

Time began:6.00pm
Time ended:7.15pm

COUNCIL CABINET
11 SEPTEMBER 2013

Present Councillor Bayliss (Chair)
 Councillors Afzal, Banwait, Rawson, Repton, Russell Shanker
 and Tittley

In attendance Councillors Hickson and Jones.

This record of decisions was published on 13 September 2013. 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.

63/13 Apologies

There were no apologies for absence.

64/13 Late Items Introduced by the Chair

There were no late items

65/13 Receipt of Petitions

There were no petitions received.

66/13 Identification of Urgent Items to which Call In will not apply

There were no items.

67/13 Declarations of Interest

There were no declarations of interest.

68/13 Minutes of the meeting held on 14 August 2013

The minutes of the meeting held on 14 August 2013 were agreed as correct record and signed by the Chair.

Key Decisions

69/13 Updating Derby's Market Rights

The Council Cabinet considered a report on Updating Derby's Market Rights. Derby could trace the history of providing markets in the city back to 1154, when King Henry II bestowed on the burgesses of the city a Royal Charter, including in which was enshrined the enduring right to stage markets. The privilege was further endorsed in 1204, by King John when a further Charter was granted establishing a market from the evening (vespers) on Thursday to the evening (vespers) on Friday. The rights were in extend in 1229, when King Henry III granted the right to hold a fair during Whitsun week and on eight days either side of the feast of St James the Apostle. Finally, in 1330, the right to hold a market was extended to include Sunday, Monday and Wednesday.

The Charter gave the City of Derby rights to provide markets and limit the ability of others to provide them within the area of its jurisdiction. This was taken as 6 2/3rd miles from the site(s) of an existing charter based market(s).

Recently however, the HM Land Registry had placed in question the legitimacy of these ancient rights on the grounds of their interpretation of Section 117 of the Land Registration Act 2002. The Land Registry contends that the 2002 Act had an overriding effect of removing Market Rights, despite any royal patronage or historic significance of them. Legal advice received was that the Land Registry contention was valid. This overriding right becomes effective from 12 October 2013.

This would mean that Derby would lose its long established market rights from that date and would therefore, be no longer able to resist applications from 3rd parties to establish additional markets or impose reasonable management conditions on the tenants of the existing markets. The provision of markets in the city would in effect become unregulated.

The proposal was therefore to adopt Part III of the Food Act 1984 as the basis for the provision of the markets in the future.

Options Considered

1. It was possible to seek to register Derby's original market rights with HM Land Registry on the basis that they were a 'franchise' drawn from the original Market Charters. However, adopting this approach was far more complex and time consuming. In addition, Derby would still be relying on ancient market rights, some of which were out of date, for the provision and management of markets rather than the modern legislative framework that the Food Act 1984 provided.
2. Despite this it was proposed to retain and formalise the strong link with the original rights and the long history of Derby as a Market Town by seeking to register them with the Land Registry so that they could run parallel with the modern legislative framework of the Food Act 1984.

Decision

1. To recommend Council to adopt Part III of the Food Act 1984 as the basis for the provision of the markets set out in Appendix 2 to this report.
2. To request a further report within 6 months setting the details of the proposed byelaws
3. To receive and consider a report within 3 months setting out the proposed schedule of fees and charges, to become effective from 1 April 2014.
4. To authorise, in the interim as a protective measure, the submission of an application to HM Land Registry by no later than 12 October 2013 to register the original market rights.

Reasons

1. To enable Derby City Council to continue to provide and regulate the existing markets and to protect the continued viability of them by resisting further applications to establish additional markets within the city.
2. To ensure that there is an effective regulatory system in place within the Council's administrative area.

70/13 Funding for Carers' Services

The Council Cabinet considered a report on Funding for Carers' Services. Further to massive cuts in revenue grants by the Coalition Government, Derby City Council's 2013-14 budget and significant savings proposals for the following two financial years were approved by Council on 30 January 2013. The budget proposals included a reduction in the funding set aside to support carers arising from these government cuts.

Due to the significant Government cuts, the scale of reductions required in relation to the Medium Term Financial Plan (MTFP), had required the Council to protect the statutory services it provided and to look carefully at its areas of discretionary expenditure. This included funding to support carers.

