

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend a meeting of the Derby City Council in the Darwin Suite at the Assembly Rooms, Derby on Wednesday 19 January 2011 at 6 pm.

A G E N D A

1. To receive apologies.
2. To receive Declarations of Interest.
3. To approve the minutes of the Special and Ordinary Meetings of the Council held on 17 November 2010. **DOCUMENT 3, 3A**

Motion - That the minutes of the Special and Ordinary meetings of the Council held on 17 November 2010 be approved as correct records, confirmed and signed by the Mayor.

4. To receive any announcements from The Mayor.
5. To receive any Statements from Members of the Council Cabinet.
6. To receive any questions from the public to members of the Council Cabinet or committee chairs and the answers to those questions.
 - a) Mark Robinson - Inner Ring Road timetable
 - b) Norman Clayton - Work on protected tree
 - c) Simon Bacon - Waste Contract payments to RRS
 - d) Dr Catrin Rutland - Timetable for redevelopment of Arthur Neal House
 - e) Peter Barker - Rights of Access to St Helen's House
 - f) D Skrytek - Consultation on planned Boyle Electrical Incinerator
 - g) Vita Snowden - Budget to support informal carers
 - h) Colin Underhill - Directions and access to Royal Derby Hospital
 - i) Mark Robinson - Timetable for Riverlights Project
 - j) Simon Bacon - Waste landfilled in 2009/10
 - k) D Skrytek - Impact of financial cuts on public services

(Note – unless the Council decides otherwise, the maximum period of time for questions by the public is thirty minutes. Any questions not answered at the end of thirty minutes will be answered in writing).

7. To receive any written questions about the business or functions of the Derbyshire Police Authority, Derbyshire Fire Authority and Derby Homes Limited and the answers to those questions.

There are no questions.

8. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.

9. To consider the following minutes and recommendations of the Council Cabinet dated 11 January 2011 requiring the approval of the Council.

DOCUMENT 9

(Please note there are no minutes of the Council Cabinet meetings on 23 November or 14 December 2010 that require the approval of the Council).

166/10 Council Tax Base

DOCUMENT 9A

To recommend Council in accordance with the methodology and estimates shown at Appendices 2 and 3 to approve this calculation.

Motion – To approve the above minutes and recommendations of the Council Cabinet dated 11 January 2011.

10. To consider a report of the Strategic Director of Resources on Personnel Procedures.

DOCUMENT 10

Motion:

- 1. To note the progress achieved in reforming personnel procedures.**
- 2. To approve the proposal to alter the contractual status of the existing procedures for discipline, grievances, attendance, capability, redeployment, restructuring and redundancy and appeals, so that they no longer form part of employees' contracts.**
- 3. To approve the removal of the current right of appeal to a panel of Members in favour of appeals being determined by senior officers.**

11. To consider a report of the Interim Strategic Director of Resources concerning Urgent Non-Executive Decisions made by the Chief Executive.

DOCUMENT 11

Motion – To note the decision of the Chief Executive, in consultation with the political group leaders, to:

- **re-appoint Peter Cholerton to be a Trustee of the Wilmot Gilbert and Berrysford Charity for a four year term of office from 6 January 2011.**
- **provide cover for the Service Director, Asset Management.**

12. To consider the following Notices of Motion:

(1) Councillor Hussain to move, Councillor Bayliss to second:

The Council is concerned that the proposed closure of Merrill and Warwick House by September 2011 is causing immense anguish and uncertainty amongst all residents in our care homes. The Council is alarmed by the Cabinet's direction of travel and its aim to close long term residential care beds in all council owned homes within the next two or three years.

Whilst accepting that the treat of closures is causing an unreasonable level of anxiety for both employees and the vulnerable people they are looking after, the Council also accepts that the availability of 10 extra care beds, later this year, at the Leyland's Retail Trust will be insufficient to compensate for the loss of 68 residential beds that will arise from the intended closures. This raises the serious possibility that these actions could lead to a severe shortage of residential care beds in the city. The Council therefore requests that the Cabinet withdraw its consultation on possible closure of Merrill and Warwick House at its next meeting.

(2) Councillor Williams to move, Councillor Jennings to second:

That Councillor Frank Harwood be appointed to the Adoption Panel for the remainder of the current municipal year.

(3) Councillor Naitta to move, Councillor Ashburner to second:

This Council notes that the Local Studies Library building needs to be closed and that there is a similar amount of unused floor space in the Silk Mill Museum. It therefore petitions the Cabinet to keep the Silk Mill Museum open to the public, by moving the Local Studies Library into that building and using the money saved by not needing to hire space for the Local Studies Library to keep the Silk Mill open. This proposal is a cost effective way of keeping the Silk Mill Museum open, as a prime tourist attraction in Derby, while providing an integrated service for users of both facilities.

(4) Councillor Jennings to move, Councillor Grimadell to second:

1. In view of the importance of the decisions to be made on the Budget, Council Procedure Rules be suspended for the meeting of the Council on 2 March 2011 so that the

only items on the agenda are:

- a. to receive apologies
- b. to receive any declarations of interest from members
- c. to approve the minutes of the last meeting
- d. to receive announcements from the Mayor
- e. to consider minutes or reports from the Council Cabinet on the General Fund Revenue Budget, Capital Programme and Council Tax 2011/12; Treasury Management and Prudential Code Indicators 2011/12; Derby Plan (Sustainable Community Strategy); and Council Plan (Corporate Plan); and to pass resolutions on these matters.

2. In order to deal with other business, an additional ordinary meeting of the Council be held on Wednesday 30 March 2011 at 6pm.

- (5) Councillor Troup to move, Councillor Carr to second:

2010 was the International Year of Biodiversity. The United Nations considers the threat to wildlife to be so serious that it has immediately followed up by launching the International Decade of Biodiversity. This Council accepts that, when times get tough, it is wrong to take it out in the environment and let future generations live with the consequences.

This Council acknowledges and celebrates the excellent work done by the Wild Derby project in promoting and protecting biodiversity in the city despite having only a very small budget to work with. Therefore, in developing budget proposals, the Council asks the Cabinet to do everything it can to protect the modest budget needed for the Wild Derby project and not to sacrifice the future for our short term benefit."

- (6) Councillor Skelton to move, Councillor Troup to second:

The establishment of the Health and Wellbeing Board provides an opportunity for closer working between the Council and the NHS. The aim should be to work together so that the resources of the two organisations are used to the maximum benefit of Derby's citizens.

The Government has allocated £3.2m to Derby via the NHS to support social care in the city. It is vital that this finance is used to address the social care problems of each organisation, such as enablement and intermediate care, where the interface between the Council and the NHS must work well to avoid such problems as bed blocking.

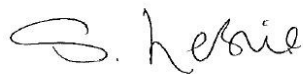
Council therefore calls on the Cabinet to ensure that collaborative working with the NHS makes best use of the resources and infrastructure of both organisations. Furthermore, any planned changes in provision made for budgetary reasons are thought through holistically and do not end up costing more money either elsewhere or in the future.

- (7) Councillor Atwal to move, Councillor F Khan to second:

It is recognised that from time to time that an Administration may need to move financial resources from one area to another.

However, Council is concerned that the removal of the Rowditch Recreation Ground Capital funding programme to meet the additional costs of improvements to the Alvaston Park changing facilities may result in a lost opportunity for improvements to the Rowditch Park Facility.

