

**TO: ALL MEMBERS OF THE DERBY CITY COUNCIL**

You are summoned to attend a meeting of the Derby City Council in the Council Chamber at the Council House, Derby on Wednesday 7 July 2010 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 Annual Meeting of the Council held on 26 May 2010 **DOCUMENT 3**

**Motion - That the minutes of the Annual Meeting of the Council held on 26 May 2010 be approved as correct record, 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 and the answers to those questions.
  - a) Simon Bacon - Sinfin Lane Biodiversity Review
  - b) Dorothy Skrytek - Public Open Day, Sinfin Waste Treatment Plant Planning Appeal
  - c) Dorothy Skrytek - Use of Barristers, Sinfin Waste Treatment Plant Planning Appeal
  - d) Colin Underhill - Institutional Graffiti
  - e) Colin Underhill - London Plane Trees

(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 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 8 June and 6 July 2010 requiring the approval of the Council.

**DOCUMENT 9**

**12/10 Contract and Financial Procedure Matters Report**

**DOCUMENT 9A**

1. To approve and note the following changes in relation to the capital programme:
  - to approve the changes detailed in Appendix 2 of the report and to amend the 2010/11 – 2012/13 capital programme
  - to note the revised capital programme and associated funding detailed in Table 1 for 2010/11 at paragraph 3.1 of the report
  - to recommend to Council the approval of the additional borrowing requirement for the Nottingham Road Cemetery path improvement scheme, as set out in paragraph 3.5 and in 2012/13 for the BSF highways scheme as set out in paragraph 4 of the report
  - to note the additional £62,000 grant from English Heritage towards the building frontage enhancement scheme in the city centre and the reallocation of £62,000 match funding required from the Public Realm Contingency Fund as detailed in paragraph 3.6 of the report
  - to approve scheme commencements for the schemes in the capital programme detailed in Appendix 3 of the report.

(Note - Items from Council Cabinet meeting held on 6 July 2010 will be tabled at the meeting. The agenda and reports have been circulated to all Members).

**Motion – To approve the above minutes and recommendations of the Council Cabinet dated 8 June and 6 July 2010.**

10. To consider the following minutes and recommendations of the Audit and Accounts Committee dated 24 June 2010 requiring the approval of the Council.

**DOCUMENT 10**

**12/10 Audit and Accounts Committee – Changes to Terms of Reference**

Resolved to recommend Council to approve the proposed amendments to the Audit and Accounts Committee's terms of reference set out in appendix 3 of the report, subject to the amendment of the word 'review' to read 'approve' in item 16 of the terms of reference.

**Motion – To approve the above minutes and recommendations of the Audit and Accounts Committee dated 24 June 2010.**

11. To consider a report of the Report of the Strategic Director of Resources on Governance.

**DOCUMENT 11**

**Motion:**

1. That Council determines, in principle, whether it wishes to adopt either:

- a leader and cabinet, or
- a directly elected mayor and cabinet

**model of executive arrangements and authorises appropriate consultation with the public and stakeholders.**

2. **That Council decides whether it wishes to consult appropriate persons over a move to whole Council elections from May 2011.**
3. **That a special Governance Committee, comprising the Leaders and Deputy Leaders of each political group, and chaired by the Leader of the Council, be established to agree consultation arrangements and oversee the process leading to final decisions.**
4. **That a special meeting of the Council be held on 15 December 2010 to take final decisions on the matters referred to in paragraphs 1. and 2.**
5. **That Council determines that, in the light of the outcomes of the review of neighbourhood management, approved by the Council Cabinet on 16 March 2010, there is no need for a Community Governance Review.**

12. To consider a report of the Strategic Director of Resources concerning the Annual Report of the Standards Committee – 2009/10.

**DOCUMENT 12**

**Motion – To receive the Annual Report of the Council's Standards Committee for the 2009/10 municipal year.**

13. To consider a report of the Strategic Director of Resources concerning Co-optees for the Climate Change Commission.

**DOCUMENT 13**

**Motion - To approve the co-option of Peter Robinson from the Derby Climate Change Campaign, to membership of the Climate Change Commission for the 2010/11 municipal year.**

(Note - This motion will be superseded if Notice of Motion 14(1) is passed).

14. To consider the following Notices of Motion:

**NOTICE OF MOTION DEFERRED FROM THE 26 MAY 2010 MEETING**

- (1) Councillor Carr to move, Councillor Skelton to second:

Council recognises the need for its overview and scrutiny function to be able to scrutinise service delivery effectively. To this end Council resolves that the overview and scrutiny

commission structure be amended to reflect the new departmental structure by providing for five commissions in total, with one commission per strategic directorate (with the Scrutiny Management Commission taking responsibility for the Chief Executive's Office), and that the Monitoring Officer be instructed to amend the Council's Constitution and committee appointment list accordingly.

- (1A) If the motion at Item 14(1) is passed, to make appointments to revised Overview and Scrutiny Commissions.

## **NOTICES OF MOTION SUBMITTED FOR THIS MEETING**

- (2) Councillor Banwait to move, Councillor Jackson to second:

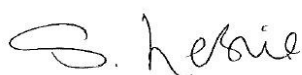
"Dog fouling incidents and complaints are on the increase across Derby. Since dog fouling is a form of Anti-Social Behaviour, as it is a environmental and health hazard, Council therefore calls upon the cabinet member to organise a city wide campaign to remind dog owners' of their responsibilities and provide additional resources to the dog wardens to carry out enforcement in problem areas of the city."

- (3) Councillor Banwait to move, Councillor Bayliss to second:

"In May a Con-Dem government was formed committed to making significant cuts in public spending that will impact on front line services and jobs. The council has also historically been a well-run authority providing high quality services with the lowest Council Tax in the region. Council is therefore concerned about the Conservative Group's proposals of spending £1.2 million of tax payers money to pay private sector consultants to help the council save money when senior council officers are paid a considerable salary to manage the council's finances. Council therefore calls upon Cabinet to scrap this proposal and instead instruct council officers to implement the savings themselves in order to save the Tax Payers money and avoid financial mismanagement".

- (4) Councillor Shanker to move, Councillor Jackson to second:

"Council acknowledges the public support for the recent petition calling on the Council to show England's current World Cup matches on the "Big Screen" in the Market Place. Council therefore calls on the Conservative Cabinet to guarantee future screenings of England's International tournaments on the Big Screen especially the forthcoming European Championships".



