

Time commenced - 6.00 pm
Time adjourned - 7.35 pm

COUNCIL MEETING 20 JULY 2005

Present: The Mayor (Councillor Webb)
Councillors Ahern, Afzal, Allen, Baxter, Bayliss, E Berry, P Berry, Blanksby, Bolton, Brown, Burgess, Care, Carr, Chera, Dhamrait, Gerrard, Graves, Hickson, Higginbottom, Hird, Hussain, Jackson, Jones, Khan, Latham, Leeming, Liversedge, Lowe, MacDonald, Marshall, Nath, Rawson, Redfern, Rehman, Repton, Richards, Roberts, Samra, Skelton, Smalley, Tittley, Travis, Troup, Turner, West, Williamson, Willitts, Wynn

Apologies for Absence

Apologies for absence were received from Councillors Dhindsa and Winter.

Declarations of Interest

There were no declarations of interest.

Announcements from the Mayor

The Council stood in silence as a tribute to the memory of former Councillors Ken Lester and Winnie Watkins, both of whom had died recently.

The Mayor announced that he had received a certificate on behalf of the Council from SABRE an organisation which supports British Reservists and their employers and displayed a photograph of him receiving the award.

The Mayor welcomed visitors in the Public Gallery from Tunisia on an exchange visit with Derby College.

The Mayor said that he had been approached by the Derby Evening Telegraph for permission to take photographs at the Council meeting. No Member objected to this proposal.

27/05 Minutes of the Previous Meeting

Resolved that the minutes of the Annual Meeting of the Council held on 25 May 2005 be approved as a correct record, confirmed and signed by the Mayor.

28/05 Statements by Members of the Council Cabinet

There were no Statements by Members of the Council Cabinet.

29/05 Public Questions

There were no questions from members of the public.

30/05 Written Questions about the Business or Functions of the Derbyshire Police Authority or Derbyshire Fire Authority

There were no written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority.

31/05 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

There were no written questions from Non-Council Cabinet Members to Members of the Council Cabinet.

32/05 Emergency Motion - Election of Leader and Council Cabinet for the Remainder of the Municipal Year

In accordance with Procedure Rule CP64 an emergency motion was received which had been signed by 17 Members of the Council.

Resolved on the motion of Councillor Williamson:

- 1. In view of the change in political control of the Council, in accordance with Article 7.3d of the Constitution, to establish a Council Cabinet of nine members with the areas of responsibility shown in the list below.**
- 2. To elect Councillor Williamson as the Leader of the Council (Area of Responsibility – Corporate Policy) for the next municipal year.**

3. To elect the following members to the Council Cabinet, in addition to the Leader, for the next municipal year, with the areas of responsibility shown below:

| Area of Responsibility | Councillor |
|--|------------|
| Corporate Policy (Leader) | Williamson |
| Personnel, Performance Management and Economic Development (Deputy Leader) | Roberts |
| Environment and Direct Services | Bolton |
| Housing and Social Inclusion | Nath |
| Leisure and Cultural Services | Dhindsa |
| Children's and Education Services | Wynn |
| Community Services, Regeneration, Equalities and E-Government | Bayliss |
| Planning and Transportation | Repton |
| Adult Services | Hussain |

Council Cabinet Members Areas of Responsibility

1. Corporate Policy

Corporate Council Policies and Strategies
 Corporate Finance and Financial Services including Taxation
 Corporate Legal and Administrative Services
 Corporate Communications
 Community Regeneration and Development, including Community Planning
 Community Governance and Consultation
 Local Strategic Partnership
 Sub Regional Strategic Partnership
 External Affairs – European, National, Regional and Local
 Mayoral Office/Electoral Issues/Registrars
 Emergency Planning

2. Personnel, Performance Management and Economic Development

Performance Management
 Best Value functions
 Best Value Performance Plan
 Corporate Personnel, Recruitment and Training Functions and Issues
 European Policy
 External Employment Initiatives
 Economic Development

Estates/Property Services and Repair and Maintenance
Building Design Services
Health and Safety
Members Services/Allowances