Council recognises that the Rowditch Recreation Grounds are in an area in need of much improvement. Council therefore requests the Council Cabinet together with the Director of Resources, to make available the reserved sums for the Rowditch Recreation Ground scheme as soon as a decision has been made on the Barracks building.



Stuart Leslie
Director of Legal and Democratic Services

**SPECIAL COUNCIL MEETING
17 NOVEMBER 2010**

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Davis, Dhindsa, Graves, Grimadell, Harwood, Hickson, Higginbottom, Hird, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Chera, F Khan, S Khan and Tuplin.

Declarations of Interest

There were no declarations of interest.

Adjournment of the Meeting

As a result of a member of the public interrupting proceedings, the Mayor adjourned the meeting from 6.08 pm to 6.15pm in accordance with Rule CP80, and ordered that the member of the public concerned be removed from the Council Chamber in accordance with Rule CP81.

53/10 New Executive Arrangements from May 2011

In pursuance of Part 1 of Schedule 4 to the Local Government and Public Involvement in Health Act 2007, the Council considered the minutes and recommendations of the Governance Committee, relating to proposed new Executive Arrangements from May 2011, and requiring the approval of the Council. The Governance Committee minutes are set out in Appendix A to these minutes.

Resolved, on the motion of Councillor Jennings, to approve the minutes and recommendations of the Governance Committee dated 3 November 2010.

MAYOR

COUNCIL MEETING 17 NOVEMBER 2010

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Davis, Dhindsa, Grimadell, Harwood, Hickson, Higginbottom, Hird, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Chera, F Khan, S Khan and Tuplin.

Declarations of Interest

There were no declarations of interest.

Announcements by the Mayor

The Council stood in silence as a tribute to the memory of Lady Winifred Hilton, wife of the former Lord Lieutenant of Derbyshire; Alma Mullarkey, Mayoress to the late Councillor Alan Mullarkey; and Walter Marshall, former Borough Councillor, County Councillor and Leader of Derbyshire County Council. Tributes to Lady Hilton and Walter Marshall were paid by Councillor Wood, and to Alma Mullarkey by Councillors Roberts and Webb.

54/10 Minutes of the Previous Meetings

Resolved that the minutes of the meeting of the Council held on 8 September 2010 be approved as correct record, confirmed and signed by the Mayor.

55/10 Statements by Members of the Council Cabinet

Councillor Jennings, Leader of the Council, made a statement about a number of matters, including school kitchens. Councillors Bayliss and Jones responded.

56/10 Public Questions

Resolved, in accordance with Rule CP11, that, in view of the exceptional circumstances, the maximum period of time for questions by the public be extended beyond 30 minutes.

Questions from members of the public were asked as follows:

1. By Rosemary Wright, concerning the location of Chaddesden Library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
2. By Jackie Springall, concerning the replacement of sycamore trees on Wilson Avenue, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Richard Hudson, concerning the use of Derwent New Deal funding, answered by Councillor Jennings, Leader of the Council.
4. By Dawn Gee, concerning multi-agency working, answered by Councillor Jennings, Leader of the Council.
5. By Karen Williams, concerning irresponsible landlords, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
6. By Dorothy Skrytek, concerning the closure of the Silk Mill, answered by Councillor Jennings, Leader of the Council.
7. By Paul Campbell, concerning schools funding, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
8. By Tony Dunn, concerning the use of contractors, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
9. By Penny DeAbreu, concerning an inventory of the Council house valued artefacts, answered by Councillor Marshall, Council Cabinet Member for Resources.
10. By Simon Bacon, concerning representations at Planning Control Committee, answered by Councillor Wood, Chair of the Planning Control Committee.
11. By Anne MacDonald, concerning the Chaddesden Library design and costings, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
12. By Colin Underhill, concerning the Museums service, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.

Adjournment of the Meeting

As a result of a member of the public interrupting proceedings, the Mayor adjourned the meeting from 7.20 pm to 7.45 pm in accordance with Rule CP80, and ordered that the member of the public concerned be removed from the Council Chamber in accordance with Rule CP81.

13. By Pat Woolley, concerning the Council House refurbishment, answered by Councillor Jennings, Leader of the Council.
 14. By Karen Hillier, concerning the drains on Nightingale Road, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
- Resolved, in accordance with Rule CP20, that the above question from Karen Hillier be referred to the Neighbourhoods Commission.**
15. By Dorothy Skrytek, concerning redundancies at the Silk Mill, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
 16. By Tony Dunn, concerning traffic light signals, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 17. By Penny DeAbreu, concerning land adjacent to the Seven Stars car park, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 18. By Simon Bacon, concerning the waste contract, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
 19. By Colin Underhill, concerning the Connecting Derby road layout, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 20. By Pat Wooley, concerning the Council House planning application, answered by Councillor Jennings, Leader of the Council.

In the absence of the questioner, the Mayor announced that a written answer would be sent to a question submitted by Peter Steer concerning the Cathedral Green Swing Bridge.

57/10 Written Questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Ltd

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

58/10 Written Questions from Non-Council Cabinet Members

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

1. By Councillor Repton, concerning the protection of assets, answered by Councillor Jennings, Leader of the Council.
2. By Councillor Repton, concerning refuse collection, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Councillor Repton, concerning child development, answered by Councillor Williams, Council Cabinet Member for Children and Young People.

4. By Councillor Atwal, concerning an update on the Leisure Strategy, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
5. By Councillor Whitby, concerning the Astro turf pitch at former Mackworth College site, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
6. By Councillor Rawson, concerning an update on Council's financial position, answered by Councillor Marshall, Council Cabinet Member for Resources.
7. By Councillor Rawson, concerning the potential listing of the Council House, answered by Councillor Jennings, Leader of the Council.
8. By Councillor Rawson, concerning proposals on outsourcing services, answered by Councillor Jennings, Leader of the Council.
9. By Councillor Jackson, concerning the library service in Littleover, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
10. By Councillor Naitta, concerning the Christmas ice rink, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
11. By Councillor Naitta, concerning sports centre provision in Mackworth, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
12. By Councillor Naitta, concerning Streetpride, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
13. By Councillor Bolton, concerning the assessment of school kitchens, answered by Councillor Jennings, Leader of the Council.
14. By Councillor Bolton, concerning Chaddesden library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
15. By Councillor Bolton, concerning works to children's centre buildings, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
16. By Councillor F Winter, concerning the kitchen at Ravensdale Junior School, answered by Councillor Jennings, Leader of the Council.
17. By Councillor Shanker, concerning Housing Benefit changes, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
18. By Councillor Shanker, concerning Derby Homes cash offices, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
19. By Councillor L Winter, concerning seat belts in taxis and buses, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
20. By Councillor Bayliss, concerning a proposed supermarket in Alvaston, answered by Councillor Jennings, Leader of the Council.

21. By Councillor Turner, concerning the Environment Agency, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
22. By Councillor Hird, concerning communication following school kitchen closures, answered by Councillor Jennings, Leader of the Council.
23. By Councillor Hird, concerning events leading to school kitchen closures, answered by Councillor Jennings, Leader of the Council.
24. By Councillor Hussain, concerning adult services eligibility criteria, answered by Councillor Webb, Council Cabinet Member for Adult Social Care and Health.
25. By Councillor Turner, concerning vehicle activated signs, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
26. By Councillor Turner, concerning footway lighting, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
27. By Councillor Shanker, concerning travellers in Sinfen Ward, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
28. By Councillor Shanker, concerning the Osmaston regeneration project, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.