Stuart Leslie  
Director of Legal and Democratic Services

### **ANNUAL MEETING OF THE COUNCIL 26 MAY 2010**

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

### **Apologies**

An apology for absence was received from Councillor Ashburner.

### **1/10 Election of Mayor**

It was proposed by Councillor Wood, and seconded, that Councillor Nath be elected Mayor of the City for the next municipal year.

It was proposed by Councillor Bayliss, and seconded, that Councillor Hussain be elected Mayor of the City for the next municipal year.

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

The following members voted for Councillor Hussain:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Higginbottom, Hussain, Jackson, S Khan, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (17).

The following members voted for Councillor Nath:

The Mayor (Councillor Marshall), Councillors Allen, Atwal, Barker, Batey, Berry, Carr, Chera, Davis, Grimadell, Harwood, Hickson, Hird, Holmes, Ingall, Jennings, Jones, F Khan, Leeming, Lowe, Naitta, Nath, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (32).

Councillor Graves abstained.

Councillor Nath was declared elected.

**Resolved that Councillor Amar Nath be elected Mayor of the City for the next municipal year.**

Councillor Nath then made the declaration of acceptance of office and occupied the chair.

## **2/10 Appointment of Deputy Mayor**

**Resolved, on the motion of Councillor Jones, that Councillor Margaret Rose Hird be appointed Deputy Mayor of the City for the next municipal year.**

Councillor Hird then made the declaration of acceptance of office.

## **3/10 Thanks to the Retiring Mayor**

**Resolved, on the motion of Councillor Hickson, that the thanks of this Council be given to Councillor Sean William Marshall for the zeal, impartiality and ability with which she has discharged the duties of the Office of Mayor of the City for the past year.**

## **4/10 Appointment of Pinder and Tenter**

**Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), that the Markets Officer be appointed Pinder and Tenter for the ensuing year.**

## **5/10 Presentation of the Derby Civic Award for 2009/10 and Recognition of Derby Community Champions**

The Mayor presented a crystal goblet and scroll to Anthea Peters, winner of the Derby Civic Award for 2009/10.

The Council recognised the Derby Community Champions for 2009/10 as follows:

Jordon Thompson	Paul Roe
Cliff Beck	Manuben Solanki
Catherine Cleary	Jean Ellison
Shahban Rehmat	

## **6/10 Adjournment of Meeting**

**Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), that the Council now adjourn until 6.00 pm today in the Council Chamber, Council House, Derby.**

The Council adjourned at 12.11pm and reconvened in the Council Chamber, Council House, Derby at 6.00 pm on 26 May 2010.

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

## Declarations of Interest

Declarations of Interest were made in respect of Minute 207/09 of the Council Cabinet as follows:

- Councillor Williams – her daughter is a pupil of Asterdale Children's Centre
- Councillor Williams – as a Director of Derby City NHS Primary Care Trust
- Councillor Rawson – as a Director of Umbrella

## 7/10 Announcements from the Mayor

The Council stood in silence as a tribute to the memory of former Councillors Deidre Mitchell and Clive Hulls.

The Mayor welcomed new and returning Councillors to the meeting.

The Mayor announced that this would be the last meeting of the full Council attended by Michael Foote, Deputy Chief Executive, before he retired from the service of the Council. Tributes to Michael Foote were paid by Councillors Bayliss, Jennings and Jones and the Council extended best wishes to him for a long and happy retirement.

## 8/10 Minutes of the Previous Meetings

**Resolved that the minutes of the meeting of the Council held on 1 March 2010 and the extraordinary meeting of the Council held on the 17 March 2010 be approved as correct records, confirmed and signed by the Mayor.**

## 9/10 Statements by Members of the Council Cabinet

There were no statements by members of the Council Cabinet.

## 10/10 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 Tony Dunn, concerning leisure provision within Derby, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
2. By Tony Dunn, concerning liquor licensing, answered by Councillor Redfern, Chair of the General Licensing Committee.
3. By Anthony Withers, concerning use of Council reserves, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Partnerships, Policy and Economic Development.
4. By Thelma Bradshaw, concerning driver training for staff and Members, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
5. By Simon Bacon, concerning land allocations in Blagreaves Ward, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Partnerships, Policy and Economic Development.
6. By Simon Bacon, concerning Renewable Obligation Certificates, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
7. By Dorothy Skrytek, concerning the waste contract, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
8. By Colin Underhill, concerning the public walkway to Handyside Bridge, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Partnerships, Policy and Economic Development.
9. By Colin Underhill, concerning Streetpride staffing, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
10. By Penny De Abreu, concerning repairs to St Mary's footbridge, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Partnerships, Policy and Economic Development.
11. By Penny De Abreu, concerning removal of trees, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Partnerships, Policy and Economic Development.

## 11/10 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.



## 12/10      Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

A question concerning Chaddesden Library was asked by Councillor Bolton, and answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.

## 13/10      Election of Leader of the Council for the next Municipal Year

It was proposed by Councillor Holmes, and seconded, that Councillor Jennings be elected Leader of the Council for the next municipal year.

It was proposed by Councillor Banwait, and seconded, that Councillor Bayliss be elected Leader of the Council for the next municipal year.

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

The following members voted for Councillor Bayliss:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Graves, Higginbottom, Hussain, Jackson, S Khan, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (18).

The following members voted for Councillor Jennings:

The Mayor (Councillor Nath), Councillors Allen, Ashburner, Atwal, Barker, Batey Berry, Carr, Chera, Davis, Grimadell, Harwood, Hickson, Hird, Holmes, Ingall, Jennings, Jones, F Khan, Leeming, Lowe, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (33).

Councillor Jennings was declared elected.