3. Environment and Direct Services

Local Agenda 21 Strategy, Environment Co-ordination and Initiatives
Environmental Health and Trading Standards
Grounds Maintenance
Client – Street Cleaning/Waste Collection and Disposal/Public Conveniences
Recycling
Land Drainage
Energy Conservation
City Centre and Neighbourhood Horticultural Features
All Direct Services
Non-Highway Engineering
Cemeteries and Crematorium

4. Housing and Social Inclusion

Housing Management Client
Housing Strategy and Development
Private Sector Housing
Homelessness
Supporting People
Social Inclusion
Housing and Council Tax Benefits
Unified Advice Service
Community Legal Services including Law Centre and Citizens Advice Bureau

5. Leisure and Cultural Services

Arts and Libraries
Assembly Rooms/Guildhall
Museums/Art Gallery
Festivities
Outdoor Events
Parks and Allotments, including Client Grounds Maintenance
Sports including Grants
Leisure Centres and Coaching

6. Children's and Education Services

Schools, including Repairs and Maintenance
Centrally funded Schools Services, including Special Needs
Access Support, including Ethnic Minority Achievement Grant

Adult Education
Mandatory and Discretionary Education Awards
Children and Family Services
Social Services Support Services
Health Services Partnerships – Children
Early Years
Play Development

- 7. Community Services, Regeneration, Equalities and E-Government**
Area and Neighbourhood Working, including Area Panels
Community Safety Partnership
Community Strategy and Neighbourhood Renewal Strategy
Special Programmes Management, including all Single Regeneration
Budget Schemes, Neighbourhood Renewal Funds and European
Objective 2 and URBAN
Derby Pointer Panel
Employment Training
Corporate Equalities Functions and Issues, including Equalities
Grants
E-Government
Computer Services/Development
New Deal for Communities
Telecommunications
- 8. Planning and Transportation**
Strategic Planning and Transportation
Planning and Building Control
Tourism and TIC
Footpaths, Highways and Maintenance, Car Parks
Roads – Engineering and Design Services
Car Parking
Highways Property Administration
City Centre Management
Markets
- 9. Adult Services**
Adult Social Services
Assessment and Care Planning
Health Improvement Planning
Health Services Partnerships - Adults
Mandatory and Discretionary Awards (Excluding Education Awards)
Community Centres
Community Grants
Youth Service

33/05 Emergency Motion - Constitutional Appointments 2005/06

In accordance with Procedure Rule CP64 an emergency motion was received which had been signed by 17 Members of the Council.

Resolved on the motion of Councillor Williamson to approve the Constitutional Appointments for the remainder of the municipal year as set out in the document Emergency Motion 2 - Constitutional Appointments 2005/06 subject to:

- a) **The substitution of Councillor Rehman for Councillor Redfern as a Vice Chair of the General Licensing Committee**
- b) **The substitution of Councillor Redfern for Councillor Rehman as a member of the General Licensing Committee**
- c) **The substitution of Councillor Turner for Councillor Rehman as Vice Chair of the Taxi Licensing and Appeals Committee**
- d) **The substitution of Councillor Rehman for Councillor Turner on the membership of the Taxi Licensing and Appeals Committee.**

(A list of Constitutional Appointments as approved by the Council is set out in Appendix A)

34/05 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendations of the Council Cabinet, requiring the approval of the Council, set out in the Appendix B to these minutes.

Resolved on the motion of Councillor Williamson to approve the minutes and recommendations of the Council Cabinet dated 14 June and 12 July 2005 subject to Minute No. 14/05 Waste Strategy being referred back to Council Cabinet for reconsideration.

35/05 Minutes and Recommendations of the Planning Control Committee

The Council considered the minutes and recommendations of the Planning Control Committee requiring approval of the Council set out in Appendix C to these minutes.

It was moved by Councillor Baxter, and seconded, to approve the minutes and recommendations of the Planning Control Committee dated 26 May 2005.

It was moved by Councillor Baxter, and seconded, that the following words be added to the motion:

“With the exception of paragraph 1 of the resolution in Minute No. 08/05 of the Planning Control Committee which be amended by the deletion of the word “£400.00” and by the insertion of the words ‘£265.00 and that the fee for those on Social Security benefits and those above the age of 60 be set at £25.00.”