A question by Councillor Bayliss to Councillor Jennings concerning school meal provision was not asked.

59/10 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 Appendix A to these minutes.

It was moved by Councillor Jennings and seconded, to approve the minutes and recommendations of the Council Cabinet dated 28 September and 26 October 2010.

It was moved by Councillor Bayliss, and seconded, that the motion be amended by the addition of the words "subject to the amendment of the resolution of minute number 105/10 by the deletion of the second and fourth bullet points; the substitution of the words "Resources Overview and Scrutiny Commission" for the words "Members Services Working Party" in the first bullet point; and the substitution of the word "Commission" for the word "group" in the third bullet point.

(The effect of the amendment, if approved, was that the resolution in minute number 105/10 would read as follows:

"To recommend to Council that:

- The remit of the Resources Overview and Scrutiny Commission be extended to include responsibility for reviewing progress on the delivery of the Transformation Programme.

- Terms of reference be developed in consultation with Members to reflect the wider remit of the Commission.”)

The amendment was put to the meeting and lost.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 28 September and 26 October 2010.

60/10 Minutes and Recommendations of the Scrutiny Management Commission

The Council considered the minutes and recommendations of the Scrutiny Management Commission requiring the approval of the Council set out in Appendix B to these minutes.

It was moved by Councillor Carr, and seconded, to approve the minutes and recommendations of the Scrutiny Management Commission dated 21 September 2010.

Amendment 1 – Carried

It was moved by Councillor Carr, and seconded, that the motion be amended by the addition of the words “with the exception of paragraph 2 of the resolution in Minute No. 37/10 which be amended by the deletion of the words “Crime and Disorder Commission” and their replacement of the words “Safer Communities Commission” and the addition of the words “and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission, be as set out below”

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members’ Areas of Responsibility:</p> <p>1. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism, including City Centre Management • Asset management including markets • School meals and in-house catering

Commission	Scope
	<p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> • Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk Management • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>1. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>2. To act as the Crime and Disorder Committee.</p>

(The effect of the amendment, if approved, was that the resolution in Minute No. 37/10 would read as follows;

“Resolved to recommend Council to:

1. Dispense with the Resources Commission by allocation its functions to the Scrutiny Management Commission.
2. Create a Safer Communities Commission and designate that as its Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission be as set out below:

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members' Areas of Responsibility:</p> <p>2. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism, including City Centre Management • Asset management including markets • School meals and in-house catering <p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> • Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk Management • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>3. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>4. To act as the Crime and Disorder Committee.</p>

3. Appoint the Chair, Vice Chair and Members of new Crime and Disorder Commission”)

The amendment was put to the meeting and carried.

Amendment 2 - Lost

It was moved by Councillor Bayliss, and seconded, that paragraph 2 of the amended motion be further amended to read “create a Safer Communities and Climate Change Commission and designate that as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities and Climate Change Commission, be as set out below:

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members’ Areas of Responsibility:</p> <p>1. Leader of the Council</p> <ul style="list-style-type: none">• Overall corporate strategic co-ordination and leadership• Corporate policies and strategies• Performance management• Lead partnership liaison with city partners including Derby City Partnership• Communications and consultation• Emergency planning and business continuity• Lead partnership liaison with local, regional, national and international partners• Economic development and tourism, including City Centre Management• Asset management including markets• School meals and in-house catering <p>2. Resources</p> <ul style="list-style-type: none">• Corporate human resources including training and development• Employee payments (payroll) and income tax• External employment initiatives• Customer Services including Derby Direct• Council Tax and Business Rates• Information and Communications Technology and Telephony• Procurement• Legal and Democratic Services• Financial Services, Audit and Risk

	<p>Management</p> <ul style="list-style-type: none"> • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities & Climate Change Commission	<ol style="list-style-type: none"> 1. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership. 2. To act as the Crime and Disorder Committee. 3. Planning and Environment (Deputy Leader) Climate Change / the environment and energy.

The amendment was put to the meeting and lost.

Resolved, to approve the minutes and recommendations of the Scrutiny Management Commission dated 21 September 2010 with the exception of paragraph 2 of the resolution in Minute No. 37/10 which be amended to read:

“Create a Safer Communities Commission and designate that and its Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission, be as set out below;

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members' Areas of Responsibility:</p> <p>3. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism,

Commission	Scope
	<p>including City Centre Management</p> <ul style="list-style-type: none"> • Asset management including markets • School meals and in-house catering <p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> • Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk Management • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>5. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>6. To act as the Crime and Disorder Committee.</p>

61/10 Appointment of Chair, Vice Chair and Members of the Safer Communities Commission

Consequent on Minute No. 60/10, the Council made appointments to the new Safer Communities Commission.

Resolved that the following appointments be made to the Safer Communities Commission for the remainder of the current municipal year (Con 3, Lab 3, Lib Dem 2):

Chair – Councillor Naitta
Vice Chair – Councillor Repton
Councillors Atwal, Barker, Davies, Harwood, S Khan, L Winter

62/10 Minutes and Recommendations of the Standards Committee

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

Resolved, on the motion of Councillor Wood, to approve the minutes and recommendations of the Standards Committee dated 3 September 2010.

63/10 Minutes and Recommendations of the General Licensing Committee

The Council considered the minutes and recommendations of the General Licensing Committee requiring the approval of the Council set out in Appendix D to these minutes.

Resolved, on the on motion of Councillor Hird, to approve the minutes and recommendations of the General Licensing Committee dated 13 October 2010.

64/10 Appointment of Representatives to the Standing Advisory Council for Religious Education (SACRE)

The Council considered a report of the Interim Strategic Director of Resources concerning the appointment of representatives to the Standing Advisory Council for Religious Education (SACRE).

Resolved, on the motion of Councillor Jennings, to appoint the following representatives to SACRE for a four year term:

Group A (Christianity and Other World Faiths)

Maryam Djavid (Bahai Faith)
Raj Bali (Hindu Faith)
Phil Royle (Methodist Church)
Joan Price (Pentecostal Church)
Lucy Care (Religious Society of Friends)
Kate Tippen (Roman Catholic Church)
Wendy Jordan (Salvation Army)
Rev Roy Ninkovic (Serbian Orthodox Church)
Rev Mrs Mair Bradley (United Reformed Church)
Ruth Dolby (Jewish Faith)
Forid Miah (Islamic Faith)
Arshid Rafiq (Islamic Faith)
Dr Hardial Singh Dhillon (Sikh Faith)

Group B (Church of England)

Rosemary Wibberley
Viv Lawrence
Alison Brown

Maxine Bull

Group C (Teachers' Associations)

Jane Oldershaw (ATL)

Kate McRae (NAHT)

Kelly Bradley (NUT)

David Nichols (SHA)

65/10 Urgent Non-Executive Decisions made by the Chief Executive

The Council considered a report of the Interim Strategic Director of Resources concerning Urgent Non-Executive Decisions made by the Chief Executive since the last meeting.