**Resolved to elect Councillor Jennings as the Leader of the Council for the next municipal year.**

## 14/10      Appointment of Council Cabinet for the next Municipal Year

**Resolved, on the motion of Councillor Jennings:**

- 1. To establish a Council Cabinet of eight members, including the Leader.**
- 2. To elect the following members to the Council Cabinet, in addition to the Leader, for the next municipal year, and to allocate areas of responsibility as shown in the list below.**

<b>Area of Responsibility</b>	<b>Councillor</b>
<b>Leader of the Council</b>	<b>Jennings</b>
<b>Planning and Environment (Deputy Leader of the Council)</b>	<b>Holmes</b>
<b>Neighbourhoods</b>	<b>Poulter</b>
<b>Adult Social Care and Health</b>	<b>Hickson</b>
<b>Resources</b>	<b>Marshall</b>
<b>Children and Young People</b>	<b>Williams</b>
<b>Housing and Advice</b>	<b>Ingall</b>
<b>Leisure and Culture</b>	<b>Grimadell</b>

## **Areas of Responsibility**

### **Leader of the Council**

- Overall corporate strategic co-ordination and leadership
- Corporate policies and strategies
- Performance management
- Lead partnership liaison with city partners including Derby City Partnership and Derby Community Safety Partnership
- Communications and consultation
- Emergency planning and business continuity
- Lead partnership liaison with local, regional, national and international partners
- Economic development regeneration and tourism, including City Centre Management
- Asset management including markets
- School meals and in-house catering

### **Planning and Environment**

- Strategic planning and transport
- Buildings of heritage and importance
- Land drainage
- Spatial Strategy
- Local Development Framework
- Natural Environment
- Environmental Health, food health and safety and Trading Standards
- Climate Change / The Environment and Energy

### **Neighbourhoods**

- Community cohesion

- **Community participation and empowerment (including Neighbourhood Board and Forums)**
- **Highways and footpath maintenance including Derby Roads contract**
- **Traffic management**
- **Car parking**
- **Waste management and recycling**
- **Fly tipping**
- **Street cleaning and lighting**
- **Fleet management**
- **Health and Safety**
- **Public toilets**
- **Parks and grounds maintenance**
- **Cemeteries and crematorium**

### **Adult Social Care and Health**

- **Older peoples social services**
- **Supporting people**
- **Adult learning**
- **Health services partnerships - adults**
- **Joint commissioning (adult health)**
- **Health improvement planning**
- **Assessment and care planning including fairer charging - adults**
- **Disability and sensory services - adults**
- **Learning disability and mental health services – adults**
- **Support for carers**
- **Third sector adult support including Derby Compact**

### **Resources**

- **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**

### **Children and Young People**

- **Designated lead member for Children and Young People's Services**
- **Schools, learning and improvement**
- **School organisation and capital programme**
- **Development and co-ordination (schools related)**
- **Social development and inclusion (schools related)**
- **Performance and commissioning**
- **Building Schools for the Future / Primary Capital Programme**

- **Local Education Partnership**
- **Integrated youth support**
- **Locality services including social care services for vulnerable children and families**
- **Safeguarding**
- **Reception social care services (initial response)**
- **Education welfare**
- **Early years provision, child care and family learning**
- **Integrated disabled children's service**
- **Fostering and adoption**
- **Residential and leaving care**
- **Specialist teaching and psychology services**
- **Children in care**
- **Children's quality assurance**
- **Admissions and awards**
- **Children and Young People strategic support**

### **Housing and Advice**

- **Private sector housing**
- **Housing strategy, performance and development**
- **Housing management client (Derby Homes Single Shareholder Vote)**
- **Housing advice, including Housing Options service**
- **Tackling homelessness**
- **Community legal services**
- **Derby Advice**

### **Leisure and Culture**

- **Leisure centres and coaching**
- **Sport-related grants**
- **Museums**
- **Libraries**
- **Arts and outdoor events**
- **Derby Live programme**
- **Theatres**
- **Physical Activity Strategy including B Active**

## **15/10      Amendments to the Constitution and Changes to the Committee Structure**

The Council considered a report of the Deputy Chief Executive, as Monitoring Officer, on proposed amendments to the Constitution and changes to the committee structure.

It was moved by Councillor Jennings, and seconded, to approve the amendments to the constitution set out in Appendix 2 of the report.

It was moved by Councillor Holmes, and seconded, that the motion be amended by the addition of the words 'subject to the second sentence in paragraph 21 of the Protocol on Member / Officer relations being deleted which will enable both opposition groups to form Shadow Cabinets.'

The amendment was put to the meeting and carried.

It was moved by Councillor Holmes, and seconded, that the motion be further amended by the addition of the words 'and subject to the disestablishment of the Personnel Committee and Disputes Resolution Sub Committee; the removal of the delegations to the Personnel Committee and Disputes Resolution Sub Committee from Part 3 of the Constitution; and the revocation of the Council's Settling Disputes Procedure.'

The amendment was put to the meeting and carried.

**Resolved to approve the amendments to the Constitution set out in Appendix 2 of the report, subject to the second sentence of paragraph 21 of the Protocol on Member / Officer relations being deleted which will enable both opposition groups to form Shadow Cabinets, and subject to the disestablishment of the Personnel Committee and Disputes Resolution Sub Committee; the removal of the delegations to the Personnel Committee and Disputes Resolution Sub Committee from Part 3 of the Constitution; and the revocation of the Council's Settling Disputes Procedure.**

## 16/10 Duty to Respond to Petitions – Approval of Scheme

The Council considered a report of the Deputy Chief Executive on the Duty to Respond to Petitions – Approval of Scheme.

It was moved by Councillor Jennings, and seconded:

1. To agree that the threshold for a petition triggering a full Council debate shall be 8,500 signatures
2. To agree that the threshold for a petition triggering a requirement for a senior officer to give evidence to an overview and scrutiny commission shall be 8,500 signatures
3. To approve and adopt the Petitions Scheme.

It was moved by Councillor Banwait, and seconded, that the motion be amended by the substitution of the figure '2000' for the figure '8500' in paragraphs 1 and 2 of the motion.

The amendment was put to the meeting and lost.

It was moved by Councillor Banwait, and seconded, that paragraph 3 of the motion be amended by the addition of the words 'subject to the amendment of paragraph 1.2 of the scheme so that petitions need to be received by the Leader of the Council or the relevant Cabinet Member instead of at the office of the Chief Executive.'

The amendment was put to the meeting and lost.

**Resolved:**

1. **To agree that the threshold for a petition triggering a full Council debate shall be 8,500 signatures**

2. **To agree that the threshold for a petition triggering a requirement for a senior officer to give evidence to an overview and scrutiny commission shall be 8,500 signatures**
3. **To approve and adopt the Petitions Scheme.**

## 17/10 Constitutional Appointments 2010/11

The Council considered a schedule of constitutional appointments for 2010/11 together with a resolution from the Minority Communities Diversity Forum as follows:

‘Resolved to request that the Leader of the Council be appointed as the Champion for Minority Communities and therefore Chair of the Minority Communities Diversity Forum.’