(The effect of the amendment, if approved, was that the motion would read as follows:

“To recommend to Council that the fee level be set at £265.00 per application and that the fee for those on social security benefits and those above the age of 60 be set at £25.00, increasing annually by the rate of inflation.”

The amendment was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Planning Control Committee dated 26 May 2005 with the exception of paragraph 1 of the resolution in Minute No. 08/05 which be amended to read:

“1. To recommend to Council that the fee level be set at £265.00 per application and that the fee for those on social security benefits and those above the age of 60 be set at £25.00, increasing annually by the rate of inflation.”

36/05 Notices of Motion

1. *Terrorist Attacks in London – 7 July*

Resolved, on the motion of Councillor Burgess, that this Council condemns the terrorist attacks in London on 7 July 2005 and asks the Mayor, on behalf of all the citizens of Derby, to send our deepest sympathy to the Mayor of London and the people of that city.

We are proud of Derby’s cultural diversity and the good community relations in the city. We call on all our communities to continue to work together to acknowledge our differences, affirm our common humanity and seek ways to share our lives together peacefully.

2. *Appointments to Constitutional Bodies*

This motion was withdrawn.

3. *Closure of ATOS ORIGIN Medical Examinations Service in Derby*

Resolved, on the motion of Councillor Tittley, that this Council is alarmed by the decision of ATOS ORIGIN to close the Medical Examination Centre in Derby. This Council is concerned that the closure of this facility will result in claimants who are unwell having to travel many miles for assessment in order to keep their disability benefit entitlement. Council therefore calls on the Minister of State at the Department of Works and Pensions to intervene on this matter with a view to retaining this important facility in Derby.

4. *Fair Trade and Make Poverty History Campaign*

Resolved, on the motion of Councillor Williamson, that this Council believes that, as a “Fair-trade City” the “Make Poverty History” campaign is of the utmost importance in eradicating poverty worldwide. It supports the triple arm of increasing aid, cancelling debt and making trade fair. Council therefore considers that the Cabinet should work with local groups to achieve those aims. In particular the Council requests the Cabinet to use the white band symbol to make Council support visible, allow exhibitions and information displays in Council buildings and provide advice and support to local groups as required.

5. *Derby City Partnership*

This motion was withdrawn

37/05 **Designation of Alcohol Free Zone - Normanton**

The Council considered a report of the Director of Corporate Services concerning the designation of an Alcohol Free Zone in Normanton.

Resolved, on the motion of Councillor Williamson:

- 1. To include the additional land in the designation as shown as hatched land on the plan available in the Council Chamber and Group Rooms on the day of the meeting**
- 2. Subject to including the additional land referred to 1. above, to approve the designation of land in Normanton, shown as shaded and hatched land on the plan as an Alcohol Free Zone**
- 3. To authorise the Director of Corporate Services to make the necessary Order, advertise it in a local paper and erect signs in the designated area.**

38/05 Urgent Non-Executive Decisions made by the Chief Executive

The Council considered a report of the Director of Corporate Services concerning Urgent Non-Executive Decisions made by the Chief Executive.

Resolved, on the motion of Councillor Williamson, to note the report.

39/05 Appointments to Outside Bodies and Charities

The Council considered a report of the Director of Corporate Services concerning Appointments to Outside Bodies and Charities.

Resolved, on the motion of Councillor Williamson, to approve the following appointments to Outside Bodies for the remainder of the current municipal year:

| | |
|--|--|
| Derby City Partnership Groups: | |
| • Board | Councillor Williamson |
| • City of Learning Executive | Councillor Wynn |
| • City of Opportunity Executive | Councillors Wynn and Hussain |
| • City of Opportunity Strategic Forum | Councillors Wynn, Hussain and Bayliss |
| • Community Safety Partnership Board | Councillor Bayliss |
| • Cultural City Executive | Councillor Dhindsa |
| • Environment City Executive | Councillor Repton |
| • External Funding Management Group | Councillor Bayliss |
| • Neighbourhood Renewal Fund Management Group | Councillor Bayliss |
| • Normanton Regeneration Programme Management Group | Councillor Nath |