Resolved, on the motion of Councillor Jennings, to note the decision of the Chief Executive, in consultation with the political group leaders, to appoint Councillor Troup as Chair of the Neighbourhoods Commission, in place of Councillor Batey, for the remainder of the current municipal year.

66/10 Urgent Executive Decisions made by the Council Cabinet

The Council considered a report of the Interim Strategic Director of Resources concerning Urgent Executive Decisions made by the Council Cabinet.

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

67/10 Notices of Motion

1. *Personnel Policies and Procedures*

This motion was withdrawn by the proposer, Councillor Marshall.

2. *Morledge Bus Stops*

It was moved by Councillor Troup, and seconded, that Council welcomes the investment pledged by the previous Lib Dem led administration to improve the area around the new bus station and The Morledge. The consultation on the design and layout for The Morledge improvements was carried out before construction began. This included examples of the proposed materials and a plan of the proposed street layout, showing space for taxis, bus stops, disabled parking and delivery vehicles. This plan was still on display at the end of October 2010 and welcomed by the public. However the scheme now being constructed is different.

Council is concerned that lack of consultation on the removal of general service bus stops in the new scheme has angered bus users, especially those using the 28,29 and 33 buses. These buses will not be allowed to stop in The Morledge once the construction work is completed.

Council therefore calls on Cabinet to listen to the bus users of Derby and reinstate bus stops in The Morledge.

It was moved by Councillor Whitby, and seconded, that the motion be amended to read as follows:

“Council welcomes the investment and regeneration of the area around the new bus station and the Morledge. The consultation on the suggested improvements to the Morledge showed the proposed street layout, with space for taxis, buses, disabled parking and delivery vehicles. These plans were welcomed by the public. However, the scheme being constructed has seen the permanent removal of the bus stops used for the very popular Mackworth services 28/29 and Littleover 33. This change has been implemented without any consultation and this has angered a wider public who are keen to promote public transport and specifically bus users who favour the site, given its proximity to the Westfield shopping centre and Eagle Market.

Council therefore requests that Cabinet listens to the bus users of Mackworth and Littleover and reinstates the bus stops for services 28/29 and 33 in the Morledge.”

The amendment was put to the meeting and carried.

Resolved that Council welcomes the investment and regeneration of the area around the new bus station and the Morledge. The consultation on the suggested improvements to the Morledge showed the proposed street layout, with space for taxis, buses, disabled parking and delivery vehicles. These plans were welcomed by the public. However, the scheme being constructed has seen the permanent removal of the bus stops used for the very popular Mackworth services 28/29 and Littleover 33. This change has been implemented without any consultation and this has angered a wider public who are keen to promote public transport and specifically bus users who favour the site, given its proximity to the Westfield shopping centre and Eagle Market.

Council therefore requests that Cabinet listens to the bus users of Mackworth and Littleover and reinstates the bus stops for services 28/29 and 33 in the Morledge.

Resolved, on the motion of Councillor Bayliss, that, in accordance with Rule CP10, the meeting be extended beyond four hours.

3. Asbestos Awareness Campaign

Resolved, on the motion of Councillor Higginbottom, that this Council fully supports the HSE’s asbestos awareness campaign and recommends the Council Cabinet to assist in raising the profile of the dangers of asbestos in residential properties by enclosing a leaflet with council tax bills and by providing a link from the Council’s website to the HSE’s website.

4. Neighbourhood Managers and Provision of Neighbourhood Forum Papers to Residents

It was moved by Councillor Dhindsa, and seconded, that the Neighbourhood Agenda has been a very successful initiative implemented by Council.

The Neighbourhood Manager is central to the success of Neighbourhood Boards and Forums, therefore, Council recommends Council Cabinet to reverse the cut in resources and re-instate Neighbourhood Managers full-time in 'priority' Neighbourhood Board areas and ensure all other wards have similar resources commensurate with their needs.

Also Council recommends Council Cabinet to restore the provision of Neighbourhood Forum papers to residents that have attended previous meetings allowing them to remain informed about local issues and activities.

In accordance with rule CP68 it was demanded by at least ten members that a recorded vote be taken on the motion.

The following members voted for the motion:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Higginbottom, Hussain, Jackson, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (16).

The following members voted against the motion:

Councillors Allen, Ashburner, Atwal, Barker, Carr, Davies, Grimadell, Harwood, Hickson, Hird, Holmes, Ingall, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Webb, F Winter, Wood (26).

The Mayor (Councillor Nath) abstained.

Councillor Williams was not in the Council Chamber when the recorded vote was taken.

The motion was declared lost.

5. Renewable Electricity Regeneration

Resolved, on the motion of Councillor Ashburner, that this Council welcomes the new Coalition Government's decision to allow local authorities to sell renewable electricity to the National Grid.

The restriction was introduced in 1989 and is no longer appropriate in today's world, which is concerned with generating power without increasing the amount of carbon dioxide in the atmosphere.

It is estimated that the proposed Long Bridge power generator for Derby will generate some 1.25 million kilowatt hours a year, enough to power around 300 homes while saving 680 tonnes of CO2 a year.

This Council acknowledges the potential environmental and financial benefits that generating renewable electricity can bring, and resolves to encourage the generation of renewable energy for much needed income within Derby.

Mayor

<p>MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL</p>
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**COUNCIL CABINET
11 JANUARY 2011**

Present Councillor Jennings (Chair)
 Councillors Grimadell, Holmes, Marshall, Poulter, Webb and
 Williams

In attendance Councillors Bayliss and Jones

This record of decisions was published on 13 January 2011. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Key Decisions

166/10 Council Tax Base

The Council Cabinet considered a report on Council Tax Base. The Council has to calculate its 'council tax base' for 2011/12 as a means of raising council tax income for the 2011/12 financial year from Derby council tax payers. The tax base is an estimated figure of the number of domestic properties in terms of 'band D' in the Council's area during the year. It is used to determine a headline charge for band D properties in the city. Charges for other bands are calculated as defined fractions of the headline charge. The proposed council tax base for 2011/12 was 72,278.83 band D equivalent properties compared with the 2010/11 council tax base of 71,114.57. This represented an increase of 1,164.26 band D equivalent properties. The reasons for the increase were:

- An increase in the number of domestic properties within the city at the time of calculating the proposed council tax base for 2011/12 when compared to the figure used for calculating 2010/11 council tax base. The actual increase in domestic properties was 919.
- A prudent estimate of the number of newly built homes between 1 December 2010 and 31 March 2012 that would add to the tax base.

Options Considered

Setting the council tax base is a statutory duty.

Decision

1. ...
2. To recommend Council in accordance with the methodology and estimates shown at Appendices 2 and 3 to approve this calculation.

Reasons

Agreeing the council tax base was the first step in the process of setting the council tax to be collected in 2011/12 and was an essential part of establishing the 2011/12 budget.

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend a meeting of the Derby City Council in the Darwin Suite at the Assembly Rooms, Derby on Wednesday 19 January 2011 at 6 pm.

A G E N D A

1. To receive apologies.
2. To receive Declarations of Interest.
3. To approve the minutes of the Special and Ordinary Meetings of the Council held on 17 November 2010. **DOCUMENT 3, 3A**

Motion - That the minutes of the Special and Ordinary meetings of the Council held on 17 November 2010 be approved as correct records, confirmed and signed by the Mayor.

