



Council
Thursday 27 September 2018 at
6pm

Council Chamber, Council House
Corporation Street, Derby, DE1
2FS

Members:

The Mayor, Councillor Mike Carr, and Councillors Afzal, Anderson, Ashburner, Barker, Bayliss, Bettany, Care, Cooper, Dhindsa, Eldret, Evans, Froggatt, Graves, Grimadell, Harwood, Hassall, Hezelgrave, A Holmes, M Holmes, Hudson, Hussain, Jackson, Keith, J Khan, S Khan, Marshall, McCristal, Naitta, Nawaz, Peatfield, A Pegg, P Pegg, Potter, Poulter, Raju, Rawson, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Smale, Stanton, Webb, West, Williams, Willoughby, Winter and Wood.

Agenda

- | | | | |
|----|---|--|-----------------|
| 1. | Apologies | | |
| 2. | Declarations of Interest | | Attached |
| 3. | Minutes of the meeting of Council held on 12 July 2018 | | Attached |
| 4. | Announcements from the Mayor | | |
| 5. | Statements from Members of the Council Cabinet | | |
| 6. | Questions from the Public to Members of the Council Cabinet | | |

	Questioner	Respondent	Subject
A	Dorothy Skrytek	Cllr M Holmes	Clean Air Zone Modelling
B	Douglas Lumley	Cllr Barker	Taxi Licensing
C	Adrian Perry	Cllr Webb	Health Spending
D	Marcus James		
E	Simon Bacon	Cllr M Holmes	Incineration tax
F	Paul Weller	Cllr Poulter	Support for EU Nationals
G	Bernadette Grosse	Cllr Webb	CCG voluntary sector funding
H	Reg Hand	Cllr M Holmes	Clean Air Zone consultation
I	David Clasby	Cllr M Holmes	Reduction of motor vehicles
J	Ashok Hemmings	Cllr Poulter	Brexit impact on city employers
K	Peter Hemmings	Cllr Poulter	Brexit impact
L	Ashok Hemmings	Cllr Poulter	
M	Peter Robinson	Cllr M Holmes	Air pollution deaths
N	Douglas Lumley	Cllr M Holmes	A52 overspend reporting

For more information or if you have any specific requirements please contact Democratic Services on Derby 643656. Documents can be accessed online at <http://cmis.derby.gov.uk>

O	Simon Bacon	Cllr M Holmes	Predicted future waste levels
P	Paul Weller	Cllr Poulter	Permanent EU citizenship membership
Q	Bernadette Grosse	Cllr Webb	Winter health concerns
R	Reg Hand	Cllr M Holmes	Derby Green Forum invitation
S	Marcus James	Cllr Webb	CCG accountability
T	David Clasby	Cllr M Holmes	Dispersion of air pollution
U	Jennifer Stone	Cllr M Holmes	Sinfin Lane air quality
V	Peter Robinson	Cllr Webb	Aston Hall helpline and psychotherapy services

7. Questions relating to Derbyshire Fire Authority or Derby Homes
8. Questions from non-Council Cabinet Members
9. Council Cabinet Minute Extract 61/18 from the meeting on 12 September 2018 **Attached**
10. Annual Report of the Overview and Scrutiny Boards 2017/18 **Attached**
11. Annual Report of the Standards Committee 2017/18 **Attached**
12. Pay Policy Statement **Attached**
13. **Exclusion of Press and Public**

To consider a resolution to exclude the press and public during consideration of the following items:

“that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of items 14 and 15 only, on the grounds of the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

14. **Notice of Motion: Long-term Waste Contract**

Moved by Councillor Shanker, seconded by Councillor Peatfield

Sinfin Incinerator has had a chequered and contentious cross party history from concept, site-selection, planning, financial viability, construction and commissioning.

More than 10 years down the line and 18 months after the handover deadline, many of the concerns and fears raised by local councillors and the Sinfin, Osmaston and Normanton community have been proven to be

totally valid. The plant causes severe odour and noise pollution, impacting the daily lives of local residents. Something that the companies involved promised would never happen.

The entire financial justification of what is the biggest contract this Council has ever entered into is no longer credible.

Council therefore calls upon the Cabinet to exercise the legitimate break clause provided in the contract, signed and agreed by all concerned parties, to terminate the Sinfin Waste Plant contract.

15. Notice of Motion: Long-term Waste Contract

Moved by Councillor Evans, seconded by Councillor Bettany

Council notes recent publicity in relation to the waste treatment plant in Sinfin.

Council also notes that the original contract entitled the authority to terminate if the required completion certificate had not been provided by 30 September 2018, this date being 18 months after the original planned date for completion.

In the event that this completion certificate remains outstanding on 30 September 2018, Council calls upon the Council Cabinet to exercise its right to then terminate the contract.

To note:

The proposed exemption detailed at Item 13 does not apply to Item 16 onwards.