| | |
|---|--|
| | |
| • Prosperous City Executive | Councillor Roberts |
| Derby Dance Centre Development Board | Councillor Dhindsa |
| Derby and Derbyshire Economic Partnership | Councillor Williamson |
| Derbyshire Connexions Partnership | Councillor Wynn |
| Derwent Community Partnership | Councillors Rawson, Redfern, Roberts and Bayliss |
| Quad Management Board | Councillor Dhindsa |

40/05 Appointment of Co-optees to Committees

The Council considered a report of the Director of Corporate Services on the appointment of co-optees to committees.

Resolved, on the motion of Councillor Williamson, to approve the following co-optee appointments for 2005/06 municipal year:

| <u>Committee</u> | <u>Co-optees</u> |
|---|--|
| <i>Community Regeneration Commission</i> | <i>Canon Macdonald Mr Syed Kazmi</i> |
| <i>Social Care and Health Commission</i> | <i>Pat Hill - Individual Elaine Jackson - Individual Philip Johnson – Patient and Public Involvement Forum Sir Michael Raymond – Patient and Public Involvement Forum</i> |
| <i>Women’s Advisory Committee</i> | <i>Jenny Woolley - Individual</i> |

41/05 Register of Electors Canvass

The Council considered a report of the Director of Corporate Services concerning the Register of Electors Canvass.

Resolved, on the motion of Councillor Williamson:

- 1. To approve the reintroduction in 2005 of the personal canvass for the third stage of the annual canvass for the Register of Electors.**
- 2. To note the policy of carrying-forward, for one year, the names of registered electors at households where no canvass form is returned.**
- 3. To review canvass methods for 2006 and future years when details of changes to the legislation covering the registration of electors are known.**

42/05 Audit and Accounts Committee

The Council considered a report of the Director of Corporate Services concerning a proposal to establish an Audit and Accounts Committee.

It was moved by Councillor Williamson, and seconded:

1. To establish an Audit and Accounts Committee with the membership and terms of reference as set out in Appendix 2.
2. To dissolve the Special Purposes Committee and appoint its current chair, vice chair and members to the Audit and Accounts Committee, with effect from 1 August 2005.
3. To agree that the initial meeting of the Committee will take place in September and will include decisions on member training and a forward programme of work.

It was moved by Councillor Williamson, and seconded, that the motion be amended by the deletion of all the words in the first part of the motion and the addition of the words:

To establish an Audit and Accounts Committee with effect from 1 August 2005 with the following membership; Councillors Blanksby (Chair), Roberts (Vice Chair) Burgess, Jones, Graves and Hickson and terms of reference as set out in Appendix 2.

(The effect of the amendment if approved, was that the motion would read as follows:

1. To establish an Audit and Accounts Committee with effect from 1 August 2005 with the following membership; Councillors Blanksby (Chair), Roberts (Vice Chair) Burgess, Jones, Graves and Hickson and terms of reference as set out in Appendix 2.

2. To dissolve the Special Purposes Committee with effect from 1 August 2005.
3. To agree that the initial meeting of the Committee will take place in September and will include decisions on member training and a forward programme of work.

The amendment was put to the meeting and carried.

Resolved:

1. **To establish an Audit and Accounts Committee with effect from 1 August 2005 with the following membership; Councillors Blanksby (Chair), Roberts (Vice Chair) Burgess, Jones, Graves and Hickson and terms of reference as set out in Appendix 2.**
2. **To dissolve the Special Purposes Committee with effect from 1 August 2005.**
3. **To agree that the initial meeting of the Committee will take place in September and will include decisions on member training and a forward programme of work.**

43/05 Partnership and Accountable Body Arrangements and Pooled Budgets – Addition to Financial Procedure Rules

The Council considered a report of the Director of Finance concerning Partnerships and Accountable Body arrangements and Pooled Budgets and proposed additions to the Financial Procedure Rules.