The Leader of the Council (Councillor Jennings) stated that he intended to assume the role of Champion for Minority Communities as recommended by the Diversity Forum.

It was moved by Councillor Jennings, and seconded, to approve the constitutional appointments for the next municipal year now submitted.

It was moved by Councillor Jones, and seconded, that the motion be amended by the addition of the words ‘subject to the inclusion of Councillor Allen as a representative on the Derbyshire Fire Authority and Councillor F Winter as a representative on the Gender and Sexuality Diversity Forum.’

The amendment was put to the meeting and carried.

**Resolved to approve the constitutional appointments for the next municipal year now submitted, subject to the inclusion of Councillor Allen as a representative on the Derbyshire Fire Authority and Councillor F Winter as a representative on the Gender and Sexuality Diversity Forum.**

(The list of constitutional appointments, as approved by the Council, is set out in Appendix A).

## 18/10 Appointment of Chairs of Neighbourhood Boards and Ward Committees for the next Municipal Year

The Council considered the appointment of Chairs of Neighbourhood Boards and Ward Committees for 2010/11. The Mayor invited nominations for the Chairs and appointments were made as follows:

<b>Neighbourhood (Ward)</b>	<b>Proposed</b>	<b>Proposed</b>	<b>Appointed</b>
Abbey	Councillor Batey		Councillor Batey
Allestree	Councillor Davis		Councillor Davis
Alvaston	Councillor Bayliss		Councillor Bayliss
Arboretum	Councillor F Khan	Councillor Hussain	Councillor F Khan
Blagreaves	Councillor Troup		Councillor Troup
Boulton	Councillor Jackson	Councillor Leeming	Councillor Leeming

<b>Neighbourhood (Ward)</b>	<b>Proposed</b>	<b>Proposed</b>	<b>Appointed</b>
Chaddesden	Councillor Marshall		Councillor Marshall
Chellaston	Councillor Ingall		Councillor Ingall
Darley	Councillor Repton	Councillor Richards	Councillor Richards
Derwent	Councillor Rawson		Councillor Rawson
Littleover	Councillor Carr		Councillor Carr
Mackworth	Councillor Tuplin		Councillor Tuplin
Mickleover	Councillor Hird		Councillor Hird
Normanton	Councillor Dhindsa		Councillor Dhindsa
Oakwood	Councillor Harwood		Councillor Harwood
Sinfin	Councillor Shanker		Councillor Shanker
Spondon	Councillor Poulter		Councillor Poulter

**Resolved to approve the above appointments and to agree that the other two ward Councillors act as Vice Chairs.**

## 19/10 Schedule of Meetings May 2010 to July 2011

**Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), to approve the schedule of meetings for May 2010 to July 2011 now submitted, and to note the schedule of meetings for Neighbourhood Boards and Forums.**

## 20/10 Appointments to Outside Bodies and Charities 2010/11

The Council considered a report of the Deputy Chief Executive on appointments to outside bodies and charities. The report pointed out that the list of outside bodies to which the Council appointed annually had been subject to review in recent months, with final revisions having been made by the Member Services Working Party in April 2010. The report highlighted outside bodies where more nominations than places available had been received by the political groups and appointments to those bodies were made as follows:

<b>Outside Body</b>	<b>Proposed</b>	<b>Proposed</b>	<b>Appointed</b>
Derby Hospitals NHS Foundation Trust	Councillor Nath	Councillor Turner	Councillor Nath
Derbyshire Mental Health NHS Trust – Council of Governors	Councillor Hussain	Councillor Skelton	Councillor Skelton
Derbyshire Rape Crisis	Councillor L Winter	Councillor F Winter	Councillor F Winter
Guru Ravidass Sabha Community Centre Management Group	Councillor Dhindsa	Councillor Atwal	Councillor Atwal
Rosehill Business Centre Ltd	Councillor Bolton	Councillor Naitta	Councillor Bolton

It was moved by Councillor Holmes, and seconded, that the motion be amended by the addition of the words 'subject to the substitution of Councillor Webb for Councillor Hickson on the Derby Homes Limited Board.'

The amendment was put to the meeting and carried.

It was moved by Councillor Bayliss, and seconded, that the motion be amended by the addition of the words 'subject to the substitution of Councillor Rawson for Mr James Shires as one of the nominees to the Liversage Charity.'

The amendment was put to the meeting and carried.

**Resolved, on the motion of Councillor Jennings, to approve appointments of representatives to serve on outside bodies and charities for the next municipal year, as amended.**

(The list of appointments to Outside Bodies and Charities, as approved by the Council is set out in Appendix B).

## 21/10 Attendances at Annual Conferences

**Resolved, on the motion of Councillor Jennings, to approve the list of representatives authorised to attend annual conferences for the next municipal year, now submitted.**

## 22/10 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 C to these minutes.

**Resolved, on the motion of Councillor Jennings, to approve the minutes and recommendations of the Council Cabinet dated 16 March and 20 April 2010.**

## 23/10 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 motion of Councillor Redfern, to approve the minutes and recommendations of the General Licensing Committee dated 21 April 2010.**



## 24/10      Annual Report of the Overview and Scrutiny Commissions

The Council considered a report of the Scrutiny Management Commission which was the Annual Report of the Overview and Scrutiny Commissions for 2009/10.

**Resolved, on the motion of Councillor Higginbottom, to receive the Annual Report.**

## 25/10      Standing Advisory Council for Religious Education – SACRE – New Representatives

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

**Resolved, on the motion of Councillor Jennings:**

- 1. To approve the appointment of Maryam Djavaid as the Bahai Community representative for a four year term.**
- 2. To approve the appointment of Jane Ollerenshaw as the ATL Union representative for a four year term.**

## 26/10      Appointment of Independent Members of the Standards Committee

The Council considered a report of the Deputy Chief Executive on the appointment of Independent Members of the Standards Committee.

**Resolved, on the motion of Councillor Jennings:**

- 1. To confirm the appointment of Peter Purnell and Peter McCrea as Independent Members of the Standards Committee for the period ending at the Annual Meeting in May 2013.**
- 2. To not fill the vacancy created by Cynthia McDowall's retirement in 2011 dependent on the level of workload being processed by the Committee at that time.**

(In accordance with the Relevant Authorities (Standards Committees) Regulations 2001, the above motion was approved by a majority of Members of the Council.)

