

Time began - 4.00 pm  
Time ended - 5.45 pm

**EXECUTIVE  
14 MAY 2002**

Present: Councillor Williamson – Chair  
Councillors Bolton, Kalia, Nath, Repton and Wilsoncroft

## Apologies for Absence

Apologies for absence were received from Councillor Roberts.

## Late Items to be Introduced by the Chair

There were no late items.

## Urgent Items to which Call In will not apply

It was reported that, as the following item had to be implemented with immediate effect, the chair of the Scrutiny Management Commission had agreed that it could be treated as an urgent item and therefore not subject to call in for the reason outlined below:-

Proposed lease of 93 – 95 Wiltshire Road.

This matter was urgent as the property was in the hands of receivers. They wish to act quickly to get the property disposed of and debts cleared.

### **Decision**

To consider the Key Decision as set out above as an Urgent Item in accordance with Procedure Rule OS44.

## Declarations of Interest

There were no declarations of interest.

## 132/01 Minutes of the Previous Meeting

The Part 1 minutes of the meeting held on 23 April 2002 were approved as a correct record and signed by the chair.

## 133/01 Executive Forward Plan

### **Decision**

To approve and publish the Executive Forward Plan for the period commencing 1 June 2002.

## Matters Referred to the Executive

### 134/01 Derby and Derbyshire Waste Local Plan

The Executive considered a joint report from the Environment and Sustainability and Prosperity and Planning Overview and Scrutiny Commissions setting out their comments on the draft Derby and Derbyshire Waste Local Plan. The Commissions jointly recommended to the Executive that:

1. The proposed publication of the first deposit of the joint waste local plan should proceed;
2. If legally possible an attempt should be made to extend the period during which the draft plan is available to the public for consideration;
3. To commend the officers responsible for preparing the draft plan for the quality of their work.

#### **Decision**

1. To note the comments of the Prosperity and Planning and Environment and Sustainability Overview and Scrutiny Commission and ask the Director of Development and Cultural Services to take into account the issues raised;
2. To recommend Council to publish the first deposit addition of the Joint Waste Local Plan.

### 135/01 Private Finance Initiative (PFI) Education Service Grouped Scheme

The Executive considered a report of the Lifelong Learning and Culture Overview and Scrutiny Commission on proposals to progress the Private Finance Initiative Education Grouped Service Scheme bid. The Commission had recommended that:

1. An Outline Business Case be prepared.
2. The Commission work along side the process, that the bid is brought back to the Commission at each significant milestone, and attention is paid to the views of Trade Union colleagues throughout the process.

#### **Decision**

To note the comments of the Lifelong Learning and Culture Overview and Scrutiny Commission and ask the Director of Education to take into account the spirit of the issues raised in developing the proposals.

# Key Decision outside the Budget and Policy Framework

## 136/01 Private Finance Initiative (PFI) Education Service Grouped Scheme – Developing the Project

The Executive considered a joint report from the Directors of Education and Finance setting out the tasks which needed to be undertaken in the short and medium term to take the public finance initiative forward, following the approval of the Council's preliminary bid by the DFES. As the Council did not have sufficient existing capacity to undertake all the tasks the report set out a range of internal and external measures to provide the additional staffing support required. The cost of the immediate and intermediate arrangements was projected to be in the region of £350,000. The report recommended that these costs be met by an allocation from the modernisation fund.

### Options considered

1. To deploy the Council's existing staffing resources to develop and support the project;
2. To establish new posts across the Council dedicated to the project;
3. To engage an external consultancy to undertake all the necessary tasks;
4. To combine elements of the above approaches.

### Decision

1. To proceed to the next stages of developing the project following the approval of the preliminary bid by the Department for Education and Skills (DFES);
2. To recommend Council to authorise the Director of Finance to release the resources required to support the arrangements from the Council's moderation fund up to £350,000 for the purposes set out in the report, subject to regular reports to the Executive as funds are committed;
3. To address the staffing implications of proceeding to the next stage through a combination of arrangements involving existing Council staff and / or external appointments and consultancy;
4. To receive a further report to approve the submission of the Outline Business Case.
5. To continue to investigate staffing issues raised by the Trade Unions in preparing the Outline Business Case.

## Reasons

1. The PFI process is becoming increasingly competitive. The Council's bid is one of only 21 approved from over 509 submitted nationally. Should the Council not proceed in this bidding round, there can be no guarantees that any subsequent bids would be approved;
2. The demands of delivering a successful PFI require a combination of local knowledge and expertise, with highly specialised technical, legal and financial inputs at various stages;
3. The Council's modernisation fund is an appropriate source from which to fund activities such as the PFI, which can be regarded as an innovative developmental approach to procurement. The implications of delivering the project and the potential benefits of successful delivery, extend beyond the Education Service across the Council as a whole;
4. Although there are a number of stages in the process at which the proposals can be adjusted, the scope for significant change reduces as the project moves forward. The outline business case is one of the most significant documents in the process. It is essential that it is properly developed through dedicated staffing resources and that members are committed to it prior to its submission to the DFES.