Resolved, on the motion of Councillor Williamson, to approve the addition of two sections to the Financial Procedure Rules to cover Partnership and Accountable Body arrangements and Pooled Budget arrangements.

MAYOR

CONSTITUTIONAL APPOINTMENTS 2005/06

1. Scrutiny Management Commission (Con 3, Lab 6, Lib Dem 3)

Chair - Councillor Graves

Vice Chair – Councillor Latham

Councillors Ahern, Allen, Higginbottom, Hickson, Jackson, Jones, McDonald, Smalley, Travis, Turner

2. Community Regeneration Commission (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor Jones

Vice Chair – Councillor Higginbottom

Councillors Blanksby, Rawson, Redfern, Richards, Smalley, Samra

3. Culture and Prosperity Commission (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor Travis

Vice Chair - Councillor Jackson

Councillors Dhamrait, Graves, Rawson, Troup, West, Willitts

4. Education Commission (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor MacDonald

Vice Chair - Councillor Allen

Councillors Afzal, Higginbottom, Hird, Khan, Latham, Liversedge

Statutory Co-opted Members - 1 Church of England diocese
representative
Roman Catholic diocese representative
2 parent governor representatives
1 representative of other
faiths/denominations

- 4a Representatives on the Corporate Parenting Joint Sub Commission
(3)

MacDonald, Hird, 1 Labour Vacancy

5. Planning and Environment Commission (Con 2, Lab 4, Lib Dem 2 Veritas
1)

Chair - Councillor Ahern

Vice Chair - Councillor P Berry

Councillors Baxter, Care, Carr, Leeming, Rehman, West, Tittley

6. Social Care and Health Commission (Con 2, Lab 4, Lib Dem 2, Veritas 1)

Chair - Councillor E Berry

Vice Chair - Councillor Turner

Councillors Chera, Gerrard, Khan, Leeming, Marshall, Skelton, Willitts

6a Representatives on the Corporate Parenting Joint Sub Commission
(3)

E Berry, Turner, Marshall

7. General Licensing Committee (Con 3, Lab 7, Lib Dem 4, Veritas 1)

Chair – Councillor Khan

Vice Chairs (4) – Councillors Jackson, Leeming, Rehman, Skelton

Councillors – Afzal, Allen, Baxter, E Berry, P Berry, Brown, Dhamrait, Marshall, Redfern, Richards

7a General Licensing Sub Committee

Any three members of the General Licensing Committee, to include the chair or one of the vice chairs.

8. Taxi Licensing and Appeals Committee (Con 2, Lab 5, Lib Dem 3)

Chair – Councillor Redfern

Vice Chairs (2) – Councillors Dhamrait, Turner

Councillors P Berry, Brown, Hird, Jackson, Lowe, Skelton, Rehman

8a Taxi Licensing Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8b Employee Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8c Disciplinary Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8d Disputes Resolution Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8e Education Awards and Transport Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8f Housing Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8g Discretionary Housing Payments Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

8h Social Services Secure Accommodation Panel

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9. Planning Control Committee (Con 2, Lab 5, Lib Dem 3)

Chair - Councillor Baxter

Vice Chair - Councillor Samra

Councillors Bolton, Care, Carr, Chera, Khan, Liversedge, Travis, Wynn

10. Special Purposes Committee (Con 1, Lab 4, Lib Dem 2) (Until 31 July when replaced by Audit and Accounts Committee.)

Chair - Councillor Blanksby

Vice Chair - Councillor Roberts

Councillors – Burgess, Graves, Hickson, Jones, Redfern

11. Conservation Area Advisory Committee (Con 2, Lab 3, Lib Dem 1)

Councillors Liversedge, Samra, Tittley, Travis, 2 vacancies (Labour)

12. Disabled People's Advisory Committee (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor Turner

Councillors Chera, Hird, Rawson, Troup, Webb

13. Minority Ethnic Communities Advisory Committee (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor Roberts

Councillors Burgess, Dhamrait, Rehman, Richards, Willitts

14. Women's Advisory Committee (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor MacDonald
Councillors Bolton, Hird, Latham Winter, 1 Labour vacancy

