

Time commenced - 6.00 pm
Time finished - 10.00 pm

COUNCIL MEETING 10 SEPTEMBER 2008

Present: The Mayor (Councillor Jackson) (In the Chair)
Councillors Allen, Banwait, Batey, Bayliss, Berry, Bolton, Care,
Carr, Dhindsa, Ginns, Graves, Grimadell, Harwood, Hickson,
Higginbottom, Hird, Holmes, Hussain, Ingall, Jennings, Jones,
Keane, F Khan, R Khan, Latham, Leeming, Lowe, Marshall,
Naitta, Nath, Poulter, Rawson, Richards, Roberts, Shanker,
Skelton, Troup, Tuplin, Turner, Webb, Williams, Williamson,
Willoughby, Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Baxter, Chera, Mitchell, Redfern and Repton.

Declarations of Interest

Councillors Jennings, Marshall, Webb, Berry, Grimadell, Williams and Lowe declared personal interests in Motion 5 as members of the Royal British Legion and/or ex-serving Officers of the British forces.

Councillors Rawson and Roberts declared personal interests in Motion 6 as voting members of the Derwent New Deal Board.

Councillor Troup declared a personal and prejudicial interest in Motion 6 as a voting member of the Derwent New Deal Board.

Councillor R Khan declared a personal and prejudicial interest in Minute No. 49/08 as a holder of an Operator's Licence.

Announcements from the Mayor

The Mayor asked all members to take care in handling the microphones in the Council Chamber as some had recently been damaged.

The Council stood in silent tribute to the memory of former Alderman Arthur Lamb. Tributes to Mr Lamb were paid by the Mayor (Councillor Jackson) and Councillor Wood.

44/08 Minutes of the Previous Meetings

Resolved that the minutes of the Meeting of the Council held on 16 July 2008 and the Extraordinary Meeting of the Council held on 20 August 2008 be approved as a correct record, confirmed and signed by the Mayor, subject to the inclusion of Councillor Carr in the list of members declaring an interest and withdrawing from the meeting in respect of the motion on the site for traveller communities in the minutes of the Extraordinary Meeting on 20 August 2008.

45/08 Statements by Members of the Council Cabinet

There were no Statements by Members of the Council Cabinet.

46/08 Public Questions

Questions from members of the public were asked as follows:

1. By Sheila Hartle, concerning the 17/17A bus route servicing Darley Abbey, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.
2. By Chris Wynn, concerning residents only parking in Markeaton and Pybus Streets, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.
3. By Chris Wynn, concerning the Duffield Road bus lane, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.
4. By Jean Lung, concerning the closure of play areas in Sinfin, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
5. Taken together, various questions by Gary Crisp and Richard Johnson (on behalf of John Bowden) relating to Chellaston Business Park, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.

47/08 Written Questions about the Business or
 Functions of the Derbyshire Police Authority,
 Derbyshire Fire Authority or Derby Homes Limited.

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

48/08 Written questions from Non-Council Cabinet Members
 to Members of the Council Cabinet.

Written questions from Non-Council Cabinet Members to Members of the Council Cabinet were asked as follows:

1. By Councillor Willoughby, concerning play areas and the threat of closure, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
2. By Councillor Holmes, concerning extra education provision, answered by Councillor Allen, Council Cabinet Member for Children and Young People.
3. By Councillor Graves, concerning litter wardens, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
4. By Councillor Graves, concerning an Olympic size swimming pool, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
5. By Councillor Williamson, concerning the Environmental Services Department, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
6. By Councillor Williamson, concerning the Labour Group's motion on mortgages, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
7. By Councillor Willoughby, concerning declarations of interest in relation to the Duffield Road bus lane, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
8. By Councillor Latham, concerning integrated children's services on one site, answered by Councillor Allen, Council Cabinet Member for Children and Young People.

9. By Councillor Latham, concerning site visits to grass verges, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.
10. By Councillor Hussain, concerning the cost of residential care, answered by Councillor Skelton, Council Cabinet Member for Adult Services and Health.
11. By Councillor Turner, concerning decisions of the full Council, answered by Councillor Troup, Council Cabinet Member for Housing and Public Protection.

49/08 Minutes and Recommendations of the Taxi Licensing and Appeals Committee

The Council considered the minutes and recommendations of the Taxi Licensing and Appeals Committee, deferred from the Council Meeting on 15 July 2008, and set out in Appendix A to these minutes.

