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Time commenced - 6.00 pm
Time finished - 8.10 pm

COUNCIL MEETING 25 JANUARY 2012

Present: The Mayor (Councillor Allen) (in the Chair)
Councillors Afzal, Ashburner, Atwal, Bailey, Banwait, Barker,
Bayliss, Bolton, Campbell, Carr, Davis, Dhindsa, Graves,
Harwood, Hickson, Hillier, Holmes, Hussain, Ingall, Jackson,
Jennings, Jones, Keith, F Khan, J Khan, Leeming, Marshall,
Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards,
Roberts, Sandhu, Shanker, Skelton, Troup, Tuplin, Turner,
Webb, Whitby, L Winter, Wood.

Apologies for Absence

Apologies for absences were received from Councillors Higginbottom,
S Khan, Russell, Williams and F Winter.

67/11 Declarations of Interest

There were no declarations of interest.

68/11 Minutes of the previous meeting

**Resolved that the Minutes of the Meeting of the Council, held on 15
December 2011, be approved as a correct record, confirmed and signed
by the Mayor.**

69/11 Announcements by the Mayor

The Mayor informed Council of a number of recent deaths being:

- Mrs Barbara Garner, Mayoress of Derby in 1974/75
- Mr Jarnail Singh Birring and
Mrs Beryl Randle – Civic Award Winners
- Mr Ed Cicinski, former Senior Personnel Officer

Council stood in silence as a mark of respect.

The Mayor welcomed back Councillor Turner, for his first meeting since his accident whilst on holiday in September.

The Mayor welcomed Katie Harris, Director of Specialist Services, to the meeting, representing the Strategic Director for Children and Young People.

70/11 Statements by Members of the Council Cabinet

Councillor Hickson, Leader of the Council, made a statement on initiatives and achievements. Councillor Bayliss responded.

71/11 Public Questions

The Mayor explained that this was the first meeting at which a revised procedure for public and non Council Cabinet Members questions would apply. A full list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner would be asked in turn if they had a supplementary question arising from the written response.

Questions from members of the public were asked as follows:

1. By Mark Tittley - concerning Daily Home Care Services, answered by Councillor Skelton, Councillor Cabinet Member for Adult Social Care and Health.
2. By Dorothy Skrytek - concerning the Derby Play and Recycling Centre and the Furniture Project, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Maggie Attenborrow - concerning Steps for the Future Performing Arts Group, answered by Councillor Skelton, Council Cabinet Member for Adult Social Care and Health.
4. By Simon Bacon - concerning Raynesway HWRC, Vital Earth Soil Improver, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
5. By Colin Underhill - concerning Air Quality Management Area monitoring points, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
6. By David Gale - concerning IT and Transformation Strategies, answered by Councillor Hickson, Leader of the Council.

7. By Mark Tittley - concerning Alvaston District Centre Regeneration Project, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
8. By Simon Bacon - concerning Sinfin Waste Treatment Plant Enquiry, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
9. By Colin Underhill - concerning Library Opening Hours, answered by Councillor Jones, Council Cabinet Member for Leisure and Culture.

72/11 Written Questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire & Rescue Authority and Derby Homes Limited

There were no written questions about the business or functions of Derbyshire Police Authority, Derbyshire Fire & Rescue Authority or Derby Homes Limited.

73/11 Written Questions from Non Council Cabinet Members

Written questions from Non Council Cabinet Members to Members of the Council Cabinet or Committee Chairs were asked as follows:

1. By Councillor Graves - concerning advertising for Foster Carers, answered by Councillor Williams, Council Cabinet Member for Children and Young People.

74/11 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendation of the Council Cabinet of 10 January 2012 requiring approval of the Council, namely:

137/11 City Centre Regeneration Framework

Resolved to approve the minute and recommendation of the Council Cabinet dated 10 January 2012.

75/11 Minutes and Recommendations of the Audit and Accounts Committee

The Council considered the minutes and recommendations of the Audit and Accounts Committee of 1 December 2011, namely:

44/11 Audit and Accounts Committee – Terms of Reference

Resolved to approve the minutes and recommendation of the Audit and Accounts Committee dated 1 December 2011.

76/11 Revised Employee Code of Conduct and Result Interchanges to the Constitution

The Council considered a report of the Strategic Director of Resources relating to a revision of the Employee Code of Conduct.

Resolved to adopt the revised Employee Code of Conduct and to effect resultant changes to the Constitution.

77/11 Governance Model and Ethical Framework

The Council considered a report of the Scrutiny Management Commission relating to the Council's Governance's model and Ethical Framework.

Resolved to:

- 1. Retain the current political management system with the Strong Leader, Cabinet and Overview and Scrutiny Model.**
- 2. Amend the Council Constitution, to ensure that the chairing of Overview and Scrutiny Commissions is reserved for opposition members.**
- 3. Adopt a local Code of Conduct and retain a Standards Committee, with it's current composition of four independent and three elected members.**
- 4. Ask the Scrutiny Management Commission to conduct a review of the Council's current electoral cycle and make recommendations based on that review.**

1. V.A.T.

It was proposed by Councillor Shanker and seconded that
“Derby residents are having their finances squeezed, with the rising cost of living, and local economic growth is being stifled by excessive and indiscriminate cuts by the Con-Dem Government. Council therefore calls on the Con-Dem administration, to lobby their ministerial colleagues in government, to reverse January’s damaging V.A.T. rise for a temporary period, to provide immediate help for struggling Derby families and pensioners, and our high streets”.