The current legal obligation was to offer a carer an assessment and provide information and advice. The introduction of the Care Bill would increase the Council's legal duties towards carers from April 2016.

On 20 March 2013, Council Cabinet agreed a consultation should be completed with carers and other stakeholders in relation to the budget proposals for the first two years. This process included a full Equality Impact Assessment.

The report explained what services it was proposed to cut, the consultation feedback on these proposals and how Derby City Council had responded positively to this consultation in its continuing support for carers – despite unprecedented cuts in Council funding.

The report also set out the findings from the Equality Impact Assessment in relation to the proposed savings.

Options Considered

Council Cabinet could decide that all savings should not be found from the expenditure set aside for carers. This would require further areas of spend within the Council being considered for reductions and potentially would require consultation to take place similar to that conducted for the carers' proposals.

Decision

1. To approve the following savings:

Proposal	13/14 saving	14/15 saving
Reduce Council staffing within the Integrated Commissioning division	£12,145	0
End temporary funding to Derby Advice	£20,858	0
Reduce grants to voluntary sector organisations supporting carers	£26,625	£13,875
Reduce consultation activity	£0	£2,125
Reduce funding in Council budgets that support assessment and support planning	£40,372	0
Total	£100,000	£16,000

having fully evaluated the outcomes and feedback from the consultation process and the Equalities Impact Assessment and having given consideration and due regard to the Council's equality responsibilities

2. To approve officers' recommendation that, due to Coalition Government cuts, the proposed reduction in carers' personal budgets be covered recurrently by funding from public health in 2014/15 and that the current year cost be met by drawing on Adult, Health and Housing's ear-marked reserves.
3. To note that proposed savings for 2015-16 would be reported to a future meeting of Council Cabinet .

Reasons

1. These reductions would not affect the core support being offered to carers which was commissioned to a third sector organisation (DCA-Derbyshire Carers Association). DCA provided on behalf of the Council carers with a carer assessment, advice and information and ongoing support from a range of interventions to enable the carer to continue to support the cared for as long as they were willing and able. This service covered the whole spectrum of carers, not only those who they cared for having an eligible need.
2. There had been no savings made to the short breaks respite services, which enabled carers to receive a break if the cared for person had an eligible need.

3. If savings were not found in this area, alternative proposals would need to be made to enable the Council to achieve a balanced budget for 2013/14 and 2014/15.

71/13 New Communities Strategy

The Council Cabinet considered a report on New Communities Strategy. Derby's population was growing and diversifying resulting in challenges to communities and public services. The past decade had seen unprecedented changes in the population of the UK, as the scale, speed, diversity and spread of migration had exceeded anything previously experienced. Policymakers and practitioners within the authority and its partners needed to work together to recognise, understand and address the challenges and opportunities associated with the scale and pace of the city's transformation.

Census data indicated, approximately 34,600 Derby residents (or 13.9% of the city's population), in 2011, were born outside of the United Kingdom. Of which, approximately 9,400 people were born in European Union – EU - member states. 7,000 people were born in countries acceding to the EU between 2001 and 2011. Accurate numbers were unknown but it had been estimated that the total number was possibly closer to 10,000 people. The migration was primarily of families, many of which were extended.

Alongside economic migrants, there had been an increase in Roma communities coming to the UK. The main reasons cited by the Roma community for migration were:

- Discrimination in home countries
- Limited Opportunities for employment in home countries
- Poverty
- Quality of life
- Educational opportunities

This combination of 'push' and 'pull factors' meant that cities like Derby would continue to be a draw for new migrants. Posing challenges for services and communities.

In response to the pace of migration into the city, City and Neighbourhood Partnership's – CNP - was tasked to develop a Cohesion and Integration Strategy for the city, focusing on the key risks and threats to cohesion. It had been agreed that the first step was to develop a New Communities Strategy to respond to the immediate pressure of migration and to refresh the 2007 Community Cohesion Strategy later in the year.

The decision to adopt a New Communities Strategy would ensure public services, voluntary and community organisations and communities work together to address the immediate and long term impacts of migration and ensure those arriving in the city were supported to play an active and fulfilling role.