Resolved, on the motion of Councillor Leeming, to approve the minutes and recommendations of the Taxi Licensing and Appeals Committee dated 9 July 2008.

(Councillor R Khan declared a personal and prejudicial interest in the above minute, as a holder of an Operators Licence, and withdrew from the meeting during consideration of the minute.)

50/08 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 B to these minutes.

It was moved by Councillor Jones, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 29 July 2008.

It was moved by Councillor Hickson, and seconded, that the motion be amended by the addition of the following words:

“with the exception of the second bullet point in paragraph 2. of Minute No. 54/08 which be not approved.”

The amendment was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 29 July 2008, with the exception of the second bullet point in paragraph 2. of Minute No. 54/08 which be not approved.

51/08 Urgent Non-Executive Decisions made by the Chief Executive

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

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

52/08 Approval of Independent Members of Derby Homes Board

The Council considered a report of the Director of Corporate and Adult Services concerning Appointments of Independent Members to the Board of Derby Homes Ltd.

Resolved, on the motion of Councillor Jones, to approve the Independent Member Appointments to the Derby Homes Limited Board as set out below:

- **Alison Brown** – **Period of office from 25 September 2008 to 29 October 2009**
- **Mike Smith** – **Period of office from 30 October 2008 to 27 October 2011.**

53/08 Appointments to Outside Bodies

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

Resolved, on the motion of Councillor Jones, to approve the appointment of Councillors Higginbottom and Marshall as the Council's representatives on the Derby Council for Voluntary Service for 2008/09.

54/08 Notices of Motion

1. *Chaddesden Library*

The following Notices of Motion had been submitted:

(a) Councillor Bolton to move, Councillor Williamson to second:

Council acknowledges that the previous administration set aside funding from the LABGI to fund the construction of a new library in Chaddesden Ward.

Council therefore calls on the new Lib Dem administration to honour that commitment and set a commencement date at the next Council Cabinet.

(b) Councillor Grimadell to move, Councillor Marshall to second:

The project to rebuild the Chaddesden Library is a matter of huge concern to Chaddesden residents and has been promised and budgeted for in the current financial year. The current building cannot last much longer and is a serious hazard to the public.

Council therefore notes with concern the perceived threat to Chaddesden Library as enunciated by the Leader of the Council at the July Cabinet meeting which is totally unacceptable.

Council therefore requests the Leader of the Council to make an immediate public statement that the rebuilding of the library will continue as planned in the current financial year.

Council also requests Cabinet to provide a report to its next meeting outlining final costs and plans for the Chaddesden Library project and a date when a start will be made on site.

Resolved, on the motion of Councillor Grimadell, that the above motions be taken as a composite motion.

Resolved:

- 1. Council acknowledges that the previous administration set aside funding from the LABGI to fund the construction of a new library in Chaddesden Ward.**

Council therefore calls on the new Lib Dem administration to honour that commitment and set a commencement date at the next Council Cabinet.

- 2. The project to rebuild the Chaddesden Library is a matter of huge concern to Chaddesden residents and has been promised and budgeted for in the current financial year. The current building cannot last much longer and is a serious hazard to the public.**

Council therefore notes with concern the perceived threat to Chaddesden Library as enunciated by the Leader of the Council at the July Cabinet meeting which is totally unacceptable.

Council therefore requests the Leader of the Council to make an immediate public statement that the rebuilding of the library will continue as planned in the current financial year.

Council also requests Cabinet to provide a report to its next meeting outlining final costs and plans for the Chaddesden Library project and a date when a start will be made on site.

2. Burial Charges

With the consent of the Council, Councillor Hussain withdrew a notice of motion relating to burial charges.

3. Public Transport Charter

It was moved by Councillor Banwait, and seconded, that Council believes a Public Transport Charter, agreed in partnership between the Council, passengers and major bus companies, would address the public's main concerns around improving punctuality, customer service, cleanliness and security.

Council recognises that the rising cost of motoring is making public transport an increasingly attractive option. However, Council is concerned that with the recent increase in bus ticket prices, there is a greater need to ensure Derby's bus passengers get value for money.