## 27/10      Notices of Motion

- 1. Overview and Scrutiny Commission Structure*

**Resolved, on the motion of Councillor Jones, that the motion on the agenda relating to the Overview and Scrutiny Commission structure be deferred for consideration at the next meeting of the Council.**

2. *“City of Sanctuary”*

The motion on the Council Agenda relating to “City of Sanctuary” was withdrawn by the proposer, Councillor Bayliss.

MAYOR

### CONSTITUTIONAL APPOINTMENTS 2010/11

(as approved by the Council on 26 May 2010)

1. Scrutiny Management Commission (Con 3, Lab 3, Lib Dem 2)

Chair - Councillor Carr

Vice Chair – Dhindsa

Councillors Barker, Bolton, Davis, Harwood, Hussain, F Khan

2. Children and Young People Commission (Con 3, Lab 3, Lib Dem 2)

Chair – Councillor F Winter

Vice Chair – Councillor Higginbottom

Councillors Berry, Bolton, Davis, Radford, Tuplin, Whitby

Statutory Co-opted Members - 1 Church of England diocese (for education matters only) representative  
Roman Catholic diocese representative  
2 parent governor representatives  
1 representative of other faiths/denominations

3. Adult Services and Health Commission (Con 3, Lab 3, Lib Dem 2)

Chair – Councillor Skelton

Vice Chair – Councillor Hussain

Councillors Chera, Leeming, Radford, Richards, Turner, L Winter

4. Planning and Transportation Commission (Con 3, Lab 3, Lib Dem 2)

Chair – Councillor Batey

Vice Chair – Councillor Repton

Councillors Ashburner, Barker, Berry, Harwood, S Khan, Shanker

5. Community Commission (Con 3, Ind 1, Lab 3, Lib Dem 2)

Chair - Councillor Naitta

Vice Chair – Councillor Rawson

Councillors Chera, Davis, Graves, Jackson, Leeming, Lowe, Redfern

6. Climate Change Commission (Con 3, Lab 3, Lib Dem 2)

Chair – Councillor Troup

Vice Chair – Councillor Shanker

Councillors Atwal, Berry, Davis, Leeming, Roberts, Williamson

7. Audit and Accounts Committee (Con 3, Lab 2, Lib Dem 2)

Chair – Councillor Ashburner

Vice Chair – Councillor Roberts

Councillors Chera, Davis, Harwood, Jackson, Troup

8. General Licensing Committee (Con 5, Lab 5, Lib Dem 5)

Chair – Councillor Hird

Vice Chairs (4) – Councillors Berry, Leeming, Skelton, F Winter

Councillors Atwal, Barker, Chera, Harwood, Jackson, S Khan, Redfern, Richards, Shanker, L Winter

8a General Licensing Sub Committee

Any three members of the General Licensing Committee, to include the chair or one of the vice chairs.

9. Taxi Licensing and Appeals Committee (Con 5, Lab 5, Lib Dem 5)

Chair – Councillor Hird

Vice Chairs (4) – Councillors Berry, Leeming, Skelton, F Winter

Councillors Atwal, Barker, Chera, Harwood, Jackson, S Khan, Redfern, Richards, Shanker, L Winter

9a Taxi Licensing Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9b Employee Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9c Disciplinary Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9d Education Awards and Transport Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9e Housing Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9f Discretionary Housing Payments Appeals Sub Committee

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

9g Social Services Secure Accommodation Panel

Any three members of the Taxi Licensing and Appeals Committee, to include the chair or one of the vice chairs.

10. Planning Control Committee (Con 4, Lab 3, Lib Dem 2)

Chair – Councillor Wood

Vice Chair - Councillor Carr

Councillors Bolton, Grimadell, Harwood, Hickson, S Khan, Richards, Shanker

11. Conservation Area Advisory Committee (Con 1, Lab 1, Lib Dem 1)

Councillors Naitta, Rawson, Wood

12. Fostering Panel (Lib Dem 1)

Councillor Hird

13. Adoption Panel (Lab 1, Lib Dem 1)

Councillors Tuplin (Lab Vacancy)

14. Representatives on the following bodies:

14a Derbyshire Fire Authority (Con 2, Lab 2, Lib Dem 1)

Councillors Allen, Bolton, Davis, Jennings, Roberts

14b Joint Committee with Derbyshire County Council for Local Authority  
Appointments to the Derbyshire Police Authority (Con 1, , Lib Dem 1)

Councillors Hickson, Jones

14c Derbyshire Development Plans Joint Advisory Committee (Con 2, Lab 2, Lib  
Dem 2)

Councillors Bolton, Carr, Hickson, S Khan, Naitta, Wood

14d Standing Advisory Council on Religious Education (SACRE) (Con 1, Lab 2,  
Lib Dem 2)

Councillors Atwal, Higginbottom, F Khan, Turner, Wood

15. Standards Committee (Con 1, Lab 1, Lib Dem 1)

Councillors Hird, Jackson, Wood

Independent Members - Mrs C McDowall, Ms D Reid

Mr P Sunderland, Mr P McCrea, Mr P Purnell

## **Informal Advisory Groups**

- a. Plain English Panel (Con 2, Lab 2, Lib Dem 2)  
Councillors Bolton, Radford, Tuplin, Turner, F Winter, Wood
- b. Members Services Working Party (Con 2, Lab 2, Lib Dem 2)  
Councillors Carr, Hickson, Hird, Jackson, Roberts, Wood
- c. Disabled People's Diversity Forum (Con 2, Lab 2, Lib Dem 2)  
Councillors Barker, Chera, Hird, Lowe, Roberts, Turner
- d. Minority Communities Diversity Forum (Con 2, Lab 2, Lib Dem 2)  
Councillors Banwait, Carr, Davis, Jennings, Naitta, Roberts
- e. Gender and Sexuality Diversity Forum (Con 2, Lab 2, Lib Dem 2)  
Councillors Ashburner, Harwood, Marshall, F Winter (2 Lab vacancies)