Options Considered

Do Nothing:

To do nothing, would leave new communities vulnerable with the resultant impact and burden placed upon public services and communities. Resulting in increased costs, poor school attendance and attainment levels, higher crime rates, health inequalities, and rising community tensions in areas of Derby which already experienced high levels of deprivation.

Decision

To approve the Derby New Communities Strategy.

Reasons

1. Between 2001 and 2011, the percentage of Derby's population from Black and Minority Ethnic – BME - groups increased from 15.7% to 24.7%

It was estimated that 36% of Derby's 0-16 population were from BME communities.

Surveys of Public Health databases – March 2013 - identified at least 40,775 people living in Derby who were born outside the United Kingdom (or 15.3% of the population). Within this, at least:

- 11,540 people were born in Pakistan, India and Bangladesh
- 11,170 people were born in the A8 accession countries which joined the EU in 2004:
 - Czech Republic
 - Estonia
 - Hungary
 - Latvia
 - Lithuania
 - Poland
 - Slovakia
 - Slovenia

There were people living in Derby who were born in at least 180 different countries.

2. Migration could have a number of impacts but in more recent years it had been impacting upon the demand for local services mainly due to an influx of migrant workers from Eastern Europe. Although the UK had gained economically from migration, the ability to identify needs and allocate resources at a local level has proved more difficult. This was not helped by the inability to accurately estimate or calculate migration numbers into the city. Public services and community observations had indicated that while Asian residents continued to form the largest migrating ethnic groupings in Derby, migration from the A8 Eastern European countries had grown with a significant number of Eastern European migrants of primarily Roma descent being the

largest group of new-comers. Slovakian Roma make up a significant majority of these new-comers.

Since 2008 settled community residents had used Neighbourhood Forums to raise issues and community tensions in their communities due to the migration of Eastern European communities, predominantly Roma families. Public services responded within their service designs but struggled to cope with demand.

In 2010 a strategic task and finish group was convened and targeted both strategic and operational responses towards working with Roma more effectively – in the short term to address some critical anti-social behaviour risks but in the long term to address issues of deprivation, poverty, education and safeguarding. However, the group of partners had continually struggled to match resources to the local demands associated with this population of people:

- Increasing costs for translation services
- Low employment levels and prospects
- Health inequalities
- Crime and Community Safety
- Pressures on high density housing areas
- Demands for school places and educational attainment
- Environmental ASB
- Community Tensions
- Safeguarding

3. In the context of a changed demography of migration into Derby and a depressed economy it was vital that a New Communities Strategy was developed to address identified current needs and to plan for anticipated future needs.

72/13 The Bemrose School – Age Range Extension

The Council Cabinet considered a report on The Bemrose School – Age Range Extension. Nationally, the demand for primary school places was increasing and projections were showing that this would remain at this level for a number of years. In order to ensure there were sufficient school places in Derby, the proposal was to extend the age range at The Bemrose School to 3-18 and provide an additional 315 primary school places and 26 nursery places.

Following Cabinet Member approval in June 2013 and The Bemrose School Governing Body approval, statutory consultation had now taken place on a proposal to permanently extend the age range at The Bemrose School. Consultation on this proposal took place over a four week period from Friday 28 June 2013 to Friday 26 July 2013, with the publication of a statutory notice in the local press as legally required. The notice was also displayed at the local library and at the entrance of the School. A summary of responses received and the Local Authority's comments were set out in Appendix 2 of the report, and a copy of the consultation document was attached as Appendix 3 to the report.

All responses received from both the initial consultation which was reported to Council Cabinet in June 2013 and the statutory consultation would be considered, and The Bemrose School Governing Body would make a final decision on the proposal. As The Bemrose School was a foundation school it was therefore legally required to take this decision, in consultation with the Council.

Options Considered

There were no alternative options in providing additional school places in this area of the City to ensure a sufficiency of primary school places.

Decision

1. To note the outcome of statutory consultation in relation to the proposal to extend the age range at The Bemrose School to 3-18.
2. To note The Bemrose School Governing Body would consider the responses received and would take a final decision on whether to expand the age range at The Bemrose School from September 2014.
3. To agree that the Council fully supported the proposal to extend the age range at The Bemrose School to provide additional primary school places in Derby.

