

Time began 6.00pm
Time ended 6.30pm

COUNCIL CABINET

20 DECEMBER 2005

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

Also present: Councillors Hickson and Jones

This record of decisions was published on 22 December 2005. The decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a decision is called in.

212/05 Apologies

There were no apologies for absence.

213/05 Late Items Introduced by the Chair

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late items on the grounds that both items could not wait until the next meeting.

- report on Police Force Restructure
- report on the Green Lane Centre.

In addition, the Chair reported that this would be Margaret McGlade's last meeting of Council Cabinet before she left Derby City Council. The Council Cabinet thanked her for all her hard work over the years she had been at Derby City Council and wished her all the best for the future.

214/05 Identification of Urgent Items to which Call-In will not apply

There were none.

215/05 Declarations of Interest

There were no declarations of interest.

216/05 Minutes of the Previous Meeting

The minutes of the meeting held on 29 November 2005 were confirmed as a correct record and signed by the Chair.

Matters Referred to Council Cabinet

217/05 Police Force Restructure

The Council Cabinet considered a report on Police Force Restructure. Having regard to the resolution of the Council passed on 23 November 2005, the Scrutiny Management Commission recommended the Council Cabinet to:

- a) express the Council's support for the resolution made at the Association of Police Authorities Summit of Chairs and Chief Executives of Police Authorities on 7 December 2005, and
- b) seek a solution which would secure effective policing of the city of Derby as the top priority.

Decision

1. To support for the resolution made at the Association of Police Authorities Summit of Chairs and Chief Executives of Police Authorities on 7 December 2005, and
2. To seek a solution which would secure effective policing of the city of Derby as the top priority.

218/05 The Green Lane Centre

The Council Cabinet considered a report on the Green Lane Centre. The Community Regeneration Commission welcomed the proposal and recommended Council Cabinet to confirm and implement the "in principle" decision made on 29 November 2005. The Commission also stated that the omission of a key decision from the Forward Plan must not be repeated in future; the need to factor in scrutiny consideration must be recognised in future projects. The Commission requested that they should be provided with details of the revenue budget and funding streams when the picture had become clearer. The Commission requested Council Cabinet to arrange for public information exercises to be undertaken in the locality, as soon as any planning law obstacle(s) are lifted.

Decision

1. To confirm the 'In principle' decision made at the meeting of Council Cabinet held on 29 November 2005.
2. To examine procedures to ensure the risk of a Key Decision being omitted accidentally from the Forward Plan be reduced as much as possible.
3. To provide the Commission with details of the revenue budget and funding streams when the picture has become clearer.

4. To arrange for a public information exercise to be undertaken as soon as possible in the locality, if planning permission was granted.

Key Decisions

219/05 Waste Strategy Procurement and Funding Strategy

The Council Cabinet considered a report on the waste strategy procurement and funding strategy. The report updated members on the progress on the Council's joint Waste Procurement Strategy with Derbyshire County Council since last reported to Council Cabinet on 6 September 2005. It provided indicative costings of the most cost effective method of financing an initial plant within the City, to deal with residual waste, amounting to approximately 50% of the total waste for both authorities.

Options Considered

There are three options regarding funding – Private Finance Initiative – PFI, Public Private Partnership – PPP and Prudential Borrowing – PB. The broad principles of each are:

PFI – a private sector provider would design, build, finance and operate the treatment facility with the authorities paying a gate fee in relation to waste treated. Financial support from government, by way of an annual grant towards some of the capital cost, would be received.

PPP – this very similar to PFI but without the central government support and hence without the specific requirements imposed by DEFRA

PB – a private sector partner would design, build and operate the facility but the authorities would provide the capital investment via prudential borrowing.

Decision

1. To approve, subject to the preparation of a detailed option appraisal and Outline Business Case demonstrating affordability, the adoption of Prudential Borrowing as the preferred funding method for Stage 1 of the Joint Waste Management project.
2. To approve in principle that the Council and Derbyshire County Council share equally, the capital cost of any Stage 1 plant, currently estimated to cost up to £50m, subject to ongoing discussions between the two authorities.
3. To note that a similar report was submitted to Derbyshire County Council Cabinet on 13 December 2005.

Reasons

To enable the Council to put in place, suitable arrangements to deal with residual waste in the City, and meet its Landfill allowance targets.

Budget and Policy Framework

220/05 Capital Programme and Resource Monitoring 2005/06

The Council Cabinet considered a report on Capital Programme and Resource Monitoring 2005/06. A monitoring exercise has been undertaken on the 2005/06 Capital Programme up to the end of October 2005. The report provided information on the expenditure to date and sought the necessary approval for changes to the programme. Prior to the monitoring the 2005/06 revised programme was restated to take account of changes approved at previous Council Cabinet meetings. The restated Capital Programme totalled £82m.

Following detailed monitoring; the programme now required further change, reducing the programme by £2m in 2005/06. There was an associated increase of £3.6m in later years. The net overall increase of £1.6m is broadly matched by additional specific external funding. The changes mainly reflected a combination of programme additions and slippage. Financial Procedure Rules require Council Cabinet approval for the commencement of schemes in excess of £250k.

Decision

1. To approve the changes to the 2005/06 Capital Programme as detailed in Table 4 of the report.
2. To note the latest monitoring position.
3. To approve the commencement of schemes over £250k.