## **Champions**

Disabled People – Councillor Hird

Gender and Sexuality – Councillor Marshall

Minority Communities – Councillor Jennings

Older People – Councillor Hickson

Young People – Councillor Williams

Play – Councillor Williams

Heritage – Councillor Holmes

Cycling – Councillor Grimadell

## APPOINTMENTS TO OUTSIDE BODIES 2010/11 Annual Appointments unless stated (as approved by the Council on 26 May 2010)

Body	Nominations 2010/11	Other Information
Cathedral Quarter Business Improvement District	Councillor Jennings	Cabinet member responsible for economic development
CLAC Liaison Board (Replaced Derby Community Legal Service Partnership Board)	Councillor Wood	
Compact Forum	Councillors Turner and Webb  Strategic Director – Resources (or nominee)	
Director to the Connexions Derbyshire Board (Formerly Connexions Derbyshire Ltd and Local Connexions Partnership)	Councillor Williams  Strategic Director – Children and Young People (or nominee)	Cabinet member responsible for children and young people
Derby and Sandiacre Canal Trust	Head of Plans and Policies	
Derby City Homes Regeneration Limited	Councillor Ingall	Cabinet member responsible for housing
<b>Derby City Partnership Groups</b>		
• Board	Councillor Jennings	Leader of the Council
• State of the City Forum	Liberal Democrats: Councillors Jones, Troup and Hird  Labour: Councillors Jackson, Rawson and Bayliss  Conservatives: Councillors Hickson, Holmes and Wood	3 Members from each of the 3 main political groups, not already nominated to other main DCP groups
• City for Children and Young People Executive	Councillor Williams	Cabinet member responsible for children and young people

<b>Body</b>	<b>Nominations 2010/11</b>	<b>Other Information</b>
<ul style="list-style-type: none"> <li>• Healthy City Executive</li> </ul>	Councillor Hickson	Cabinet member responsible for health
<ul style="list-style-type: none"> <li>• City for Stronger and Safer Communities Executive</li> </ul>	Councillor Poulter	Cabinet member with responsibility for neighbourhoods and community safety
<ul style="list-style-type: none"> <li>• Cultural City Executive</li> </ul>	Councillor Grimadell	Cabinet member with responsibility for culture
<ul style="list-style-type: none"> <li>• City Growth Executive</li> </ul>	Councillor Jennings	Cabinet member responsible for economic development
<ul style="list-style-type: none"> <li>• Performance Support Group</li> </ul>	Councillors Jennings, Carr, F Winter, Skelton, Batey, Naitta, Troup and Dhindsa	Must be Leader of the Council, Chairs of Scrutiny Commissions, Vice Chair of SMC
Derby College – Board of Governors	Councillor Dhindsa	Four-year appointment from 21 May 2008
Derby Community Healthcare Project	Strategic Director – Adults, Health and Housing (or nominee)  Director – Regeneration (or nominee)	
Derby Community Transport	Councillor Wood	Does not have to be an elected member
Derby Concert Promoters Association	Councillor Jackson	Does not have to be an elected member
Derby Council for Voluntary Service	Councillors Marshall and Roberts	
Derby Dance Centre - Development Board	Councillors Grimadell and Turner	
Derby Furniture Project Management Committee	Councillor Higginbottom	Does not have to be an elected member
Derby Homes Limited - Board	Councillors Bayliss, Redfern, Barker, Troup and Webb.  Alison Brown - Oct 2012 Tabani Ndlovu - Oct 2012 Iain MacDonald - Oct 2010 Bob Osler - Oct 2010 John Bloxham - Oct 2011	5 elected members



<b>Body</b>	<b>Nominations 2010/11</b>	<b>Other Information</b>
Derby Hospitals NHS Foundation Trust	Councillor Nath	Three-year appointment ends on 30 June 2010, new three-year appointment commences on 1 July 2010
Derby Racial Equality Council		
<ul style="list-style-type: none"> <li>General Committee</li> </ul>	Councillors Richards, Turn and Webb	3 members – General Committee
<ul style="list-style-type: none"> <li>Executive Committee</li> </ul>	Councillors Turner and Webb	Two of these members to be appointed to the Exec Committee
Derby Rail Forum	Councillor Jennings	
Derby Skillbuild (formerly DAHRTI)	Councillor Troup	
Derby Women's Centre/Steering Committee	Strategic Director – Adults, Health and Housing (or nominee)	Two nominees available
Derbyshire County Council – Investment Committee	Councillors Carr and Roberts	
Derbyshire Environment Trust Ltd	Councillor Naitta	
Derbyshire Housing Aid	Councillor Ingall	
Derbyshire Mental Health NHS Trust – Council of Governors	Councillor Skelton	Appointment is to Council of Governors in anticipation that Foundation Trust status will be achieved during 2010/11
Derbyshire Partnership Forum	Councillor Jennings	
Derbyshire Rape Crisis	Councillor F Winter	
Derbyshire Sport	Councillor Grimadell	
Derwent Community Team	Councillors Marshall, Rawson, Redfern and Roberts	Relevant cabinet member plus three ward councillors
Derwent Valley Mills Partnership	Councillor Jennings	
Derwent Valley Trust	Councillor Radford	
Disability Direct – Management Committee	Councillor Hussain	
East Midlands Airport Independent Consultative Committee	Councillor Poulter	

<b>Body</b>	<b>Nominations 2010/11</b>	<b>Other Information</b>
East Midlands Museum Service	Councillor Grimadell	
East Midlands Reserve Forces and Cadets Association (Formerly Territorial, Auxiliary & Volunteer Reserve Association for the East Midlands)	Councillor Jennings	
English Churches Housing Group Midlands Customer Focus Group	Strategic Director – Adults, Health and Housing (or nominee)	
Environment Agency Regional Flood Defence Committee	1.1 Councillor Leeming	
Groundwork Derby and Derbyshire Trust Board	Councillor Holmes	Cabinet member for environment
Guru Ravidass Sabha Community Centre Management Group	Councillor Atwal	
Indian Community Centre Executive Committee	Councillor Dhindsa	
Local Authorities World Heritage Forum	Director – Regeneration (or nominee)  Officer from within Conservation and Built Environment	
<b>Local Government Association</b>		
<b>National</b>		
• General Assembly	Councillors Holmes, Jennings, Jones and Bayliss	4 Members – 5 Votes
• Urban Commission	Councillors Jennings and Holmes	
<b>Regional</b>		
• East Midlands Councils	Councillor Jennings (Councillor Holmes as nominated substitute)	Leader of the Council
• East Midlands Leaders Board	Councillor Jennings	Leader of the Council
• European and International Affairs Board	Councillors Jennings and Jones	Maximum one nomination per group – final membership to be determined by East Midlands Councils based on regional political balance