4. To receive any announcements from The Mayor.
5. To receive any Statements from Members of the Council Cabinet.
6. To receive any questions from the public to members of the Council Cabinet or committee chairs and the answers to those questions.
 - a) Mark Robinson - Inner Ring Road timetable
 - b) Norman Clayton - Work on protected tree
 - c) Simon Bacon - Waste Contract payments to RRS
 - d) Dr Catrin Rutland - Timetable for redevelopment of Arthur Neal House
 - e) Peter Barker - Rights of Access to St Helen's House
 - f) D Skrytek - Consultation on planned Boyle Electrical Incinerator
 - g) Vita Snowden - Budget to support informal carers
 - h) Colin Underhill - Directions and access to Royal Derby Hospital
 - i) Mark Robinson - Timetable for Riverlights Project
 - j) Simon Bacon - Waste landfilled in 2009/10
 - k) D Skrytek - Impact of financial cuts on public services

(Note – unless the Council decides otherwise, the maximum period of time for questions by the public is thirty minutes. Any questions not answered at the end of thirty minutes will be answered in writing).

7. To receive any written questions about the business or functions of the Derbyshire Police Authority, Derbyshire Fire Authority and Derby Homes Limited and the answers to those questions.

There are no questions.

8. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.

9. To consider the following minutes and recommendations of the Council Cabinet dated 11 January 2011 requiring the approval of the Council.

DOCUMENT 9

(Please note there are no minutes of the Council Cabinet meetings on 23 November or 14 December 2010 that require the approval of the Council).

166/10 Council Tax Base

DOCUMENT 9A

To recommend Council in accordance with the methodology and estimates shown at Appendices 2 and 3 to approve this calculation.

Motion – To approve the above minutes and recommendations of the Council Cabinet dated 11 January 2011.

10. To consider a report of the Strategic Director of Resources on Personnel Procedures.

DOCUMENT 10

Motion:

- 1. To note the progress achieved in reforming personnel procedures.**
- 2. To approve the proposal to alter the contractual status of the existing procedures for discipline, grievances, attendance, capability, redeployment, restructuring and redundancy and appeals, so that they no longer form part of employees' contracts.**
- 3. To approve the removal of the current right of appeal to a panel of Members in favour of appeals being determined by senior officers.**

11. To consider a report of the Interim Strategic Director of Resources concerning Urgent Non-Executive Decisions made by the Chief Executive.

DOCUMENT 11

Motion – To note the decision of the Chief Executive, in consultation with the political group leaders, to:

- **re-appoint Peter Cholerton to be a Trustee of the Wilmot Gilbert and Berrysford Charity for a four year term of office from 6 January 2011.**
- **provide cover for the Service Director, Asset Management.**

12. To consider the following Notices of Motion:

(1) Councillor Hussain to move, Councillor Bayliss to second:

The Council is concerned that the proposed closure of Merrill and Warwick House by September 2011 is causing immense anguish and uncertainty amongst all residents in our care homes. The Council is alarmed by the Cabinet's direction of travel and its aim to close long term residential care beds in all council owned homes within the next two or three years.

Whilst accepting that the treat of closures is causing an unreasonable level of anxiety for both employees and the vulnerable people they are looking after, the Council also accepts that the availability of 10 extra care beds, later this year, at the Leyland's Retail Trust will be insufficient to compensate for the loss of 68 residential beds that will arise from the intended closures. This raises the serious possibility that these actions could lead to a severe shortage of residential care beds in the city. The Council therefore requests that the Cabinet withdraw its consultation on possible closure of Merrill and Warwick House at its next meeting.

(2) Councillor Williams to move, Councillor Jennings to second:

That Councillor Frank Harwood be appointed to the Adoption Panel for the remainder of the current municipal year.

(3) Councillor Naitta to move, Councillor Ashburner to second:

This Council notes that the Local Studies Library building needs to be closed and that there is a similar amount of unused floor space in the Silk Mill Museum. It therefore petitions the Cabinet to keep the Silk Mill Museum open to the public, by moving the Local Studies Library into that building and using the money saved by not needing to hire space for the Local Studies Library to keep the Silk Mill open. This proposal is a cost effective way of keeping the Silk Mill Museum open, as a prime tourist attraction in Derby, while providing an integrated service for users of both facilities.

(4) Councillor Jennings to move, Councillor Grimadell to second:

1. In view of the importance of the decisions to be made on the Budget, Council Procedure Rules be suspended for the meeting of the Council on 2 March 2011 so that the

only items on the agenda are:

- a. to receive apologies
- b. to receive any declarations of interest from members
- c. to approve the minutes of the last meeting
- d. to receive announcements from the Mayor
- e. to consider minutes or reports from the Council Cabinet on the General Fund Revenue Budget, Capital Programme and Council Tax 2011/12; Treasury Management and Prudential Code Indicators 2011/12; Derby Plan (Sustainable Community Strategy); and Council Plan (Corporate Plan); and to pass resolutions on these matters.

2. In order to deal with other business, an additional ordinary meeting of the Council be held on Wednesday 30 March 2011 at 6pm.

- (5) Councillor Troup to move, Councillor Carr to second:

2010 was the International Year of Biodiversity. The United Nations considers the threat to wildlife to be so serious that it has immediately followed up by launching the International Decade of Biodiversity. This Council accepts that, when times get tough, it is wrong to take it out in the environment and let future generations live with the consequences.

This Council acknowledges and celebrates the excellent work done by the Wild Derby project in promoting and protecting biodiversity in the city despite having only a very small budget to work with. Therefore, in developing budget proposals, the Council asks the Cabinet to do everything it can to protect the modest budget needed for the Wild Derby project and not to sacrifice the future for our short term benefit."

- (6) Councillor Skelton to move, Councillor Troup to second:

The establishment of the Health and Wellbeing Board provides an opportunity for closer working between the Council and the NHS. The aim should be to work together so that the resources of the two organisations are used to the maximum benefit of Derby's citizens.

The Government has allocated £3.2m to Derby via the NHS to support social care in the city. It is vital that this finance is used to address the social care problems of each organisation, such as enablement and intermediate care, where the interface between the Council and the NHS must work well to avoid such problems as bed blocking.

Council therefore calls on the Cabinet to ensure that collaborative working with the NHS makes best use of the resources and infrastructure of both organisations. Furthermore, any planned changes in provision made for budgetary reasons are thought through holistically and do not end up costing more money either elsewhere or in the future.

- (7) Councillor Atwal to move, Councillor F Khan to second:

It is recognised that from time to time that an Administration may need to move financial resources from one area to another.

However, Council is concerned that the removal of the Rowditch Recreation Ground Capital funding programme to meet the additional costs of improvements to the Alvaston Park changing facilities may result in a lost opportunity for improvements to the Rowditch Park Facility.

Council recognises that the Rowditch Recreation Grounds are in an area in need of much improvement. Council therefore requests the Council Cabinet together with the Director of Resources, to make available the reserved sums for the Rowditch Recreation Ground scheme as soon as a decision has been made on the Barracks building.



Stuart Leslie
Director of Legal and Democratic Services

**SPECIAL COUNCIL MEETING
17 NOVEMBER 2010**

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Davis, Dhindsa, Graves, Grimadell, Harwood, Hickson, Higginbottom, Hird, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Chera, F Khan, S Khan and Tuplin.