Reasons

To inform Council Members of the outcome of the statutory consultation in relation to the proposal to extend the age range at The Bemrose School from September 2014.

73/13 Street Lighting Energy Reduction Project – Invest to Save

The Council Cabinet considered a report on Street Lighting Energy Reduction Project – Invest to Save to demonstrate the spend to save options available to significantly reduce long term energy and carbon costs, associated with the Derby City Council street lighting stock.

The report provided proposals for changing the energy profile of street lighting on traffic routes in the City through the use of new technology.

The report was written to provide the facts and figures necessary to allow the Council to evaluate a request for funding of a system that would reduce energy and carbon costs with a defined saving.

The report demonstrated a viable method of reducing energy and carbon costs with a defined saving and provides the facts and figures.

Options Considered

1. Take no action - energy usage would remain the same for the foreseeable future and the council would need to pay the various taxes on carbon and energy usage as outlined in paragraph 3.3 of the report and pay increased energy costs. In the current financial climate with increasing energy costs this option was not seriously considered as it was clear that action needed to be taken to address the future increasing energy bills and associated carbon costs.
2. Switch off lights - some rural based councils had switched off lights for a portion of the night (part night switching) which had provided reasonable levels of energy saving but had proved very unpopular and had attracted negative press coverage. It had not been considered in an urban environment. This option was also not seriously considered as the council had stated publicly that switching off street lights in Derby City would not occur and in addition, from investigations into other council's policies around the country, no urban environments had considered switch off as a viable choice due to crime and safety issues. The third option was already being considered and implemented in most local authorities around the country. This option provided the only realistic solution to Derby as it would reduce energy consumption in such a way that the street lighting service could be maintained.

Decision

1. To note the predicted increase in energy and carbon costs.
2. To approve the adoption of dimming technology where the street lighting was reduced in such a way that the energy was lowered but the perceived effect to the human eye was minimised. This was the preferred solution for an urban environment where switch-off was not considered a realistic option.
3. To approve the principles for scheme development as indicated in section 4.3.4 of the report.
4. To approve the funding of £1,362,966.03 through borrowing as set out in the report. It was proposed that this would be recovered through indirect energy savings of £33,242.
5. To recommend Council to approve the additional borrowing for the street lighting energy reduction scheme.

Reasons

1. Derby City Council's service provider maintained and operated approximately 30,250 street lighting units throughout the city. Derby City Council remained responsible for the procurement and purchase of energy. The Council's overall street lighting energy consumption had been increasing as a result of the need to bring sub-standard lighting installations within the City up to the required UK and European standards for residential and traffic route lighting. This process had allowed the Authority to remove a significant portion of the

risk that old and life-expired apparatus would have posed if they had not been replaced.

2. There were increasing pressures on local authorities to make savings in energy consumption and service costs. The City Council had a target to reduce its carbon footprint by cutting emissions by 25% by the end of 2013-14 as proposed in our Greenhouse Gas Emission Report (September 2012).
3. Street lighting provision was one service area in which various local authorities had made significant energy and cost savings. Our current street lighting energy provision in Derby costs around £1.25 million per year and produces over 6,177 tonnes of carbon emissions (CO₂) based on 2012/13. This accounted for 18% of the Councils total for CO₂ emissions for both electricity and gas combined. As well as energy costs, the Council had to pay charges under the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme. Over the last few years the Council had not had to pay this charge for street lighting as the street lighting team had been able to take advantage of a loophole in the regulations which allowed an exemption to this charge but this would not be available after 2014. In addition to the closure of this loophole, the rules governing CRC payments had been simplified and CRC charges would apply to street lighting from next year costing the Council approximately £99,000 p.a.
4. Unmetered energy costs had increased by more than 56% between 2007 and 2013 which was an increase of more than 8% year on year.
5. Reducing energy use and associated carbon emissions was important. Taking action on climate change was in the best interests of the residents of Derby. Reduced energy consumption also meant reduced energy bills which would save the Council money for the lifetime of the installed street lighting infrastructure. As part of our street lighting strategy, new technology and products were evaluated and wherever possible we actively look to reduce the environmental impact of street lighting. Over the last few years, rising energy prices had made this a higher priority and the need to be proactive in reducing energy consumption had become more urgent.
6. Advances in modern lamp technology and electronic programmable control gear, coupled with the lower and variable lighting levels permissible by the revised British Standards (BS 5489) and EN 13201, means that it was now feasible to achieve energy savings by means of reducing the wattage of the lamps through dimming in certain instances and at certain locations; the right light in the right place at the right time.
7. These methods and techniques were being successfully implemented by other similar urban Councils across the country. Coventry City Council already had a dimming system installed and had recently approved an increased dimming level from 25% light reduction to 40% light reduction after midnight in residential areas and a 50% reduction on traffic routes with times dependent of individual risk assessments of the road similar to this proposal. Leicester City Council was currently in the first year of a three year roll out of dimming