Body	Nominations 2010/11	Other Information
<ul style="list-style-type: none"> <li>Improvement and Efficiency Partnership</li> </ul>	Councillors Banwait, Jones and Marshall	As above
<ul style="list-style-type: none"> <li>Internal Governance Board</li> </ul>	No nominations	As above
<ul style="list-style-type: none"> <li>Regional Employers' Board</li> </ul>	No nominations	As above
<ul style="list-style-type: none"> <li>Strategic Migration Partnership</li> </ul>	No nominations	As above
<b>County</b>		
<ul style="list-style-type: none"> <li>Derbyshire LGA</li> </ul>	Councillors Bolton, Jones and Jennings	3 Members
<ul style="list-style-type: none"> <li>Derbyshire LGA Environmental Co-ordination Group</li> </ul>	Councillor Marshall	1 Member
Local Government Information Unit – LGIU – Management Assembly	Councillor Jennings	
Loughborough University – Court	Councillor Williams	
National Association of British Market Authorities	Councillors Berry and Poulter	
Derby Housing Market Area Joint Advisory Board	Councillor Ingall	
Quad Management Board	Councillor Grimadell	
Queens' Hall Women's Hostel Management Committee	No nomination	
Revive (Healthy Living) Project – Board of Directors	Councillor Roberts	Must be Derwent ward member
Rosehill Business Centre Ltd	Councillor Bolton	Three-year term – retirement date to be confirmed
Scape System Build Limited ( <i>formerly CLASP Consortium</i> )	Director of Asset Management (or nominee)	
<ul style="list-style-type: none"> <li>Director</li> </ul>	Principal Architect (or nominee)	
<ul style="list-style-type: none"> <li>Alternate Director</li> </ul>	Councillor Williams	
Member of Management Committee		
Sherwood Foresters Regimental Museum	Councillor Lowe	

<b>Body</b>	<b>Nominations 2010/11</b>	<b>Other Information</b>
Sinfonia ViVA	Councillors Grimadell and Jackson	
Special Interest Group of Municipal Authorities (SIGOMA)	Councillor Jennings	
University of Derby – Council	Councillor Williams	
University of Derby – Court	Councillor Williams	
University of Leicester – Court	Councillor Williams	
University of Nottingham – Court	Councillor Williams	

**REPRESENTATIVES OF THE  
COUNCIL ON CHARITIES  
WITH DATES OF RETIREMENT**

**CHARITIES**

<b>Charity</b>	<b>Term of Office Expires</b>
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**Derby City**

Councillor Richards	3 October 2011
Councillor Berry	3 October 2011
Mr M J Fuller	15 February 2011
Mr R Baxter	26 May 2013
Councillor Webb	26 May 2013

**Hoult and Annie Sutton Memorial Houses**

Mr P Pegg  
Councillor Wood  
Mrs S Thorne

**The Poor's Land, Littleover (Joyce Harpur)**

Councillor Allen	26 April 2011
Councillor Skelton	26 April 2013

**Thomas Haughton**

Councillor Berry  
Mr J Shires  
Mrs N Wawman

**Elizabeth Turner**

Mr C Wynn	30 June 2010
Mr R Baxter	24 May 2012
Mr J Shires	26 May 2013

**Liversage**

Councillor Roberts	30 June 2012
Councillor Marshall	23 September 2012
Councillor Jackson	1 March 2011
Councillor Redfern	13 July 2012
Councillor Grimadell	26 May 2013
Councillor Rawson	26 May 2013
Mrs L Care	26 May 2013

**Spondon Relief in Need**

Councillor Poulter	30 June 2012
Councillor Berry	8 September 2011

**Wilmot, Gilbert and Berrysford**

Mr P J Cholerton  
Councillor Bolton

5 January 2011  
2 September 2012

**German Pole Charity**

Councillor Winter

<p>MINUTES OF COUNCIL CABINET COMMITTEE REQUIRING THE APPROVAL OF COUNCIL</p>
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### **COUNCIL CABINET 16 MARCH 2010**

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

In attendance: Councillors Bayliss, Ingall and Jennings

This record of decisions was published on 18 March 2010. 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

### 199/09 Outcome of Regeneration Review

The Council Cabinet considered a report on Outcome of Regeneration Review. There were two reports to this Council Cabinet meeting on the outcome of the regeneration review. This paper (Paper 1) described the background to the review and the proposals that resulted. Paper 2 was confidential, and contained the appendix with all the implications, and a detailed structure for the Regeneration Division in the Chief Executive's Office. Following a review of the Regeneration functions across the Council and Derby City Partnership, this paper presented proposals for the future delivery of regeneration. The proposals included:

- the composition and role of the Regeneration Division in the Chief Executive's Office, including current Derby Cityscape functions
- a stronger working relationship with, and role for, Marketing Derby
- the use of a small element of the new Regeneration Fund (approved by Cabinet on 16 February 2010) to contribute to some of the staffing, and some early projects
- a newly constituted, private sector led 'Derby Renaissance Board', to replace City Growth Executive in Derby City Partnership whilst also incorporating the strategic functions of City Growth Executive, Derby Cityscape Board and Marketing Derby Board.

## Options Considered

1. The status quo option would involve all partners continuing as they were at present, but with reduced impact because of the current economic climate.
2. A 'do nothing' option could be similarly dismissed because it would entail the withdrawal of Council financial support for regeneration projects and partnership work, including Marketing Derby and the replacement for Derby Cityscape Ltd.
3. The private sector could not lead in regeneration in the current economic climate, although their input through the new Derby Renaissance Board and the private sector chairing of that Board would be essential.

## Decision

1. ...
2. ...
3. ...
4. To recommend Council to nominate the Leader of the Council (or appropriate Cabinet Portfolio Holder) to be a Director of Marketing Derby Ltd.
5. ...