Declarations of Interest

There were no declarations of interest.

Adjournment of the Meeting

As a result of a member of the public interrupting proceedings, the Mayor adjourned the meeting from 6.08 pm to 6.15pm in accordance with Rule CP80, and ordered that the member of the public concerned be removed from the Council Chamber in accordance with Rule CP81.

53/10 New Executive Arrangements from May 2011

In pursuance of Part 1 of Schedule 4 to the Local Government and Public Involvement in Health Act 2007, the Council considered the minutes and recommendations of the Governance Committee, relating to proposed new Executive Arrangements from May 2011, and requiring the approval of the Council. The Governance Committee minutes are set out in Appendix A to these minutes.

Resolved, on the motion of Councillor Jennings, to approve the minutes and recommendations of the Governance Committee dated 3 November 2010.

MAYOR

COUNCIL MEETING 17 NOVEMBER 2010

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Davis, Dhindsa, Grimadell, Harwood, Hickson, Higginbottom, Hird, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Chera, F Khan, S Khan and Tuplin.

Declarations of Interest

There were no declarations of interest.

Announcements by the Mayor

The Council stood in silence as a tribute to the memory of Lady Winifred Hilton, wife of the former Lord Lieutenant of Derbyshire; Alma Mullarkey, Mayoress to the late Councillor Alan Mullarkey; and Walter Marshall, former Borough Councillor, County Councillor and Leader of Derbyshire County Council. Tributes to Lady Hilton and Walter Marshall were paid by Councillor Wood, and to Alma Mullarkey by Councillors Roberts and Webb.

54/10 Minutes of the Previous Meetings

Resolved that the minutes of the meeting of the Council held on 8 September 2010 be approved as correct record, confirmed and signed by the Mayor.

55/10 Statements by Members of the Council Cabinet

Councillor Jennings, Leader of the Council, made a statement about a number of matters, including school kitchens. Councillors Bayliss and Jones responded.

56/10 Public Questions

Resolved, in accordance with Rule CP11, that, in view of the exceptional circumstances, the maximum period of time for questions by the public be extended beyond 30 minutes.

Questions from members of the public were asked as follows:

1. By Rosemary Wright, concerning the location of Chaddesden Library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
2. By Jackie Springall, concerning the replacement of sycamore trees on Wilson Avenue, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Richard Hudson, concerning the use of Derwent New Deal funding, answered by Councillor Jennings, Leader of the Council.
4. By Dawn Gee, concerning multi-agency working, answered by Councillor Jennings, Leader of the Council.
5. By Karen Williams, concerning irresponsible landlords, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
6. By Dorothy Skrytek, concerning the closure of the Silk Mill, answered by Councillor Jennings, Leader of the Council.
7. By Paul Campbell, concerning schools funding, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
8. By Tony Dunn, concerning the use of contractors, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
9. By Penny DeAbreu, concerning an inventory of the Council house valued artefacts, answered by Councillor Marshall, Council Cabinet Member for Resources.
10. By Simon Bacon, concerning representations at Planning Control Committee, answered by Councillor Wood, Chair of the Planning Control Committee.
11. By Anne MacDonald, concerning the Chaddesden Library design and costings, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
12. By Colin Underhill, concerning the Museums service, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.

Adjournment of the Meeting

As a result of a member of the public interrupting proceedings, the Mayor adjourned the meeting from 7.20 pm to 7.45 pm in accordance with Rule CP80, and ordered that the member of the public concerned be removed from the Council Chamber in accordance with Rule CP81.

13. By Pat Woolley, concerning the Council House refurbishment, answered by Councillor Jennings, Leader of the Council.
 14. By Karen Hillier, concerning the drains on Nightingale Road, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
- Resolved, in accordance with Rule CP20, that the above question from Karen Hillier be referred to the Neighbourhoods Commission.**
15. By Dorothy Skrytek, concerning redundancies at the Silk Mill, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
 16. By Tony Dunn, concerning traffic light signals, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 17. By Penny DeAbreu, concerning land adjacent to the Seven Stars car park, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 18. By Simon Bacon, concerning the waste contract, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
 19. By Colin Underhill, concerning the Connecting Derby road layout, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
 20. By Pat Wooley, concerning the Council House planning application, answered by Councillor Jennings, Leader of the Council.

In the absence of the questioner, the Mayor announced that a written answer would be sent to a question submitted by Peter Steer concerning the Cathedral Green Swing Bridge.

57/10 Written Questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Ltd

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

58/10 Written Questions from Non-Council Cabinet Members

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

1. By Councillor Repton, concerning the protection of assets, answered by Councillor Jennings, Leader of the Council.
2. By Councillor Repton, concerning refuse collection, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Councillor Repton, concerning child development, answered by Councillor Williams, Council Cabinet Member for Children and Young People.

4. By Councillor Atwal, concerning an update on the Leisure Strategy, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
5. By Councillor Whitby, concerning the Astro turf pitch at former Mackworth College site, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
6. By Councillor Rawson, concerning an update on Council's financial position, answered by Councillor Marshall, Council Cabinet Member for Resources.
7. By Councillor Rawson, concerning the potential listing of the Council House, answered by Councillor Jennings, Leader of the Council.
8. By Councillor Rawson, concerning proposals on outsourcing services, answered by Councillor Jennings, Leader of the Council.
9. By Councillor Jackson, concerning the library service in Littleover, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
10. By Councillor Naitta, concerning the Christmas ice rink, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
11. By Councillor Naitta, concerning sports centre provision in Mackworth, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
12. By Councillor Naitta, concerning Streetpride, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
13. By Councillor Bolton, concerning the assessment of school kitchens, answered by Councillor Jennings, Leader of the Council.
14. By Councillor Bolton, concerning Chaddesden library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
15. By Councillor Bolton, concerning works to children's centre buildings, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
16. By Councillor F Winter, concerning the kitchen at Ravensdale Junior School, answered by Councillor Jennings, Leader of the Council.
17. By Councillor Shanker, concerning Housing Benefit changes, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
18. By Councillor Shanker, concerning Derby Homes cash offices, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
19. By Councillor L Winter, concerning seat belts in taxis and buses, answered by Councillor Holmes, Council Cabinet Member for Planning and Environment.
20. By Councillor Bayliss, concerning a proposed supermarket in Alvaston, answered by Councillor Jennings, Leader of the Council.

21. By Councillor Turner, concerning the Environment Agency, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
22. By Councillor Hird, concerning communication following school kitchen closures, answered by Councillor Jennings, Leader of the Council.
23. By Councillor Hird, concerning events leading to school kitchen closures, answered by Councillor Jennings, Leader of the Council.
24. By Councillor Hussain, concerning adult services eligibility criteria, answered by Councillor Webb, Council Cabinet Member for Adult Social Care and Health.
25. By Councillor Turner, concerning vehicle activated signs, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
26. By Councillor Turner, concerning footway lighting, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
27. By Councillor Shanker, concerning travellers in Sinfen Ward, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
28. By Councillor Shanker, concerning the Osmaston regeneration project, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.

A question by Councillor Bayliss to Councillor Jennings concerning school meal provision was not asked.

59/10 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 Appendix A to these minutes.

It was moved by Councillor Jennings and seconded, to approve the minutes and recommendations of the Council Cabinet dated 28 September and 26 October 2010.