technology which was designed to save energy in a similar manner to this proposal.

74/13 Derby's Innovation Campus

The Council Cabinet considered a report on Derby's Innovation Campus. The report provided an update of the progress made in the establishment of the Innovation Hub, previously known as the Innovation Campus, following the report provided to Council Cabinet on 17 October 2012. The report sought approval to proceed with the implementation arrangements.

This was a very significant project for Derby, being the centrepiece of the Global Technology Cluster business park development, a much needed hi-tech business park development on the south side of the city.

The project was an £11.5m investment, split between the Council, the University of Derby, UK Government and European Regional Development Fund programmes.

The Innovation Hub would be a facility for new and existing SMEs in high technology sectors, particularly planes, trains and automobiles, to access research, technology transfer, and other innovation advice from the three partner universities – Aston, Cranfield and Derby. Rolls-Royce plc was a significant player, as it was donating the three acres of land required for the development of the Innovation Hub.

The project was also one of the key strands of our Regional Growth Fund programme, utilising an element of the £40m which we won from Government, to support our three key transport engineering sectors.

We were now at a stage where we required a significant number of approvals from Council Cabinet. These would enable us to proceed with a number of important matters, including acceptance of offers of grant and other financial assistance, procurement of the team to manage the centre, procurement of the construction company to build the Innovation Hub and to proceed with marketing at the earliest opportunity.

Options Considered

Cessation of the project had been considered pending the resolution of uncertainties surrounding capital funding. However, this project was considered to be of the utmost significance to the long-term fortunes of many SMEs in Derby so, on balance, it was considered necessary to proceed at risk.

Decision

1. To authorise the Chief Executive and Strategic Director of Resources following consultation with the Leader of the Council to formally accept any offer from Derby's Regional Growth Fund Programme (RGF) and the European Regional Development Fund (ERDF).

2. To authorise the Chief Executive and Strategic Director of Resources following consultation with the Leader of the Council to agree to the final terms relating to the investment by the University of Derby into the project and to enter into a leasehold agreement and Marketing Agreement with Rolls-Royce for the land.
3. To note the position regarding RGF and, subject to the capital plan prioritisation process, delegate authority to the Chief Executive, following consultation with the Leader, to increase the Council's investment into the project from the capital programme up to a maximum of £4.45m depending upon the success of the ERDF application.
4. Pending confirmation of the above resources, to authorise the Chief Executive and Strategic Director of Resources following consultation with the Leader of the Council to enter into a contract with the selected construction company to build the Innovation Hub.
5. To authorise the Chief Executive and Director of Regeneration following consultation with the Leader of the Council to conclude negotiations with the University of Derby, Aston University and Cranfield University over the establishment of a joint venture vehicle to oversee the marketing of land at the Innovation Hub and to direct the operation of Engineering Supply Chain Solutions.
6. To confirm the Council's commitment to the appointment by the joint venture partners of the Managing Director of Engineering Supply Chain Solutions and to commence the recruitment of the remaining Executive Team and the marketing of the services on offer.

Reasons

The project started as the key part of our bid for RGF resources, and had developed considerable momentum. Approval to the recommendations above would enable the project to proceed. A verbal update would be given to your meeting about our progress with the ERDF application, the latest advice on the State Aid and taxation issues, and the outcome of the design competition that was currently underway.

