



**Council**  
**Wednesday 21 November 2018**  
*To commence immediately*  
*following the Extraordinary Meeting,*  
*which starts at 6pm*

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

**Members:**

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

**Agenda**

- |    |   |  |                 |
|----|---|--|-----------------|
| 1. | Apologies   |  |                 |
| 2. | Declarations of Interest                                    |  | <b>Attached</b> |
| 3. | Minutes of the meeting of Council held on 27 September 2018 |  | <b>Attached</b> |
| 4. | Announcements from the Mayor                                |  |                 |
| 5. | Statements from Members of the Council Cabinet              |  |                 |
| 6. | Questions from the Public                                   |  |                 |

|          | Questioner      | Respondent     | Subject  |
|----------|-----------------|----------------|--|
| <b>A</b> | David Walton    | Cllr Smale     | Parking on Pavements                             |
| <b>B</b> | Moirra Findlay  | Cllr Webb      | Support for Carers                               |
| <b>C</b> | Mick Vernon     | Cllr Smale     | Waste Contract Termination                       |
| <b>D</b> | Darren Bales    | Cllr Smale     | Waste Contract Termination                       |
| <b>E</b> | Simon Bacon     | Cllr Smale     | Blue Bin Waste Cost Per Tonne                    |
| <b>F</b> | George Morland  | Cllr Roulstone | Council Tax and Business Rate Exemptions         |
| <b>G</b> | Dorothy Skrytek | Cllr Smale     | Waste Contract Update                            |
| <b>H</b> | Nigel Runcorn   | Cllr J Khan    | Adults and Health Scrutiny Review Board business |
| <b>I</b> | Peter Robinson  | Cllr Webb      | Psychotherapy "Access to All"                    |
| <b>J</b> | Amanda Lofley   | Cllr Smale     | Air Quality Controls at Sinfin Waste Plant       |
| <b>K</b> | Dave Clasby     | Cllr M Holmes  | Stafford Street changes                          |
| <b>L</b> | Pauline Inwood  | Cllr Grimadell | Moorways Development                             |
| <b>M</b> | Jyoti Wilkinson | Cllr Grimadell | Pear Tree Library                                |

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|          |                |                |                                    |
|----------|----------------|----------------|------------------------------------|
| <b>N</b> | Jamie D'Arcy   | Cllr Barker    | Public Exclusions                  |
| <b>O</b> | Mick Vernon    | Cllr Smale     | Waste Plant Notice Period          |
| <b>P</b> | Simon Bacon    | Cllr Smale     | Garden and Waste Food Incineration |
| <b>Q</b> | Peter Robinson | Cllr M Holmes  | ClientEarth Comment                |
| <b>R</b> | Dave Clasby    | Cllr M Holmes  | Sustainable Transport              |
| <b>S</b> | Pauline Inwood | Cllr Grimadell | Queen's Leisure Centre             |

7. Questions relating to Derbyshire Fire Authority or Derby Homes
8. Questions from non-Council Cabinet Members
9. Minute Extract from Licensing Committee meeting held on 8 November 2018 **Attached**
10. Employee Appeals Sub Committee **Attached**
11. Appointments to Outside Bodies and Charities **Attached**
12. **Notice of Motion: Creative Carers and Haven House**

Moved by Councillor Graves, seconded by Councillor Bettany

*During June-August 2018, the council ran an aborted procurement process to award a contract to an independent organisation to support carers in Derby. Carers save the city an estimated 3 billion pounds in unpaid care yet suffer high levels of stress, anxiety and depression due to the caring role.*

*Creative Carers is a carer-led organisation, established by carers living in Derby. It was the top answer in the council's formal consultation about what's working well in Derby and available locally. Creative Carers run a large, accessible, carer-dedicated, city-based, community resource called Haven House. It's well used by family carers and loved ones, community groups (e.g. 50 Plus Forum) and Derby City Council (including weekly Social Services advice sessions called Talking Points). Creative Carers successfully provides carers with wellbeing activities, information and resources both at Haven House and across Derby in local community venues.*

*It's unclear how Derby's carers will now be supported but Creative Carers' council funding is ending in November. That will lead to Haven House closing down unless immediate action is taken. Carers have told the council they want Haven House/Creative Carers to continue. The council must act in carers' local interests and not be diverted by a series of official errors, misjudgements and bureaucratic decisions– the latest being an*

*aborted procurement process due to a 'technical issue'. The council (and/or large organisations with headquarters outside the city) lack the trust and credibility among city carers to provide necessary independent advice and information. These options would be deeply unpopular with carers. Carers have already established a Save Haven House campaign.*

*Therefore, the council calls upon the Council Cabinet to provide continued funding for Creative Carers, an independent, carer-led, Derby organisation, to support Derby carers (and the council) in meeting statutory preventative duties, needs, and best interests, in ways that can't be done if the council take carers' services in-house and/or outsources them to large organisations with headquarters based elsewhere.*

