

- rewiring project – Reigate Primary School
- Oakwood Infant and Junior School – proposed roofing projects
- Chellaston Community Centre extension
- Local Transport Plan – Victory Road local safety scheme.

Decision

1. To approve the allocation of £290,000 currently unallocated conditioned funding in 2002/03 and 2003/04 to a major re-wiring project at Reigate Primary School costing £307,000 in total.
2. To approve the further allocation of £50,000 unallocated conditioned funding in 2002/03 to priority re-routing scheme at Oakwood Infants and Junior School costing £156,000 in total.
3. To note the inclusion in 2002/03 Capital Programme of a Capital Scheme to contribute £105,000 to cost of an extension to Chellaston Community Centre funded from Section 106 contributions specifically received from developers for this purpose.
4. To approve the increase in the cost of the local safety scheme of Victory Road from £50,000 to £75,000.

91/02 Establishing a Contact Service for Children Looked After

The Council Cabinet considered a report from the Director of Social Services setting out a request to waive contract Procedure Rule C15 to establish a contact service for the children in care of Derby City Council in Partnership with Children First.

Decision:

In accordance with Contract Procedure Rule C6, to grant a waiver of contract Procedure Rule C15 relating to the requirements to obtain tenders.

MINUTES END