

Cabinet

Tuesday 10 November 2009

PRESENT:

Councillor Mrs Pengelly, in the Chair.
Councillor Wigen, Vice Chair.
Councillors Bowyer, Brookshaw, Jordan, Michael Leaves, Monahan, Ricketts and Dr. Salter.

Apologies for absence: Councillor Fry.

The meeting started at 2.00 pm and finished at 2.35 pm.

Note: At a future meeting, the Cabinet will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

78. APPOINTMENT OF VICE-CHAIR

Resolved that Councillor Wigen be appointed as Vice-Chair for this meeting.

79. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct from Members in relation to an item under consideration at this meeting –

Name	Item	Declaration	Reason
Councillor Bowyer	Minute no. 87 Residential Care: Update on Modernisation of Older People's Services (2005-2015)	Personal and Prejudicial	Relative employed in Residential Home
Councillor Michael Leaves	Minute no. 87 Residential Care: Update on Modernisation of Older People's Services (2005-2015)	Personal and Prejudicial	Owner of Residential Home

80. MINUTES

The minutes of the meeting held on 20 October 2009 were confirmed as a correct record.

81. QUESTIONS FROM THE PUBLIC

There were no questions submitted by members of the public.

82. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

83. JOINT FINANCE AND PERFORMANCE REPORT

The report of the Corporate Management Team was submitted.

Resolved that –

- (1) the work underway to improve the Carefirst System and the need for priority investment in this area be noted;

- (2) the **maximum** amount of carry forward at year end for Departments for 2009/10 be agreed, based on previously agreed criteria as:

Chief Executive's	£0.012m
Corporate Support	£0.066m;

- (3) the movement on the capital programme during the period be noted and the new schemes totalling £0.349m and scheme variations totalling £0.084m, outlined in paragraph 6.6 of the report, be added to the programme for 2009/10;
- (4) the reallocation of the Job Evaluation contingency across council departments, as outlined in section 13.2.2 of the report, be approved;
- (5) Officers seek an urgent meeting with Department of Communities and Local Government to discuss options to utilise the capital monies from the VAT shelter agreement to offset revenue pressures, these options to include:
- (a) an in principle agreement to an exceptional Capitalisation Direction over the next five years, and/or
 - (b) agreement to a special regulation under section 9(3)(a) of the Local Government Act 2003 permitting the Council to treat VAT shelter receipts as revenue;
- (6) the action taken by Officers to ensure that funding for the Devonport Neighbourhood Manager post is available over the next three years be noted and the transfer of £0.100m to an earmarked reserve in return for additional New Deal Communities grant funding towards Brickfields running costs be agreed;
- (7) the action taken by the Director for Corporate Support, acting under delegated authority, to remove the £10m limit on call accounts be noted, these deposits to be managed within the overall credit limit for each banking Group.

84. **BUILDING SCHOOLS FOR THE FUTURE (BSF): PROJECT GOVERNANCE AND BSF CABINET COMMITTEE**

The report of the Chief Executive was submitted.

Resolved that

- (1) a Committee of Cabinet be formed, to be known as the 'BSF Cabinet Committee', be formed, the members of that Committee being:
- Cabinet Member for Children and Young People (Chair)
 - Cabinet Member for Budget and Resources
 - Cabinet Member for Safer and Stronger Communities

and that the Committee be asked to invite the Shadow Cabinet Member for Children and Young People and Councillor David Stark to attend Committee meetings as observers: it be noted that the Cabinet Procedure Rules will apply to the Committee;

- (2) the Leader delegates all executive functions relating to the Building Schools for the Future (BSF) Project (including without limitation the monitoring of the Services for Children and Young People Capital investment) to that BSF Cabinet Committee, with the exception of decisions relating to the constitution of the BSF Cabinet Committee, the services to be provided by the Local Education Partnership and the contract award, each of which the Leader delegates to Cabinet;
- (3) the terms of reference and other provisions relating to that BSF Cabinet Committee, and the other arrangements for governance of the BSF Project, in each case as set out in Appendices 1 and 2, be approved and the Committee be requested to ensure appropriate sub-delegation, broadly in line with those arrangements;
- (4) the BSF Cabinet Committee, the BSF Project Executive, the BSF Project Team and the delegations to the Project Owner and Project Director be automatically terminated in the event that the Council does not achieve a 'Remit' meeting (project inception, as defined by Partnership for Schools processes) and accordingly it be requested that all delegations from

the Committee to the Project Owner and from the Project Owner to the Project Director be made on that basis.

85. **PLYMOUTH'S CHILDREN AND YOUNG PEOPLE'S TRUST PLAN 2008 - 2011: REFRESH 2009**

The report of the Director for Services for Children and Young People was submitted.

Resolved that the 2009 refresh of the Children and Young People's Plan be endorsed.

86. **LICENSING ACT 2003 - 12 MONTH REVIEW OF THE CUMULATIVE IMPACT POLICY**

The report of the Director for Community Services was submitted.

Resolved that the recommendations of the Customers & Communities Overview & Scrutiny Panel be agreed, as follows –

- (1) the existing policy remain in place;
- (2) a full review by the Customers & Communities Overview & Scrutiny Panel of the Cumulative Impact Policy be undertaken, together with the three year licensing policy review for 2011.

87. **GAMBLING ACT 2005 - 3 YEAR REVIEW OF THE STATEMENT OF PRINCIPLES**

The report of the Director for Community Services was submitted.

Resolved that it be recommended to the City Council that the Gambling Act Statement of Licensing Policy contained in Appendix B be adopted and that the Officers be authorised to take the necessary steps to publish the new Policy, to be implemented on 31 January 2010.

88. **RESIDENTIAL CARE: UPDATE ON MODERNISATION OF OLDER PEOPLE'S SERVICES (2005 - 2015)**

The report of the Director for Community Services was submitted.

Resolved that the re-provision of Whitleigh Residential Respite Home and the reinvestment into alternative respite services be agreed.

(Councillors Bowyer and Michael Leaves declared personal and prejudicial interests in the above item and left the room.)

89. **EXEMPT BUSINESS**

There were no items of exempt business.