16. Notice of Motion: Off-rolling of pupils

Moved by Councillor Hezelgrave, seconded by Councillor Russell

Council notes the findings of the Parliamentary Select Committee published on the 2th July 2018, entitled "Forgotten children: alternative provision and the scandal of ever increasing exclusions". Its findings, among others, highlighted so-called "off-rolling", in which difficult pupils are taken off a school's register and moved to another setting, such as a pupil referral unit or home education and the Select Committee expressed serious concerns that this could be driven by schools wanting to have better exam statistics in performance tables.

Council takes the stance, as do all City Councillors as Corporate Parents, that there can be no complacency whatsoever on this matter. The consequences for offrolled pupils, notwithstanding their reduced access to a broad curriculum, are that they are not entered for examinations and as a result their full potential cannot be demonstrated by certification as, for example, GCSEs. This will have long-lasting effects on their life-chances.

Primary pupils affected will demonstrate lower than expected progress and their literacy and numeracy skills will suffer at a crucial educational stage.

Council therefore resolves to establish as a matter of urgency to what extent the school children of Derby residents are affected by offrolling. Council will collate the relevant figures for all schools in Derby and Derbyshire with children from the City of Derby on roll at both secondary and primary level. Any findings will be presented in a timely fashion to the Children & Young People Scrutiny Committee.

Council further resolves that for any school whose incidences of offrolling are more prevalent than would be expected, officers of the Council will work with those schools to find ways to reduce to a minimum, and ideally eliminate, instances of offrolling.

Council also resolves to share its serious concerns about this national tendency in State Education with the Secretary of State for Education in the form of a letter calling for relevant legislation or new Statutory Guidance on offrolling which will be fed into OFSTED's inspection framework.

17. Notice of Motion: Fixed Odds Betting Terminals

Moved by Councillor Care, seconded by Councillor Ashburner

Derby City Council is aware of the harm caused by Fixed Odds Betting Terminals (FOBTs), the high speed, high stakes machines in betting shops that facilitate casino games such as roulette, generating £1.8 billion in losses in Britain every year.

Derby was one of 93 local authorities which supported Newham Council's submission under the Sustainable Communities Act (SCA) calling on the government to reduce the stake on FOBTs to £2 a spin, making this the most supported submission so far under the SCA.

Council therefore welcomes the government's announcement that the maximum stake on (FOBTs) will be reduced from £100 to £2 a spin, following a review by DCMS.

Council notes news reports that the Treasury intends to delay the implementation of this decision to 2020.

Council believes that this policy can and should be implemented by April 2019, and will encourage the LGA to make this case.

Council therefore resolves to write to the LGA asking them to lobby for introduction of this lower stake limit in April next year and to also write to the Treasury minister to express this council's view on the matter.

18. **Notice of Motion: Anti-semitism**

Moved by Councillor Skelton, seconded by Councillor Naitta

Council agrees to adopt in full the International Holocaust Remembrance Alliance working definition of anti-Semitism and the full list of examples set out below.

Council further agrees to invite the city's three MPs to publicly do the same, if they haven't already done so.

Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities.

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. Anti-Semitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong". It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of anti-Semitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- *Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- *Making mendacious, dehumanising, demonising, or stereotypical allegations about Jews as such or the power of Jews as a collective – such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.*
- *Accusing Jews as a people of being responsible for real or imagined wrong-doing committed by a single Jewish person or group, or even for*

acts committed by non-Jews.

- *Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War 2 (The Holocaust).*
- *Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.*
- *Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews world-wide, than to the interests of their own nations.*
- *Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavour.*
- *Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.*
- *Using symbols or images associated with classic anti-Semitism (e.g. claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.*
- *Drawing comparisons of contemporary Israeli policy to that of the Nazis.*
- *Holding Jews collectively responsible for actions of the state of Israel.*

19. Notice of Motion: Brexit

Moved by Councillor Eldret, seconded by Councillor Stanton

As Brexit negotiations continue with no clear outcome, and March 2019 approaches with no sign of a deal with the EU, many workers across Derby are facing an uncertain future.

It is imperative that any Brexit deal preserves benefits we get from Europe, defends our rights and protections including workers rights and delivers for all parts of the UK.

This Council therefore resolves to lobby the Government against a 'hard' or 'no deal' Brexit.

20. Notice of Motion: Reg Harrison

Moved by Councillor Pegg, seconded by Councillor Barker

Council moves to commend the outstanding achievements of Mr Reg Harrison as one of the 1946 Derby FA cup winning team, and to recognise the inspiration that he has provided to future generations since 1946 as players & supporters of Derby County Football Club and the City of Derby generally. Mr Harrison is, the last surviving member of that historic FA cup winning team.

Mr Harrison worked for Derby City Councils Youth Service setting up a Youth Centre on Stockbrook Recreation Ground in the late 60's known as Reg's.

He later moved to Chaddesden setting up the Chesapeake Youth Club and football club.

Council therefore resolves to recognise these achievements of the 1946 Derby County team by asking officers to make the necessary preparations so that an Extraordinary Meeting of Council can be summoned to confer on Mr Harrison the Honorary Freedom of the City of Derby under powers vested upon the authority under Section 249 of the Local Government Act 1972.

Glen O'Connell
Interim Monitoring Officer