It was moved by Councillor Bayliss, and seconded, that the motion be amended by the addition of the words "subject to the amendment of the resolution of minute number 105/10 by the deletion of the second and fourth bullet points; the substitution of the words "Resources Overview and Scrutiny Commission" for the words "Members Services Working Party" in the first bullet point; and the substitution of the word "Commission" for the word "group" in the third bullet point.

(The effect of the amendment, if approved, was that the resolution in minute number 105/10 would read as follows:

"To recommend to Council that:

- The remit of the Resources Overview and Scrutiny Commission be extended to include responsibility for reviewing progress on the delivery of the Transformation Programme.

- Terms of reference be developed in consultation with Members to reflect the wider remit of the Commission.”)

The amendment was put to the meeting and lost.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 28 September and 26 October 2010.

60/10 Minutes and Recommendations of the Scrutiny Management Commission

The Council considered the minutes and recommendations of the Scrutiny Management Commission requiring the approval of the Council set out in Appendix B to these minutes.

It was moved by Councillor Carr, and seconded, to approve the minutes and recommendations of the Scrutiny Management Commission dated 21 September 2010.

Amendment 1 – Carried

It was moved by Councillor Carr, and seconded, that the motion be amended by the addition of the words “with the exception of paragraph 2 of the resolution in Minute No. 37/10 which be amended by the deletion of the words “Crime and Disorder Commission” and their replacement of the words “Safer Communities Commission” and the addition of the words “and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission, be as set out below”

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members’ Areas of Responsibility:</p> <p>1. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism, including City Centre Management • Asset management including markets • School meals and in-house catering

Commission	Scope
	<p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> Corporate human resources including training and development Employee payments (payroll) and income tax External employment initiatives Customer Services including Derby Direct Council Tax and Business Rates Information and Communications Technology and Telephony Procurement Legal and Democratic Services Financial Services, Audit and Risk Management Capital and Revenue Budgets Housing and Council Tax benefit administration Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>1. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>2. To act as the Crime and Disorder Committee.</p>

(The effect of the amendment, if approved, was that the resolution in Minute No. 37/10 would read as follows;

“Resolved to recommend Council to:

1. Dispense with the Resources Commission by allocation its functions to the Scrutiny Management Commission.
2. Create a Safer Communities Commission and designate that as its Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission be as set out below:

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members' Areas of Responsibility:</p> <p>2. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism, including City Centre Management • Asset management including markets • School meals and in-house catering <p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> • Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk Management • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>3. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>4. To act as the Crime and Disorder Committee.</p>

3. Appoint the Chair, Vice Chair and Members of new Crime and Disorder Commission”)

The amendment was put to the meeting and carried.

Amendment 2 - Lost

It was moved by Councillor Bayliss, and seconded, that paragraph 2 of the amended motion be further amended to read “create a Safer Communities and Climate Change Commission and designate that as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities and Climate Change Commission, be as set out below:

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members’ Areas of Responsibility:</p> <p>1. Leader of the Council</p> <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism, including City Centre Management • Asset management including markets • School meals and in-house catering <p>2. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk

	<p>Management</p> <ul style="list-style-type: none"> • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities & Climate Change Commission	<ol style="list-style-type: none"> 1. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership. 2. To act as the Crime and Disorder Committee. 3. Planning and Environment (Deputy Leader) Climate Change / the environment and energy.

The amendment was put to the meeting and lost.

Resolved, to approve the minutes and recommendations of the Scrutiny Management Commission dated 21 September 2010 with the exception of paragraph 2 of the resolution in Minute No. 37/10 which be amended to read:

“Create a Safer Communities Commission and designate that and its Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006, and that the amended terms of reference of the Scrutiny Management Commission and the new terms of reference of the Safer Communities Commission, be as set out below;

Commission	Scope
Scrutiny Management Commission	<p>From the following Council Cabinet Members' Areas of Responsibility:</p> <ol style="list-style-type: none"> 3. Leader of the Council <ul style="list-style-type: none"> • Overall corporate strategic co-ordination and leadership • Corporate policies and strategies • Performance management • Lead partnership liaison with city partners including Derby City Partnership • Communications and consultation • Emergency planning and business continuity • Lead partnership liaison with local, regional, national and international partners • Economic development and tourism,

Commission	Scope
	<p>including City Centre Management</p> <ul style="list-style-type: none"> • Asset management including markets • School meals and in-house catering <p>2. Planning and Environment (Deputy Leader)</p> <ul style="list-style-type: none"> • Climate change / the environment and energy <p>3. Resources</p> <ul style="list-style-type: none"> • Corporate human resources including training and development • Employee payments (payroll) and income tax • External employment initiatives • Customer Services including Derby Direct • Council Tax and Business Rates • Information and Communications Technology and Telephony • Procurement • Legal and Democratic Services • Financial Services, Audit and Risk Management • Capital and Revenue Budgets • Housing and Council Tax benefit administration • Derwent New Deal for Communities programme and succession strategy <p>Any matters that do not fall within the terms of reference of another Overview and Scrutiny Commission.</p>
Safer Communities Commission	<p>5. To scrutinise the functions of the Derby Community Safety Partnership including the role of the Leader of the Council as lead liaison for the Partnership.</p> <p>6. To act as the Crime and Disorder Committee.</p>

61/10 Appointment of Chair, Vice Chair and Members of the Safer Communities Commission

Consequent on Minute No. 60/10, the Council made appointments to the new Safer Communities Commission.

Resolved that the following appointments be made to the Safer Communities Commission for the remainder of the current municipal year (Con 3, Lab 3, Lib Dem 2):

Chair – Councillor Naitta
Vice Chair – Councillor Repton
Councillors Atwal, Barker, Davies, Harwood, S Khan, L Winter

62/10 Minutes and Recommendations of the Standards Committee

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

Resolved, on the motion of Councillor Wood, to approve the minutes and recommendations of the Standards Committee dated 3 September 2010.

63/10 Minutes and Recommendations of the General Licensing Committee

The Council considered the minutes and recommendations of the General Licensing Committee requiring the approval of the Council set out in Appendix D to these minutes.

Resolved, on the on motion of Councillor Hird, to approve the minutes and recommendations of the General Licensing Committee dated 13 October 2010.

64/10 Appointment of Representatives to the Standing Advisory Council for Religious Education (SACRE)

The Council considered a report of the Interim Strategic Director of Resources concerning the appointment of representatives to the Standing Advisory Council for Religious Education (SACRE).

Resolved, on the motion of Councillor Jennings, to appoint the following representatives to SACRE for a four year term:

Group A (Christianity and Other World Faiths)

Maryam Djavid (Bahai Faith)
Raj Bali (Hindu Faith)
Phil Royle (Methodist Church)
Joan Price (Pentecostal Church)
Lucy Care (Religious Society of Friends)
Kate Tippen (Roman Catholic Church)
Wendy Jordan (Salvation Army)
Rev Roy Ninkovic (Serbian Orthodox Church)
Rev Mrs Mair Bradley (United Reformed Church)
Ruth Dolby (Jewish Faith)
Forid Miah (Islamic Faith)
Arshid Rafiq (Islamic Faith)
Dr Hardial Singh Dhillon (Sikh Faith)

Group B (Church of England)

Rosemary Wibberley
Viv Lawrence
Alison Brown

Maxine Bull

Group C (Teachers' Associations)

Jane Oldershaw (ATL)

Kate McRae (NAHT)

Kelly Bradley (NUT)

David Nichols (SHA)

65/10 Urgent Non-Executive Decisions made by the Chief Executive

The Council considered a report of the Interim Strategic Director of Resources concerning Urgent Non-Executive Decisions made by the Chief Executive since the last meeting.