221/05 Capital Strategy 2006/07 to 2008/09

The Council Cabinet considered a report on the Capital Strategy 2006/07 to 2008/09. This was the annual report that confirmed the process that would guide capital investment decision making as part of the budget process for 2006/7 onwards. Existing principles guiding this process required updating, including the need to consider supported housing needs when considering the best use of resources for housing, the future impact of the Government's recent proposals on Planning Gain Supplement, and the new division between children's and adult services. The timetable for decision making in 2006 showed how the different service programmes and the corporate programme would be subject to review and scrutiny. The report confirmed the expected funding levels over the period from 2006/7 and the proposed allocation of resources to the corporate capital programme, consistent with the updated principles for guidance. Some updating of indicative corporate

allocations from 2006/7 was shown, consistent with approvals made to date and subject to the decisions to be taken in the new year following further review. Further pressures likely to emerge on the corporate programme were also set out in the report. The scale of the Council's approved use of self-financing prudential borrowing was set out and demonstrates the effective use of new powers under the Local Government Act 2003.

Decision

1. To recommend to Council an updated and amended set of principles to guide the allocation of funding to support the capital programme from 2006/7 onwards, as set out in Appendix 2.
2. To agree the planned allocation of resources to the corporate capital programme, as set out in Sections 4.2 to 4.4 and Table 2.
3. To note the ongoing re-evaluation of the corporate capital programme, and revisions made to the indicative programme, prior to later decisions by Cabinet and Council.
4. To confirm the approach to self-financing prudential borrowing set out in Section 5.
5. To confirm the process and timetable for taking decisions on the detailed content of the capital programme for 2006/7 to 2008/9, set out in Appendix 3.

222/05 Provisional Finance Settlement 2006/07

The Council Cabinet considered a report on the Local Government Revenue Settlement 2006/07 to 2007/08. Details of the Local Government Revenue Funding Settlement for 2006/07 to 2007/08 were announced on 5 December 2005 these were set out in the report.

Decision

1. To note the funding settlements announced for 2006/07 and 2007/08 for formula grant, schools and other specific grants, and other relevant measures announced on 5 December 2005.
2. To agree to continue to prepare the Council's three year revenue budget for consultation, in accordance with the strategy previously agreed by Council Cabinet, with fine tuning to allow for the detail of the settlement proposals.
3. To agree to make representations to Government on the detail of the settlement, including the specific points set out in Section 7.

Contract and Financial Procedure Matters

223/05 Contract and Finance Procedures Matters Report

The Council Cabinet considered a report setting out a number of contract and finance procedure matters.

- The inclusion in the capital programme of works to install cycle stands following a successful bid for funding of the Cycle Derby programme, at an estimated cost of £250,000 in 2005/6.
- The waiver of tendering requirements for a site remediation survey at Sinfin Lane, reflecting the previous experience of the investigating firm at this site, and the inclusion of this in the corporate capital programme for 2005/6.
- A 2005/6 budget reallocation to reflect restructuring of the Community, Play and Sports Development sections within the Education Department.

Decision

1. To amend the capital programme to provide for £250,000 expenditure on works to install cycle stands and shelters in 2005/6 within the grant-funded Cycle Derby programme, and to approve commencement of this expenditure.
2. To amend the capital programme to provide for £28,000 expenditure on a site remediation survey at Sinfin Lane, funded by corporate capital reserves and to approve commencement of this expenditure.
3. To waive Contract Procedure Rule (CPR) 15 to appoint Atkins Environment to undertake a site remediation survey at Sinfin Lane.
4. To amend the 2005/6 revenue budget within Education Department through virements increasing the independent community centres budget by £24,501 and the sports development budget by £142,873, and reducing the junior activity centres budget by £131,594 and the play leadership budget by £35,780.

224/05 Renewal of Derby Homes Management Agreement 2007

The Council Cabinet considered a report on the Renewal of Derby Homes Management Agreement 2007. The Derby Homes' contract with the Council expires in March 2007 and the Council needs to decide whether to renew the contract. The Office of the Deputy Prime Minister has given a relatively clear steer in terms of future funding being dependent upon the continuation of the Arms Length Management Organisation.

Decision

1. To agree in principle to offer Derby Homes an extended contract beyond the expiry of the existing contract in April 2007.
2. To undertake further development of the contract and agreed with Derby Homes during 2006.
3. To agree in principle to renew Derby Homes' contract in 2007 for a period of four or five years, with the longer period being available if a three star inspection report is achieved in their next Audit Commission re- inspection due in February 2006.
4. To refer the report to the Community Regeneration Commission for comment.

Performance Management

225/05 Commission for Social Care Inspection Annual Review of Performance for Adult Social Care 2004/05

The Council Cabinet considered a report on the Commission for Social Care Inspection Annual Review of Performance for Adult Social Care 2004/05.

Decision

To note the Commission for Social Care Inspection (CSCI) Annual Review of Adult and Social Services performance for 2004/05 and the issues highlighted for future improvement.

226/05 Annual Performance Assessment of Children's Services

The Council Cabinet considered a report on the Annual Performance Assessment of Children's Services. Under a new system for assessing local authorities' performance in relation to education and children's social care services, an Annual Performance Assessment was undertaken in June 2005 by Ofsted and the Children's Social Care Inspectorate (CSCI). The assessment covered all aspects of the Council's performance in relation to the five outcomes in the performance framework for Children and Young People's Services. The report and judgements were published on 1 December 2005.

Decision

To note the annual performance assessment of children's services for 2004/05 and the issues highlighted for improvement.

MINUTES END