15. Social Services Fostering Panel (1 Cabinet Member)

Councillor Wynn

16. Social Services Adoption Panel (Con 1, Lab 1)

Councillors E Berry, Turner

17. Civic Awards Advisory Panel (Con 2, Lab 3, Lib Dem 1)

Chair - Councillor Jackson
Councillors P Berry, Brown, Dhamrait, Rehman, Richards

18. Representatives on the following bodies:

18a Derbyshire Fire Authority (Con 1, Lab 3, Lib Dem 1)

Councillors Bolton, Carr, Gerrard, West, Williamson

18b Joint Committee with Derbyshire County Council for Local Authority
Appointments to the Derbyshire Police Authority (Con 1, Lib Dem 1)

Councillors Hickson, Winter

18c Derbyshire Development Plans Joint Advisory Committee (Con 1,
Lab 3, Lib Dem 2)

Councillors Baxter, Bolton, Care, Troup, Webb, Wynn

18d Schools Organisation Committee (Con 1, Lab 3, Lib Dem 2)

Councillors Gerrard, Liversedge, MacDonald, Travis, Winter, Wynn

18e Standing Advisory Council on Religious Education (SACRE) (Con 1,
Lab 3, Lib Dem 1)

Councillors Higginbottom, Hird, Smalley, Turner, Wynn

18f School Admissions Forum (Con 1, Lab 3, Lib Dem 1)

Councillors Khan, Latham, MacDonald, Winter, Wynn

19. Standards Committee (Con 1, Lab 1, Lib Dem 1)

Councillors Baxter, Latham, Skelton
Independent Members - Mr G Bagga, Canon R B Blowers, Mrs C McDowall

Informal Advisory Groups

- a. Plain English Panel (Con 1, Lab 3, Lib Dem 2)

Chair – Councillor Bolton
Councillors Brown, Hird, Khan, Travis, Turner

- b. Members Services Working Party (Con 1, Lab 2, Lib Dem 1)

Chair - Councillor Roberts
Councillors Hickson, Jackson, Troup

- c. Bus Consultation Group (Con 1, Lab 3, Lib Dem 2)

Chair – Councillor Ahern
Councillors Bolton, Care, Lowe, Samra, Roberts

- d. Riverlights Group (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor Williamson
Councillors Blanksby, Bolton, Burgess, Hickson, Travis

- e. Integrated Children's Services Member Working Group (Con 1, Lab 4, Lib Dem 2)

Chairs – Councillors Wynn
Councillors Allen, E Berry, Hussain, Jones, MacDonald, Turner

Appointment Panel

For recruitment of Assistant Director Personnel:
Councillors Wynn (Chair), Bolton, Carr and Hickson

APPENDIX B

COUNCIL CABINET 14 JUNE 2005

Present: Councillor Burgess – Chair
Councillors Allen, E Berry, Care, Hickson, Latham, and Samra.

Also present: Councillor Williamson

This record of decisions was published on 16 June 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

Budget and Policy Framework

31/05 Waste Strategy

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding changes to the Waste Strategy. The city had been making excellent progress on Rethink Rubbish and was close to meeting its 2005/06 recycling target. The City and County Councils were making good progress on the development of a new waste strategy, which was an essential prerequisite for both procuring a new waste plant and obtaining PFI credits.

It was considered that there was insufficient time for a plant to be procured using a PFI route by either of the councils but an opportunity existed to procure a plant at Sinfin Lane. If this process was started soon the timetable set by landfill allowance targets could still be met.

Decisions

Subject to the views of the Planning and Environment Commission to recommend Council:

1. to procure a treatment plant to deal with residual waste without the benefit of PFI credits.
2. to work closely with the County Council to procure a waste treatment plant sited in or near to Derby and sharing costs proportionally.
3. to note the reports of the consultants recommending this preferred procurement strategy.

4. to note that a similar report was being submitted to the County Council Cabinet and that some of these recommendations would only have effect if the County Council gives the appropriate approval.