### **13. Notice of Motion: Modern Slavery**

Moved by Councillor Hezelgrave, seconded by Councillor West

*Council notes with alarm and dismay the recent convictions in Nottingham Crown Court relating to Modern Slavery activities within the City of Derby.*

*In order to further strengthen the already robust policies and procedures the Council has in place to identify possible cases of Modern Slavery and Human Trafficking both within the City, and outside the City, further down the supply chain, Council resolves to adopt the Cooperative Party's Charter Against Modern Slavery.*

*The Charter goes further than existing law and guidance, and will commit Derby City Council to proactively vetting its own supply chain to ensure no instances of modern slavery are taking place.*

*As an entity, the City Council is one of the largest businesses in the City and the adoption of the Charter will send a clear reassuring message to its residents and other businesses of all sizes that any instances of the despicable and wholly illegal exploitation of vulnerable people will be actively sought, pursued and prosecuted.*

*In doing so, it will join forty nine other Councils in England and Scotland under differing political control, playing an active role in stamping out Modern Slavery, thereby demonstrating leadership on the issue within their communities.*

*In adopting the Charter, Derby City Council will:*

- 1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.*
- 2. Require its contractors to comply fully with the Modern Slavery*

*Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.*

- 3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.*
- 4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.*
- 5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.*
- 6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.*
- 7. Review its contractual spending regularly to identify any potential issues with modern slavery.*
- 8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.*
- 9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.*
- 10. Report publicly on the implementation of this policy annually.*

#### **14. Notice of Motion: Formal recognition of Genocides**

Moved by Councillor Williams, seconded by Councillor Cooper

*Since the inception of Holocaust Memorial Day in 2001, Derby has proudly promoted and staged week long commemorative events each year, delivered by a team of volunteers, through diverse partnerships. These programmes have been supported by Derby City Council.*

*Nationally, Holocaust Memorial Day, on the 27<sup>th</sup> January, is for everyone to remember the six million Jews murdered in the Holocaust, the millions of people killed under Nazi Persecution, and in the genocides that followed. In Derby, we have chosen to look further back and remember acts of genocide which were relevant precursors to that which happened in Europe under Nazi control.*

*Both of these Genocides are not formally recognised by the United Kingdom.*

*These are:*

- The Holodomor, the forced famine of 1932/33 deliberately perpetrated by the Soviet Union against Ukraine that led to the death of at least 7 million Ukrainians, around a third of them children.*
- The Armenian Genocide 1915-1918, the killing and mass*

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*deportation of Armenians from the Ottoman Empire. Over 1.5 million people died as a result of this systematic action.*

### *The Holodomor*

- a) A key partner in Derby's Holocaust Memorial Day events is the Ukrainian Community. It has its roots in Derby as a refugee community, arriving here over 70 years ago.*
- b) This year of 2018, constitutes the 85th anniversary of the Holodomor, the forced famine of 1932/33 deliberately perpetrated by the Soviet Union against Ukraine that led to the death of at least 7 million Ukrainians, around a third of them children.*
- c) Throughout this year there have been international events to commemorate this anniversary. In particular, in the 85 days before International Holodomor Day, which falls on 24th November 2018, Ukrainian communities around the world will participate in an international commemorative event "Light a Candle in Remembrance" which will finally make its journey to Ukraine where a formal memorial is to take place.*
- d) Derby was one of the first cities in the United Kingdom to commemorate this 85th Anniversary of the Holodomor during its Holocaust Memorial events in January 2018.*
- e) The Derby Branch of the Association of Ukrainians wish for the Ukrainian Famine of 1932-33 to be recognised as an act of Genocide, both locally, and nationally, to give the tragedy of the Holodomor its rightful place in 20th century history. In doing so the UK would be joining other states such as Australia and Canada, as well as the USA, in which the Senate recently resolved to recognise that "Joseph Stalin committed genocide against Ukrainians in 1932/33."*

### *The Armenian Genocide*

- a) The Holocaust Memorial Day committee decided to take a stand on the Armenian Genocide on its 100<sup>th</sup> Anniversary in 2015 by formally recognising it, as a Genocide, through its inclusion in the main programme.*
- b) The Armenian Genocide is not universally recognised, with just 29 countries taking that position. This does not include the United Kingdom ( albeit that it is recognised in Scotland, Wales, and Northern Ireland)*



*Council believes that the formal act of recognition of these events as Genocide is an essential part of the process of ensuring that such acts are not forgotten and not repeated.*

*Council resolves:*

- 1 to formally recognise the man-made famine of 1932-33 (also known as the Holodomor), as an act of genocide committed against the Ukrainian people;*
- 2 to formally recognise the killing of 1.5 million Armenians by the Ottoman Empire in 1915-1918, as an act of genocide committed against the Armenian people.*
- 3 to ask her Majesty's Government to consider recognising both the Holodomor and the Armenian Genocide as acts of genocide.*