## Key Decisions

### 137/01 Derby and Derbyshire Business Venture Funds

The Executive considered a joint report from the Directors of Development and Cultural Services and Corporate Services. The report requested the permission to change the use of some of the Derby and Derbyshire Business Venture (DDBV) funds to secure better and greater output and impact in supporting new business in the City and Southern Derbyshire. Under the new system the Southern Derbyshire Chamber of Commerce and Industry proposed that the funds be used for the following purposes:

- continued provision and management of small loans (as at present)
- provision and management of equity investments
- investment in new management workspace facilities in Derby, with an investment of up to £500k (this would effectively be in the reinvestment of funds from the disposal of Derven House and would be used to match external funding via the Council)
- contribution to the operational costs of providing free business counselling and business support in Derby
- provision of temporary funding as a loan to support business regeneration programme changeover, with the loans to be repaid within six months

### **Options Considered**

No alternative options were considered.

### **Decision**

To approve the request from Southern Derbyshire Chamber of Commerce for the variation in use of the DDBV funds as set out in the report, subject to the Chamber making regular monitoring reports on the quality of the projects and jobs supported through these funds.

### **Reason**

The Chamber has had an independent assessment of the use of DDBV funds. This had advised that the funds could be used in new ways without an adverse impact on the levels of investment and support given to new and small business under the original terms of funding.

## **138/01 Derbyshire Tourism Management Strategy**

The Executive considered a report from the Director of Development and Cultural Services setting out proposals to adopt the Derbyshire Tourism Management Strategy.

### **Options Considered**

No alternative options were considered.

### **Decision**

To adopt the Derbyshire Tourism Management Strategy from April 2002.

### **Reason**

The Derbyshire Tourism Officers Group (DTOG) had developed a new tourism management strategy for Derbyshire. Derbyshire County Council, who are now looking to take an increased role in tourism, have recently worked with DPOG on the private sector to establish the Derbyshire tourism forum. Once the strategy has been adopted by all the individual local authorities the forum can then take it forward.

## **Contract and Finance Procedures**

### **139/01 Financial Procedural Matters**

The Executive considered a report of the Director of Finance setting out the following financial procedural matters

- On street car parking income
- Abolition of Receipts taken into account mechanism (RTIA)
- Neighbourhood Renewal Fund virements (NRF)
- Mobile case management system for community health staff

### **Decision**

1. To approve the commitment of various highways and transport development in the 2002/03 revenue budget totalling £244,000 and associated virements given the confirmation that budgeted income targets could be achieved sufficient to fund these;
2. To note the abolition of the RTIA capital receipt relocation mechanism with effect from 2003/04 and the fact that the 2002/03 capital programme is unaffected;
3. To approve the Neighbourhood Renewal Fund virements detailed in the report to reflect the allocation of resources;
4. To approve the update for the Capital Programme with the Social Services mobile case management system project funded by the Social Services Mental Health Supplementary Credit Approval.

## **140/01 Exclusion of the Press and Public**

### **Decision**

To exclude the Press and Public from the meeting during discussion of the following items on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 8 and 9 of part 1 of Schedule 12A of the Local Government Act 1972.

## **Urgent Key Decision**

### **141/01 Proposed Lease of 93 to 95 Wiltshire Road**

The Executive considered a report from the Director of Corporate Services setting out proposals to purchase 93-95 Wiltshire Road, Derby on behalf of the Derwent Community Team to refurbish the building for community purposes with a target age group of young people aged between 16 – 24 years. In accordance with procedure Rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be given consideration although not included in the Forward Plan.

### **Options considered**

No alternative options were considered.

## **Decision**

To approve the purchase of 93 – 95 Wiltshire Road, Chaddesden on behalf of the Derwent Community and lease the properties to them for seven years at a peppercorn rent.

## **Reasons**

1. The Derwent Community Team has not yet been constituted. It is anticipated that they will be constituted by August 2002, funding is available for the purchase of 93-95 Wiltshire, Chaddesden for the Derwent New Deals for Community Funds, funding had also been made available for refurbishment of the property;
2. The use of 93-95 Wiltshire Road, Chaddesden will be for community purposes to be decided in consultation with the residents.

## **142/01 Sundry Debt Collection – Interim Arrangements**

The Executive considered a report of the Director of Finance seeking approval to waive contract procedural rules for the procurement and engagement of debt collection agencies for financial assistance sundry debts on behalf of the Council.

## **Decision**

1. To authorise the wavier of contract procedural rules for the procurement and engagement of debt collection agencies for Financial Systems Sundry Debts on behalf of the Council;
2. To invite Credit Solutions Ltd and Westcot Financial to collect sundry debts of less than £350 on behalf of the Council, until the consolidated Debt Recovery and Bailiff Services contract is in place;
3. To invite Intrum Justitia to undertake a trial of second placement work on behalf of the Council until the consolidated Debt Recovery Bailiffs Services contract is in place;
4. To invite Westcot Financial to undertake tracing work on behalf of the Council until the consolidated Debt Recovery and Bailiff Services contract is in place.

MINUTES END