Performance Monitoring

35/05 Inspection of the Youth Service

The Council Cabinet considered a report from the Director of Education regarding an Ofsted Inspection of the Youth Service. During the inspection week five inspectors carried out direct observation of a sample of youth work in a range of settings. The inspection found that the Council provided a good youth service, where the strengths outweighed the weaknesses. It also showed that the service represented good value for money.

Councillor Berry reported on recent discussions at a meeting of the Derby Youth Forum and asked that:

- a column be provided in the local newspaper for young people to write about issues they are concerned about
- councillors participate in “I’m a Councillor get me out of here” during Local Democracy Week – 17 to 21 October 2005.

Decisions

1. To note the outcomes of the Ofsted inspection of the Youth Service.
2. To approve the post-inspection action plan.
3. To refer the report and the action plan to the Education Commission, prior to submission to Full Council.

COUNCIL CABINET

12 JULY 2005

Present: Councillor Burgess – Chair
Councillors Allen, E Berry, Care, Carr, Hickson, and Samra.

This record of decisions was published on 14 July 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

Budget and Policy Framework

63/05 Derby Joint Local Transport Plan: 2006 – 2011, LTP2 Submission of Provisional LTP2 to Central Government

The Council Cabinet considered a report from the Director of Development and Cultural Services setting out the draft provisional Local Transport Plan. The central focus of the Local Transport Strategy is the transport vision. This means that for the Local Transport Plan to really meet local needs, it should be integrated into the community's wider ambitions and priorities. The report details the visions and objectives for the Local Transport Plan and sets out the long term transport strategy.

Decisions

To recommend Council:

5. To approve the draft provisional Local Transport Plan, LTP2, document and the draft Environmental report, and authorise the Cabinet member for Planning, Transportation, Environment and the Director of Development and Cultural Services to make minor amendments, prior to submission to the government on 29 July 2005.
6. To approve the transport strategy included within LTP2 and describe in the report.
7. To note the findings of the draft Environmental report which describes the significant effects of LTP2 and the transport strategy on the environment as required by the Strategic Environmental Assessment regulations, and approve proposals to undertake further consultation on the provisional LTP2 and the draft Environmental Report.
8. To approve the proposal that LTP2 seeks to achieve 'Transport innovation Fund' status for the Local Transport Plan, in order to tackle congestion related problems in an innovative way, primarily through improved public

transport allied to increase car traffic restraint in congested areas. This may in the longer term lead to the development of some form of congestion charging in Derby as part of a regional or national scheme.

PLANNING CONTROL COMMITTEE 26 MAY 2005

Present: Councillor Smalley – Chair
Councillors Baxter, Bolton, Care, Chera, Khan, Liversedge,
Marshall, Travis and Wynn.

08/05 Regulations on the Control of High Hedges

A report of the Assistant Director – Development was considered regarding regulations on the control of high hedges. It was reported that Part 8 of the Anti-Social Behaviour Act 2003 allowed for regulations to be introduced under which Local Authorities could be approached to arbitrate between neighbours where there was disagreement over the height of an evergreen hedge. To be covered by the legislation the “hedge” must be over 2m in height and consist of a line of at least two shrubs or trees which are predominately evergreen. The problem they cause must affect a domestic property. The “hedge” must be on neighbouring land (it does not necessarily have to be a boundary hedge, so could be some distance away; it could even include trees or shrubs on Council-owned land.) The legislation and regulations allowed Authorities to set their own level of fees for determining applications. It was recommended that a fee of £400 would be in line with other local authorities and would allow for recovery of costs of officer time.

Councillor Baxter suggested that reduced fees should be set for those on benefits and pensioners on low incomes. He suggested a fee of £25 to people on benefits and £50 for pensioners on low incomes.

Resolved to:

- 1. recommend to Council that the fee level be set at £400 per application, increasing annually by the rate of inflation**
- 2. recommend to Council that the determination of applications be delegated to the Assistant Director – Development**
- 3. recommend to Council that the future fixing of fees and any changes to procedure be delegated to the Planning Control Committee**
- 4. receive an update report in 6 months on progress.**

Councillors Baxter, Bolton, Chera, Khan and Wynn requested that their votes against this decision be recorded.