75/13 Roman House: Refurbishment for Relocation of Children and Young People's Services

The Council Cabinet considered a report on Roman House: Refurbishment for Relocation of Children and Young People's Services. As part of the budget process 2013/14 to 2015/16 Members approved funding for a project to implement Derby Workstyle Phase 2 at the Beaufort Business Centre (BBC) to support implementation of the Accommodation Strategy. The redevelopment of this building would enable the relocation of up to 500 Children and Young People's Service (CYP) staff in one place and deliver savings associated with the subsequent closure and disposal of a number of peripheral buildings.

In April 2012 Council Cabinet agreed to secure a joint venture partner to refurbish the buildings known as Roman House once it was vacated in early 2013.

Due to the current market conditions, it had not been possible to secure a deal and sell and redevelop Roman House which meant that the Council had been able to give consideration to using this building for CYP rather than BBC as it offers a more central city centre location.

A Feasibility Study had been undertaken to establish whether Roman House could be refurbished to create modern good quality accommodation for Children and Young People's Services rather than the Beaufort Business Centre (BBC).

The Study had confirmed that Roman House could be refurbished and upgraded to accommodate up to 500 staff employed in Children and Young People's Services within an A rated energy efficient building. In addition, with the introduction of a central atrium on Stafford Street, the building could be completely rebranded and significant improvements could be made to the layout and utilisation of the building including creating 1040 square meters (m²) of Grade A lettable office space. This would provide accommodation for up to 210 workstation and 300 full time equivalents under Derby Workstyle.

Options Considered

The 'Do Nothing' option would comprise of leaving the building vacant and on the market in the hope that an interested joint venture partner would come forward in the future. This option was discounted as this end of the Cathedral Quarter was economically depressed and local businesses were suffering as a result the vacation of the whole of the Heritage office development. There was a need to support the regeneration this part of the city and demonstrate the potential to upgrade vacant secondary office stock to good quality Grade A office accommodation.

Decision

1. To suspend the Beaufort Business Centre and the Roman House Joint Venture projects previously approved by Council Cabinet and complete an external and internal refurbishment to rebrand Roman House to provide:
 - modern 21st century modern accommodation for up to 500 staff in Children and Young People's Services

1040 m² of Grade A office space that could be let to generate income for the Council and provide lettable accommodation for 210 workstations.
2. To approve the transfer of the sum of £5.761m already identified to renovate the Beaufort Business Centre in the Corporate Capital Programme to fund the Roman House project and approve additional borrowing sum of £1.663 million to cover the additional costs of implementing the total scheme.

Reasons

1. Roman House provided a more central city centre location which would improve access for customers. The modern layout and design of the building

would improve customer experience and provide a marked improvement on current facilities for customers in locality bases.

2. To provide good quality accommodation of the same standard as the Council House for staff in Children and Young People's Services and enable them to be integrated and colocated in one building rather than in seven disparate buildings across the city.
3. To deliver a scheme that would make a significant contribution to the regeneration of the Cathedral Quarter and demonstrated the potential to upgrade vacant secondary office buildings to good quality accommodation.
4. This project would enable the vacation and rationalisation of seven buildings in Council ownership. This would support the delivery of the objectives of the Property Rationalisation Project by enabling potential savings in property maintenance and facilities management budgets. Each building would be reviewed as part of the Area Review process agreed by Cabinet and if all were found to be surplus to requirements could be sold to generate a potential corporate capital receipt of around £2 million.
5. To address the fact that despite significant effort, the Council had been unable to sell or secure a joint venture partner for Roman House and as a result it had remained empty since it was vacated in early 2013.
6. Designing Beaufort Business Centre to maximise the potential of Derby Workstyle principles had been constrained by the construction and structure of the building. Roman House had a larger footprint and was a much simpler construction which afforded the creation of a more efficient layout and design providing the Council with better value for money.
7. As well as meeting the brief for CYP services, the proposed refurbishment of Roman House would create a net lettable area of 1040 square meters. This would create capacity for an additional 210 workstations which could be let as Grade A office space and generate potential income which would off-set the costs of borrowing for this element of the project.
8. As Roman House was vacant, it could be redeveloped more quickly than BBC without the need to decant any staff. This would create far less disruption to service users and staff and reduce the one off revenue costs associated with decanting and recanting staff.

