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Time commenced - 6.00 pm
Time finished - 8.20 pm

COUNCIL MEETING 23 JULY 2014

Present: The Mayor (Councillor Shiraz Khan) (in the Chair)

Councillors Afzal, Ashburner, Bailey, Banwait, Barker, Bayliss, Bolton, Care, Carr, Davis, Dhindsa, Eldret, Graves, Harwood, Hezelgrave, Hickson, Higginbottom, A Holmes, M Holmes, (arrived 6.47pm) Hussain, Ingall, Jackson, Jennings, Jones, Keith, J Khan, MacDonald, Martin, Naitta, Nawaz, Pegg, Poulter, Rawson, Repton, Russell, Sandhu, Shanker, Skelton, Stanton, Tittley, Troup, Turner, Webb, Whitby, Wood, Wright

23/14 Apologies for Absence

Apologies for absence were received from Councillor Campbell, Hillier, Redfern and Williams.

24/14 Declarations of Interest

There were no Declarations of Interest

25/14 Minutes of the Annual Meeting of 11 June 2014

It was proposed by the Mayor that the Minutes be amended at page 4, (Cabinet Areas of Responsibility) by the transfer of responsibility for Derby Homes from the Housing, Finance and Welfare Portfolio, to that of the Leader of the Council.

Resolved that the Minutes of the Annual Meeting of the Council, held on 11 June 2014, subject to the amendment as set out, be approved as a correct record, confirmed and signed by the Mayor.

26/14 Announcements by the Mayor

The Mayor informed Council of the recent deaths of Mr Bob Osler, Chair of Derby Homes and Mrs Shirley Leeming, Deputy Mayoress in 2011/12. Tributes were paid to both before Council stood in silence for one minute as a mark of respect.

The Mayor reported the election of Belal Butt, a student at Chellaston Academy, as the city's first Youth Mayor on 7 July with Emma Renshaw as his deputy, wishing them an enjoyable, fulfilling and successful year.

The Mayor announced that he intended to consider a recently circulated report on Constitutional Amendments, to enable the appointment of an Acting Section 151 Officer, as part of Item 12 on the agenda.

27/14 Statements by Members of the Council Cabinet

There were no statements

28/14 Public Questions

A full list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions from members of the public were put as follows:

1. By Dorothy Skrytek – concerning Paper and Cardboard Collection, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
2. By Simon Bacon – concerning Public Question Responses, answered by Councillor Banwait, Leader of the Council.
3. By Dorothy Skrytek – concerning Environment Agency Information, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
4. By Simon Bacon – concerning Recycling Rates, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.

29/14 Written Questions about the Business or Functions of Derbyshire Fire Authority and Derby Homes Ltd

There were no written questions about the business or functions of Derbyshire Fire Authority or Derby Homes Ltd.

30/14 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 Care – concerning Council Grants, answered by Councillor Russell, Cabinet Member for Housing, Finance and Welfare.
2. By Councillor Wood – concerning Riverside Swimming Pool, answered by Councillor Martin, Cabinet Member for Leisure and Culture.
3. By Councillor Keith – concerning Neighbourhood Board Funding, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
4. By Councillor Ashburner – concerning Grass Cutting, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
5. By Councillor A Holmes – concerning Grass Cutting Schedule, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.

31/14 Minutes and Recommendations of the Council Cabinet

There were no minutes and recommendations of the Council Cabinet of 25 June and 16 July requiring the approval of Council.

32/14 Annual report of the Overview and Scrutiny Boards for 2013/14

The Council considered a report of the Strategic Director of Resources, summarising the work and achievements of the Overview and Scrutiny Boards that had deliberated during the 2013/14 Municipal Year.

Resolved on the motion of Councillor Whitby and seconded, to receive the Annual Report of the Overview and Scrutiny Boards 2013/14.

33/14 Annual Report of the Standards Committee for 2013/14

The Council considered a report of the Strategic Director of Resources, summarising the work of the Standards Board during the 2012/13 Municipal Year.

Resolved on the motion of Councillor Tittley and seconded, to receive the Annual Report of the Standards Committee 2013/14.

34/14 Urgent Non-Executive Decisions made by the Chief Executive

Council considered a report of the Strategic Director of Resources, detailing a non-executive decision taken by the Chief Executive, relating to the appointment of Councillor Higginbottom to the Gender and Sexual orientation Forum.

Resolved, on the motion of Councillor Banwait and seconded to note the report.

35/14 Constitutional Amendments

Council considered a report of the Chief Executive, concerning amendments to the Constitution, to enable the appointment of an Acting Section 151 Officer and improvements to resilience in the event of the absence of any Strategic Director.