Council wants to see maximum flexibility offered to commuters and other members of the travelling public at the earliest opportunity. Council considers that an integrated ticketing service, valid on different routes and accepted by different companies, should be one of the first steps towards the introduction of a Public Transport Charter.

Council therefore calls on the Council Cabinet to immediately start negotiations with Arriva and Trent/Barton, to develop proposals for a Public Transport Charter that would include:

1. An Integrated Single Ticketing system
2. The appointment of members of the public to act as 'Route Champions' to monitor standards on individual routes throughout the city.

It was moved by Councillor Care, and seconded, that the motion be amended by the insertion of the words "Council applauds Cabinet support for the Duffield Road bus lane and calls on Cabinet and Neighbourhood Boards to support appropriate bus priority measures across the city" between the third and fourth paragraphs; and by the substitution of the word "continue" for the words "immediately start" in the fourth paragraph.

The amendment was put to the meeting and lost.

It was moved by Councillor Roberts, and seconded, that the motion be amended by the substitution of the word “continue” for the words “immediately starts” in the fourth paragraph.

The amendment was put to the meeting and carried.

Resolved that Council believes a Public Transport Charter, agreed in partnership between the Council, passengers and major bus companies, would address the public’s main concerns around improving punctuality, customer service, cleanliness and security.

Council recognises that the rising cost of motoring is making public transport an increasingly attractive option. However, Council is concerned that with the recent increase in bus ticket prices, there is a greater need to ensure Derby’s bus passengers get value for money.

Council wants to see maximum flexibility offered to commuters and other members of the travelling public at the earliest opportunity. Council considers that an integrated ticketing service, valid on different routes and accepted by different companies, should be one of the first steps towards the introduction of a Public Transport Charter.

Council therefore calls on the Council Cabinet to continue negotiations with Arriva and Trent/Barton, to develop proposals for a Public Transport Charter that would include:

- 1. An Integrated Single Ticketing system**
- 2. The appointment of members of the public to act as ‘Route Champions’ to monitor standards on individual routes throughout the city.**
- 4. *Weekend voting***

It was moved by Councillor Banwait, and seconded, that Council acknowledges its responsibility to find innovative ways of promoting democracy by making voting more accessible.

Council approved a motion in 1995 calling for polling in all elections to take place on weekends.

Council recognises that since Thursday voting was introduced in 1972, the nature of society and the patterns of people’s lifestyles have changed considerably making it more difficult for many of Derby’s working people to vote during the week.

Council therefore instructs officers to:

1. Respond to the Government's consultation paper on Weekend voting before the deadline of 28 September 2008, reiterating the Council's policy agreed in 1995.
2. To offer Derby as a pilot in 2010.
3. Investigate establishing polling stations at busy shopping centres and local incentives to encourage people to vote.

It was moved by Councillor Jones, and seconded, that the motion be amended by the insertion of the words "provided Government funding is available to fund this initiative" after the word "2010" in sub paragraph 2.

The amendment was put to the meeting and carried.

Resolved that Council acknowledges its responsibility to find innovative ways of promoting democracy by making voting more accessible.

Council approved a motion in 1995 calling for polling in all elections to take place on weekends.

Council recognises that since Thursday voting was introduced in 1972, the nature of society and the patterns of people's lifestyles have changed considerably making it more difficult for many of Derby's working people to vote during the week.

Council therefore instructs officers to:

1. **Respond to the Government's consultation paper on Weekend voting before the deadline of 28 September 2008, reiterating the Council's policy agreed in 1995.**
2. **To offer Derby as a pilot in 2010 provided Government funding is available to fund this initiative.**
3. **Investigate establishing polling stations at busy shopping centres and local incentives to encourage people to vote.**

5. *Black and Asian Veterans*

It was moved by Councillor Banwait, and seconded, that Council acknowledges the great sacrifice and contribution made by many of Derby's Black and Asian veterans in the two world wars, and since.

Council recognises the important role it can play in raising awareness to the people of Derby, about the sacrifice and contribution made by people from many diverse cultures and nations, some who, like the Ghurkhas, have settled in Derby.

Council therefore calls on the Mayor's Office to work in partnership with the British Legion and community groups to raise awareness of the contribution of Black and Asian Veterans through exhibitions and the media, and invite them to participate in this year's and future Remembrance Services.