The motion was lost.

2. Dilnot Report

It was moved by Councillor Skelton and seconded that
‘Council notes with concern the current unsustainable arrangements for the funding of adult social care. It further notes that the Coalition Agreement acknowledges that an urgent solution must be found.

Council welcomes the findings of the Commission on Funding of Care and Support (known as the Dilnot report).

Council therefore agrees to write to the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition, urging them to use the Dilnot Report as the basis for finding a cross party consensus on designing a new system for the funding of adult social care.’

It was proposed by Councillor Roberts and seconded that the motion be amended with the addition of a paragraph to read:

‘Council however notes with regret that the Chancellor, George Osborne, has already sought to change the basis for total life care limits from £35K to £60K. Council therefore agrees that the letter to the Prime Minister will emphasise our support for the maximum limit to be set at the rate proposed in the Dilnot report.’

The amendment was put to the vote and carried

The motion, as amended, was put to the vote and carried

Resolved that Council notes with concern the current unsustainable arrangements for the funding of adult social care. It further notes that the Coalition Agreement acknowledges that an urgent solution must be found.

Council welcomes the findings of the Commission on Funding of Care and Support (known as the Dilnot report).

Council therefore agrees to write to the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition, urging them to use the Dilnot Report as the basis for finding a cross party consensus on designing a new system for the funding of adult social care.

Council however notes with regret that the Chancellor, George Osborne, has already sought to change the basis for total life care limits from £35K to £60K. Council therefore agrees that the letter to the Prime Minister will emphasise our support for the maximum limit to be set at the rate proposed in the Dilnot report.'

3. 20mph Speed Limits.

It was proposed by Councillor Carr and seconded that
'Council:

- welcomes recent changes announced, by Norman Baker MP to Department for Transport rules, making it easier for Councils to introduce 20mph speed limits.
- notes that a commitment is being shown to road safety in other local authority areas, such as Liverpool, Warrington and Portsmouth, to reduce the number and severity of accidents, by increasing the number of residential roads with a 20mph speed limit.
- values the positive improvement in road safety and reduction in the frequency and numbers killed and seriously injured on roads that reducing the speed limits in residential areas brings.

And therefore asks the Cabinet Member for Planning and Environment to consider introducing into the Highways and Transport work programme, the preliminary work necessary to bring 20mph speed limits on many residential side streets.'

It was proposed by Councillor Holmes and seconded that the motion be amended to read as follows

'Council welcomes recent changes announced by Parliamentary Under Secretary of State for Transport, Norman Baker MP to reduce time consuming and costly bureaucracy for councils wanting to introduce 20mph speed limits.

Council encourages and supports Neighbourhood Boards across the City, to continue to identify their local priorities and consider the implementation of 20mph limits as part of the package of measures available to improve road safety.

And therefore asks the Cabinet Member for Planning and Environment and Cabinet Member for Neighbourhoods to consider introducing the

preliminary work necessary, to take advantage of the changes announced, as part of the Government's Traffic Signs Policy Review.'

The amendment was put to the vote and carried.

The motion, as amended, was put to the vote and carried.

Resolved that Council welcomes recent changes announced by Parliamentary Under Secretary of State for Transport, Norman Baker MP to reduce time consuming and costly bureaucracy for councils wanting to introduce 20mph speed limits.

Council encourages and supports Neighbourhood Boards across the City, to continue to identify their local priorities and consider the implementation of 20mph limits as part of the package of measures available to improve road safety.

And therefore asks the Cabinet Member for Planning and Environment and Cabinet Member for Neighbourhoods to consider introducing the preliminary work necessary, to take advantage of the changes announced, as part of the Government's Traffic Signs Policy Review.

4. Family Intervention Project

It was proposed by Councillor Hillier and seconded that 'The Derby Family Intervention Project was set up in November 2007, to work with the most vulnerable families, to bring stability into their lives, to prevent homelessness and to help improve opportunities for children and young people. This service has already seen cutbacks and continues to be undermined, contrary to the recent repackaged proposals to 'transform the lives of the country's most troubled families.' (DCLG, Dec 2011).

Council therefore calls upon the Cabinet to instigate a review, to examine what has worked well in this project and what gaps now need to be filled; highlighting opportunities for development, new funding streams, and the impact this work has on the community in which these families live, so that vulnerable groups and individuals are not put at risk by the harsh changes in policy imposed by Government.'

It was proposed by Councillor Carr and seconded that the motion be amended by the insertion of a full stop after the word 'risk' in the final sentence and deletion of 'by the harsh changes in policy imposed by Government.'

The amendment was put to the vote and carried.

The motion, as amended, was put to the vote and carried.

Resolved that the Derby Family Intervention Project was set up in November 2007, to work with the most vulnerable families, to bring stability into their lives, to prevent homelessness and to help improve opportunities for children and young people. This service has already seen cutbacks and continues to be undermined, contrary to the recent repackaged proposals to ‘transform the lives of the country’s most troubled families.’ (DCLG, Dec 2011). Council therefore calls upon the Cabinet to instigate a review, to examine what has worked well in this project and what gaps now need to be filled; highlighting opportunities for development, new funding streams, and the impact this work has on the community in which these families live, so that vulnerable groups and individuals are not put at risk.

Mayor