Resolved, on the motion of Councillor Banwait and seconded

- 1. To approve that the Director of Finance and Procurement be appointed as Acting Section 151 Officer for the purposes of Section 151 of the Local Government Act 1972, and that Article 12 of the Council Constitution be amended accordingly.**
- 2. To approve that Article 12 of the Council Constitution be amended such that the Chief Executive (and Head of Paid Service) be specified as the named post holder with operational responsibility for any directorate in the absence of a chief officer.**

3. **To approve that Article 12 of the Council Constitution be amended such that the Strategic Director of Neighbourhoods and Deputy Chief Executive be specified as the Deputy Head of Paid Service.**
4. **To approve that Part E of the Scheme of Delegations be amended to clearly divide those operational duties of the Strategic Director of Resources and those duties of the Section 151 Officer.**
5. **To note resultant consequential amendments will be made throughout Part 4 of the Council Constitution to ensure references to the Strategic Director of Resources and Chief Financial Officer are replaced with references to the Section 151 Officer where appropriate.**

36/14 Notices of Motion

1) *Advertising Boards*

It was proposed by Councillor Care and seconded that

‘Members of the public in many areas have expressed concern about the installation of new advertising boards by the council, from aesthetic and road safety perspectives.

Council therefore requires consultation on future applications for advertising consent by the council, to meet at least the same level of publicity as would be expected of planning applications.

Council encourages neighbourhood boards to consider any new advertising boards, which have been installed in, or immediately adjacent to, their area. If requested, the council will then remove any advertising board(s), at no cost or other penalty to the neighbourhood boards. ‘

The Motion was lost

2) *NHS*

It was proposed by Councillor Martin and seconded that

‘Council recognises the sixty-sixth anniversary of the founding of the NHS on 5 July 1948.

Council believes that the foundation of the NHS is one of the greatest achievements of the twentieth century and is an institution that, as a nation, we should continue to nurture.

Council notes that despite promising to ring-fence the NHS, the Coalition Government has presided over a wasteful top-down re-organisation, facilitated back-door privatisation and has forced through cuts of £15-20 billion, which has placed intolerable pressure on frontline staff and services.

Council condemns the decision of four Clinical Commissioning Groups in Staffordshire to put out to tender cancer and end-of-life care, in a contract worth £1.22 billion over a ten year period.

Council believes that profit has no place in the National Health Service, especially in the most sensitive areas of care. Forcing the NHS to compete against the private sector is both unethical and will lead to the fragmentation of health provision. The private sector must not be allowed to cherry-pick the most profitable services, leaving the NHS to provide services which are unpredictable and expensive.

Council calls for the Government to repeal Section 75 of the Health and Social Care Act, which has paved the way for increasing privatisation of the NHS. Services should be fundamentally based around quality of care, rather than driving down costs.

Council moves that the Cabinet Member for Adults and Health write to the Secretary of State for Health demanding that people are placed before profits.'

It was proposed by Councillor Skelton and seconded that the motion be amended by the removal of paragraphs three to eight.

The amendment was lost

Resolved that

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3) *Help to Work Scheme*

Resolved on the motion of Councillor Russell and seconded that:

Council opposes Government schemes, which force jobseekers to accept unpaid work or else face benefit sanctions. Council is concerned that the Government's new 'Help to Work' scheme risks replacing paid work, stigmatises benefit claimants and locks the most vulnerable in society into further poverty.

Council believes that the most recent incarnation of the Government's work programme 'Help to Work' further normalises exploitative practices and that forcing the long-term unemployed to sign on every day, or face sanctions, is both demoralising and disruptive to long-term employment prospects.

Council welcomes the campaign to 'Keep Volunteering Voluntary' and congratulates a number of voluntary organisations in Derby, who have pledged not to participate in government workfare schemes.

Council moves that the Cabinet Member for Housing, Finance and Welfare front a campaign to oppose the work programme in Derby, comprising of:

- **Ensuring no labour from the 'Help to Work' scheme is used at this authority**
- **Letters to local MPs and Government Ministers demonstrating local opposition.**
- **Letters to local voluntary organisations and charities voicing concern and requesting their support.**
- **Promotion of alternative local schemes, such as 'Derby's Working', where jobseekers are given paid employment opportunities and apprenticeships.**

In accordance with rule CP71, it was requested by at least ten Members that a recorded vote be taken on the motion

The following Members voted for the motion:

Councillors Afzal, Banwait, Bayliss, Dhindsa, Eldret, Hezelgrave, Hussain, Jackson, J Khan, S Khan, MacDonald, Martin, Nawaz, Pegg, Rawson, Repton, Russell, Shanker, Stanton, Tittley, Turner, Whitby (22)

The following Members voted against the motion:

Councillors Ashburner, Care, Carr, Jones (4)

The following Members abstained:

Councillors Graves, Harwood, Hickson, A Holmes, M Holmes, Naitta, Skelton, Webb, Wright (9)

The following Members had left the meeting before or during the debate, before the vote was taken:

Councillors Bailey, Barker, Bolton, Davis, Higginbottom, Ingall, Jennings, Keith, Poulter, Sandhu, Troup, Wood (12)

Mayor