It was moved by Councillor Hickson, and seconded, that the motion be amended by the substitution of the words "has an" for the word "recognises" in paragraph two and the deletion of the words "some" and "like the Ghurkhas" from that paragraph; the deletion of the whole of paragraph three; and the insertion of a new paragraph three:

"Council therefore calls on the Mayors Office to set up a cross party working group, in partnership with the British Legion and any other interested bodies and individuals, to identify needs which are not currently being met and to make appropriate recommendations."

The amendment was put to the meeting and carried.

Resolved that Council acknowledges the great sacrifice and contribution made by many of Derby's Black and Asian veterans in two world wars, and since.

Council has an important role it can play in raising awareness to the people of Derby, about the sacrifice and contribution made by people from many diverse cultures and nations who have settled in Derby

Council therefore calls on the Mayor's Office to set up a cross party working group, in partnership with the British Legion and any other interested bodies and individuals, to identify needs which are not currently being met and to make appropriate recommendations.

In accordance with Rule CP10 the meeting finished at 10pm and the remaining business would be considered at a time and date to be fixed by the Mayor or, if she did not fix a date, at the next ordinary meeting of the Council.

Mayor

MINUTES OF TAXI LICENSING AND APPEALS COMMITTEE REQUIRING THE APPROVAL OF COUNCIL
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TAXI LICENSING AND APPEALS COMMITTEE 9 JULY 2008

Present: Councillor Redfern (in the Chair)
Councillors Baxter, Hussain, Leeming, Lowe, Rawson, Richards,
Skelton, Williams and Winter

07/08 Request for Relaxation of 'Contract Hire' Exemption Regime

The Committee considered a report from the Director of Environmental Services on a Request for Relaxation of 'Contract Hire' Exemption Regime. When this issue was initially considered at the Taxi Licensing and Appeals Committee on 23 April 2008, members agreed for officers to meet with trade representatives to seek their views and report views back to a Cross Party Working Group who would then make recommendations to Committee.

Resolved

- 1. To note the report;**
- 2. To request Council to approve the amendments to the Council's Private Hire Driver Conditions, Private Hire Vehicle Conditions, Private Hire Operator Conditions and Specification for Private Hire Vehicles.**

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 29 JULY 2008

Present: Councillor Jones (Chair)
Councillors Allen, Care, Carr, Naitta, Skelton and Troup

In attendance: Councillors Hickson, Jennings, Hussain and
Williamson

This record of decisions was published on 31 July 2008. 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.

Budget and Policy Framework

54/08 Capital Programme 2008/09 – 2010/11 - Update

The Council Cabinet considered a report on Capital Programme 2008/09 – 2010/11 – Update. The report summarised major developments relating to the capital programme since it was approved by Council on 3 March 2008 and makes recommendations to amend the programme to remain within available resources.

Decision

1. To approve, subject to confirmation of the timescale for the schedule of works, the carrying out of repairs at Gayton Pool as a result of the court order decision at an estimated cost of £0.6m.
2. To recommend that Council note the capital funding shortfall of £6.981m, which was mainly due to the need to upgrade all the personal computers across the Council through an 'ICT Desktop Refresh Programme', Connecting Derby and Gayton Pool Capital schemes, and agrees to funding this shortfall by a combination of:
 - A carry forward amount of unallocated borrowing from 2007/08 (£0.360m)
 - Unallocated Local Authority Business Growth Incentive (LABGI) grant (£0.655m)

- a detailed review of the capital programme with the intention of increasing the level of capital expenditure which could be supported from the base budget for unsupported borrowing (estimated at £5.488m)
- review of which schemes were funded from unsupported borrowing, to make best use of the regulations that related borrowing costs to asset lives (£0.478m)

3. To recommend that Council agrees to :

- offset the unallocated unsupported borrowing of £1.561m in the 3 March 2008 report against the £1.7m shortfall in capital receipts.
- allocate the £600k budget previously set aside for the 'Time and Place' project funded from corporate capital reserves, to the Cathedral Green project
- the revised programme for schemes funded by Growth Points for 2008/09 as set out in paragraph 3.8 and advise the Public Realm Board to manage the reduced allocation from £1.475m to £0.9m within the programme, and to manage the over programming in conjunction with the Derby Housing Market Area Board.

A reworked scaled back capital programme for 2009/10 and 2010/11 in order to remain within available Growth Point capital resources by the end of 2008.