Resolved, on the motion of Councillor Jennings, to note the decision of the Chief Executive, in consultation with the political group leaders, to appoint Councillor Troup as Chair of the Neighbourhoods Commission, in place of Councillor Batey, for the remainder of the current municipal year.

66/10 Urgent Executive Decisions made by the Council Cabinet

The Council considered a report of the Interim Strategic Director of Resources concerning Urgent Executive Decisions made by the Council Cabinet.

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

67/10 Notices of Motion

1. *Personnel Policies and Procedures*

This motion was withdrawn by the proposer, Councillor Marshall.

2. *Morledge Bus Stops*

It was moved by Councillor Troup, and seconded, that Council welcomes the investment pledged by the previous Lib Dem led administration to improve the area around the new bus station and The Morledge. The consultation on the design and layout for The Morledge improvements was carried out before construction began. This included examples of the proposed materials and a plan of the proposed street layout, showing space for taxis, bus stops, disabled parking and delivery vehicles. This plan was still on display at the end of October 2010 and welcomed by the public. However the scheme now being constructed is different.

Council is concerned that lack of consultation on the removal of general service bus stops in the new scheme has angered bus users, especially those using the 28,29 and 33 buses. These buses will not be allowed to stop in The Morledge once the construction work is completed.

Council therefore calls on Cabinet to listen to the bus users of Derby and reinstate bus stops in The Morledge.

It was moved by Councillor Whitby, and seconded, that the motion be amended to read as follows:

“Council welcomes the investment and regeneration of the area around the new bus station and the Morledge. The consultation on the suggested improvements to the Morledge showed the proposed street layout, with space for taxis, buses, disabled parking and delivery vehicles. These plans were welcomed by the public. However, the scheme being constructed has seen the permanent removal of the bus stops used for the very popular Mackworth services 28/29 and Littleover 33. This change has been implemented without any consultation and this has angered a wider public who are keen to promote public transport and specifically bus users who favour the site, given its proximity to the Westfield shopping centre and Eagle Market.

Council therefore requests that Cabinet listens to the bus users of Mackworth and Littleover and reinstates the bus stops for services 28/29 and 33 in the Morledge.”

The amendment was put to the meeting and carried.

Resolved that Council welcomes the investment and regeneration of the area around the new bus station and the Morledge. The consultation on the suggested improvements to the Morledge showed the proposed street layout, with space for taxis, buses, disabled parking and delivery vehicles. These plans were welcomed by the public. However, the scheme being constructed has seen the permanent removal of the bus stops used for the very popular Mackworth services 28/29 and Littleover 33. This change has been implemented without any consultation and this has angered a wider public who are keen to promote public transport and specifically bus users who favour the site, given its proximity to the Westfield shopping centre and Eagle Market.

Council therefore requests that Cabinet listens to the bus users of Mackworth and Littleover and reinstates the bus stops for services 28/29 and 33 in the Morledge.

Resolved, on the motion of Councillor Bayliss, that, in accordance with Rule CP10, the meeting be extended beyond four hours.

3. Asbestos Awareness Campaign

Resolved, on the motion of Councillor Higginbottom, that this Council fully supports the HSE’s asbestos awareness campaign and recommends the Council Cabinet to assist in raising the profile of the dangers of asbestos in residential properties by enclosing a leaflet with council tax bills and by providing a link from the Council’s website to the HSE’s website.

4. Neighbourhood Managers and Provision of Neighbourhood Forum Papers to Residents

It was moved by Councillor Dhindsa, and seconded, that the Neighbourhood Agenda has been a very successful initiative implemented by Council.

The Neighbourhood Manager is central to the success of Neighbourhood Boards and Forums, therefore, Council recommends Council Cabinet to reverse the cut in resources and re-instate Neighbourhood Managers full-time in 'priority' Neighbourhood Board areas and ensure all other wards have similar resources commensurate with their needs.

Also Council recommends Council Cabinet to restore the provision of Neighbourhood Forum papers to residents that have attended previous meetings allowing them to remain informed about local issues and activities.

In accordance with rule CP68 it was demanded by at least ten members that a recorded vote be taken on the motion.

The following members voted for the motion:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Higginbottom, Hussain, Jackson, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (16).

The following members voted against the motion:

Councillors Allen, Ashburner, Atwal, Barker, Carr, Davies, Grimadell, Harwood, Hickson, Hird, Holmes, Ingall, Jennings, Jones, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Webb, F Winter, Wood (26).

The Mayor (Councillor Nath) abstained.

Councillor Williams was not in the Council Chamber when the recorded vote was taken.

The motion was declared lost.

5. Renewable Electricity Regeneration

Resolved, on the motion of Councillor Ashburner, that this Council welcomes the new Coalition Government's decision to allow local authorities to sell renewable electricity to the National Grid.

The restriction was introduced in 1989 and is no longer appropriate in today's world, which is concerned with generating power without increasing the amount of carbon dioxide in the atmosphere.

It is estimated that the proposed Long Bridge power generator for Derby will generate some 1.25 million kilowatt hours a year, enough to power around 300 homes while saving 680 tonnes of CO2 a year.

This Council acknowledges the potential environmental and financial benefits that generating renewable electricity can bring, and resolves to encourage the generation of renewable energy for much needed income within Derby.

Mayor

<p>MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL</p>
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**COUNCIL CABINET
11 JANUARY 2011**

Present Councillor Jennings (Chair)
 Councillors Grimadell, Holmes, Marshall, Poulter, Webb and
 Williams

In attendance Councillors Bayliss and Jones

This record of decisions was published on 13 January 2011. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Key Decisions

166/10 Council Tax Base

The Council Cabinet considered a report on Council Tax Base. The Council has to calculate its 'council tax base' for 2011/12 as a means of raising council tax income for the 2011/12 financial year from Derby council tax payers. The tax base is an estimated figure of the number of domestic properties in terms of 'band D' in the Council's area during the year. It is used to determine a headline charge for band D properties in the city. Charges for other bands are calculated as defined fractions of the headline charge. The proposed council tax base for 2011/12 was 72,278.83 band D equivalent properties compared with the 2010/11 council tax base of 71,114.57. This represented an increase of 1,164.26 band D equivalent properties. The reasons for the increase were:

- An increase in the number of domestic properties within the city at the time of calculating the proposed council tax base for 2011/12 when compared to the figure used for calculating 2010/11 council tax base. The actual increase in domestic properties was 919.
- A prudent estimate of the number of newly built homes between 1 December 2010 and 31 March 2012 that would add to the tax base.

Options Considered

Setting the council tax base is a statutory duty.

Decision

1. ...
2. To recommend Council in accordance with the methodology and estimates shown at Appendices 2 and 3 to approve this calculation.

Reasons

Agreeing the council tax base was the first step in the process of setting the council tax to be collected in 2011/12 and was an essential part of establishing the 2011/12 budget.