Budget and Policy Framework

76/13 The Derby Plan Refresh 2013-2015

The Council Cabinet considered a report on The Derby Plan Refresh 2013-2015. The report presented a draft of the refreshed Derby Plan 2013-2015 for review by Council Cabinet.

The Derby Plan (formerly the Sustainable Community Strategy) sets the Partnership vision and outcomes for the whole city. The Council Plan would support this by describing the Council's contribution to the outcomes as it was refreshed over the coming months.

Decision

1. To note the contents of the draft Derby Plan as set out in Appendix 2 of the report and approve the adoption of the three Big Ambitions and Spotlights set out in refreshed Derby Plan as the Council's priorities.
2. To refer the Derby Plan, subject to advised amendments, to Council.
3. To refer the Derby Plan to Corporate Scrutiny and Climate Change Board and report comments as an addendum to the Council report as required.
4. To recommend that Council delegate authority to the Chief Executive to make any final amendments to the Derby Plan in consultation with the Leader of the Council as Chair of Derby City and Neighbourhood Partnerships.

Contract and Financial Procedure Matters

77/13 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- changes to the current 2013/14-2015/16 capital programme
- use of reserve.

Decision

1. To approve changes and additions to the capital programme as set out in Appendix 2 and highlighted in section 4 of the report.
2. To note the revised programme for 2013/14 in table 1 (paragraph 4.1) and the revised indicative programme for 2013/14-2015/16 as shown in table 2 (paragraph 4.8) of the report.
3. To approve the use of the Budget Risk reserve as detailed in section 6 of the report.

Performance

78/13 Performance Monitoring 2013/14 – Quarter One

The Council Cabinet considered a report on Performance Monitoring 2013/14 – Quarter One. The monitoring report included highlights from key performance measures included in the Council Plan 2011-2014 and departmental business plans. These priority measures form the Council Scorecard for 2013/14.

At the end of quarter one (up to 30 June 2013), 72% of measures achieved their quarterly target and 89% of performance measures were forecast to meet or exceed their year end target. 57% of measures were forecast to improve compared to last year.

Results were assessed using traffic light criteria, according to their performance against improvement targets. A dashboard which summarised performance for the Council Scorecard was shown in Appendix 2 of the report. Areas for improvement were shown in Appendix 3 of the report. Accountable officers had provided commentary to put performance into context and identify actions that they were taking to address poor performance.

Decision

1. To note the quarter one 2013/14 performance results.
2. To note the indicators selected for review at Performance Surgeries as set out in paragraph 4.24 of the report.
3. To note that quarter one results for each Portfolio would be presented at Cabinet Member meetings in August and September 2013.

79/13 Education Improvement Report August 2013

The Council Cabinet considered a report on Education Improvement August 2013. Education improvement was judged in terms of pupil outcomes, (progress and attainment), and in terms of Ofsted judgements. In addition, Senior School Improvement Officers categorise all schools on a termly basis based on the criteria and triggers outlined in the Derby Winners Strategy. This provided a clear overview of the performance of all Derby schools and academies and enabled early intervention where schools were at risk of failure.

Trends in terms of pupil outcomes show a steadily improving picture in Derby since 2011. Early indications from invalidated 2013 data suggested that this trend was set to continue. Comparisons with 2012 figures were not possible for all measures due to changes introduced this year. Overall school performance as judged by Ofsted inspection findings demonstrated rapid improvement across the City, particularly in terms of the percentage of schools now judged as good (paragraph 4.6 of the report).

Comparative regional and national data showing the numbers of schools and academies in each Ofsted category was published quarterly. The latest statistics available represented inspections up to March 2013. Statistics including summer term inspections and showing national comparisons would be available from September 2013. Schools which had become sponsored academies were not

included in the published figures. Internal data on schools inspected in Derby was updated as each report was sent out to the school. (Appendix 2 of the report).

Following the outcome of focused inspections in Derby, the establishment of an Education Development Board had been agreed. The Board met at the start of the Summer term. At the meeting, terms of reference were drawn up and a set of actions agreed in relation to school performance and improvement.

Decision

1. To support the continued implementation of the Derby Winners policy.
2. To note the outcomes of recent Ofsted inspections.
3. To note changes to 2013 assessment arrangements which impacted on pupil outcome data.

MINUTES END