**15. Notice of Motion: Previous decision to terminate Waste Contract**

Moved by Councillor Peatfield, seconded by Councillor Bayliss

*As the Leader of the Council has not fulfilled the motion passed at the last Full Council meeting to terminate the Inter Authority Agreement and thus the contract regarding the Sinfin Incinerator Plant, Council moves that the Leader of the Council, Councillor Chris Poulter, be removed from office with immediate effect as Council has no confidence in Councillor Poulter as Leader carrying out its will.*

**16. Notice of Motion: Parental and Carers' Leave**

Moved by Councillor Froggatt, seconded by Councillor Stanton

*This Council notes:*

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;*
- That across England, Labour has improved its representation since seats were last up for grabs, with 45% women compared with 40% in 2014, Liberal Democrat representation up from 34% to 36% whilst the Conservative Party saw a fall from 31% to 29% in the share of its councillors who are female;*
- That as of the 2018 local elections, only 26 out of 119 Labour councils and only 33 out of 130 opposition Labour Groups are led by*

women;

- *As of summer 2017, only a 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;*
- *The number of councils which have a Carers Leave policy is unknown*
- *That the role of a councillor should be open to all, regardless of their background, and that introducing a parental and carers leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family or who take on additional caring commitments to remain as councillors;*
- *That parental and carers leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.*

*This Council resolves:*

- *To recommend to the Independent Remuneration Panel that from May 2019 the Members Allowance Scheme includes a parental and carers leave policy that ensures all that councillors with children and other caring commitments are supported as appropriate*
- *To establish the provision of high quality child-care facilities within the Council House to support both Councillors and Employees*

## **17. Notice of Motion: Brexit Withdrawal Agreement**

Moved by Councillor Evans, seconded by Councillor Graves

*17.4 million people and 58% of Derby residents voted Leave in the referendum in 2016. Parliamentarians should carefully examine the rationale that they will be using to cast their vote on the Withdrawal Agreement.*

*Contrary to what many in the media are implying, this is not a vote on whether Brexit is a good idea. Parliament originally voted to pass this decision to the people via a Referendum and then voted again to trigger Article 50.*

*People's opinion on Brexit was canvassed on 23<sup>rd</sup> June 2016. Therefore any vote on the Withdrawal Agreement needs to cast subjectivity aside and stick to a clear set of tests. Those tests were articulated by the Prime Minister in her Lancaster House Speech in 2017 as follows:*

- 1. The UK controls its own laws;*
- 2. The UK controls immigration (increasing and decreasing the net level in response to economic and social demands);*

3. *The UK leaves the Single Market whilst securing access through a new, comprehensive, bold free trade agreement; and*
4. *The UK frees itself from the Common Commercial Policy and the Common External Tariff thus leaving the Custom Union.*

*Where the proposed arrangement fails to deliver any one of these tests, it is not delivering the Brexit that was promised in the 2016 Referendum. The tests above are the promises that were made to the British people and our parliamentarians should honour them.*

*Council does not believe the Prime Minister's own tests are met. We should be desperately worried about the prospect of the UK, via a Common Rule Book, being shackled to regulations from Brussels without any recourse to their creation and application. British business will remain locked in a Customs Union, making it near impossible for the UK to pursue its own independent global trade strategy. The 'deal' on the table offers the EU carte blanche to impose uncompetitive and deliberately punitive policies on the UK, selling British business down the river. It would truly be the worst of all worlds and would represent the greatest act of national humiliation in this proud nation's recent history.*

*Despite hugely unhelpful narratives from an increasingly partisan press, Brexit under WTO rules is not a 'cliff edge' nor need it be 'chaotic'. At present, 92% of British companies do not trade with the EU at all. And this 92% account for 87% of the UK economy. Business leaders already export all over the world often on WTO terms and many run JIT supply chains across APAC and the US. The WTO provides a ready-made framework for co-operation with a set of rules the UK itself helped to co-author. Given that the EU is a member of the WTO it is bound to ensure, come March 2019 that it will not put up any additional barriers to trade nor take punitive measures against the UK. Indeed, if it did, what does that say about the organisation we are attempting to leave? Businesses are well aware of what the repercussions of the vote against the withdrawal agreement may be. They know that this may result in an exit on WTO terms and do not fear it. They recognise that there may be considerable short term turbulence but they are confident that they, and the people of the UK, will be able to steer through any short term upheaval to a prosperous future.*

*This is the most important vote in modern British history and the eyes of the nation are upon our parliamentarians. The effect on our democracy and on our society of failing to deliver Brexit is far more toxic, long term and dangerous than any exit scenario.*

*Council calls on the Government to deliver on the tests the Government gave itself.*

**Glen O'Connell**



## **Interim Monitoring Officer**