## Reasons

1. The national and local economy has got to a stage where the City Council needs to take a more direct role in making interventions for economic benefit. The approval of the Regeneration Fund at Cabinet on 16 February was the starting point for this 'shift change' in approach. The proposals in this paper would enable the Council and its partners to make best use of resources in intervening in the local economy to produce and retain investment, jobs and the economic, social and environmental wellbeing of our citizens.
2. This would build on the work of the Council, Derby Cityscape, Marketing Derby, and the City Growth Executive over the last five years. The Regeneration Division would enable the Council to take the lead in driving our ambitions to be a leading, vibrant and globally ambitious city.

In accordance with Procedure Rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

## Contract and Financial Procedure Matters

### 207/09 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items which required reporting to and approval by Council Cabinet under contract and financial procedure rules:



- changes to the capital programme, including additional capital grants
- additional revenue grants allocation – Boarding Placements for Vulnerable Children, Youth Crime Action Plan and Ponds Management Programme
- Treatment of Trading reserves – Environmental Services
- CYP Formula Change
- Contract Waiver – Families Information Service - FIS
- Contract Extension – Employee Benefit Scheme
- Contract Waiver – Cultural Landscape
- Contract Extension - Community Equipment Contract.

## Decision

1. To recommend Council to approve and note the following changes in relation to the capital programme:
  - To approve the changes in the capital programme as shown in Appendix 2 of the report and to amend the 2009/10 to 2012/13 capital programme as set out in paragraph 3 of the report
  - To note the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
  - To approve the £100,000 contribution to 'Umbrella' from the aiming higher for disabled children grant as set out in paragraph 3.11 of the report
  - To approve entering into the funding agreement with EMDA for the Derby Railway Station interchange as set out in paragraph 3.12 of the report
  - To approve scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.13 of the report
  - To note the proposed use of section 106 funding as set out in table 2 in paragraph 3.15 of the report.
2. ...
3. ...
4. ...
5. ...
6. ...
7. ...
8. ...



## **COUNCIL CABINET**

### **20 APRIL 2010**

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

In attendance Councillor Dhindsa, Jennings, Roberts and  
Williamson

This record of decisions was published on 22 April 2010. 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.

## **Contract and Financial Procedure Matters**

### **227/09 Contract and Financial Procedure Matters**

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- changes to the capital programme, including additional capital grants
- additional revenue and capital grants allocations – Local Authority Business Growth Incentive - LABGI, Safer Stronger capital grant, Library UK Online grant, Highways Repair grant.
- temporary budget transfer across departments – Travel Plan
- EM Lawshare Consortium - Framework Contract
- extended school activity services – approved List
- extension of contracts - MITIE and Midland Counties Maintenance Contracts.

### **Decision**

1. To recommend Council to approve and note the following changes in relation to the capital programme:
  - the changes in the capital programme as shown in Appendix 2 and to amend the 2010/11 to 2012/13 capital programme as set out in paragraph 3 of the report
  - the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
  - the addition of Brackensdale Junior school final phase of replacement windows, doors and concrete repairs as set out in paragraph 3.4 of the report
  - scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.6 of the report.
2. ...
3. ...
4. ...

5. ...

6. ...

MINUTES OF GENERAL LICENSING COMMITTEE REQUIRING THE APPROVAL OF COUNCIL
---

### GENERAL LICENSING COMMITTEE 21 APRIL 2010

Present: Councillor Redfern (Chair)  
Councillors Baxter, Berry, Hird, Hussain, Jackson, Leeming, Poulter,  
Rawson, Skelton, Tuplin, Williams and Winter

#### 34/08 Personal Licence Holder training

The Committee considered a report from the Director of Environmental Services on Personal Licence Holder training. It was reported at a recent Sub Committee Members had raised concerns about the lack of experience that the proposed DPS had of working in the licensed trade and their apparent lack of understanding of the requirements and responsibilities under the Licensing Act 2003, even though they held a Personal licence. Members noted that the requirements to obtain a Personal Licence under the Licensing Act 2003 were the attendance and successful completion of a recognised accredited course for Personal Licence Holders and the production of a current criminal records check. On production of the correct documentation to the Licensing Authority, a Personal Licence had to be issued. Once an individual holds a Personal Licence, they can be specified as a DPS for the purpose of authorising the sale of alcohol.

It was proposed by Councillor Williams, seconded by Councillor Redfern, that full Council make representations on reviewing the minimum competency standard for aspiring Personal licence holders, to the Department of Culture, Media and Sports

**Resolved to ask Council to forward a representation to the Department of Culture, Media and Sport (DCMS) with regard to the requirements to obtain a Personal Licence and be appointed as a Designated Premises Supervisor (DSP) under the Licensing Act 2003.**



MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL
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**COUNCIL CABINET  
8 JUNE 2010**

Present: Councillor Jennings (Chair)  
Councillors Grimadell, Hickson, Holmes, Ingall, Marshall,  
Poulter and Williams

In attendance Councillor Bayliss and Jones

This record of decisions was published on 10 June 2010. 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.

## Contract and Financial Procedure Matters

### 12/10 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report on Contract and Financial Procedure matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- changes to the capital programme
- use of corporate revenue reserves
- approve an increase in the Crematorium's mercury abatement charge
- to approve changes to the Scheme for Funding Schools
- to approve a waiver of Contract Procedure Rules, Competition Requirements and Contract Extensions
- to note additional grant allocations and approve increases in departmental revenue budgets
- to approve a modification to the Council's investment strategy
- to note the effect of public sector spending cuts announced by Government.

### **Decision**

2. To approve and note the following changes in relation to the capital programme:

- to approve the changes detailed in Appendix 2 of the report and to amend the 2010/11 – 2012/13 capital programme
- to note the revised capital programme and associated funding detailed in Table 1 for 2010/11 at paragraph 3.1 of the report

- to recommend to Council the approval of the additional borrowing requirement for the Nottingham Road Cemetery path improvement scheme, as set out in paragraph 3.5 and in 2012/13 for the BSF highways scheme as set out in paragraph 4 of the report
- to note the additional £62,000 grant from English Heritage towards the building frontage enhancement scheme in the city centre and the reallocation of £62,000 match funding required from the Public Realm Contingency Fund as detailed in paragraph 3.6 of the report
- to approve scheme commencements for the schemes in the capital programme detailed in Appendix 3 of the report.

3. ...

4. ...

5. ...

6. ...

7. ...

8. ...

9. ...

10. ...

11. ...

12. ...



MINUTES OF AUDIT AND ACCOUNTS COMMITTEE REQUIRING THE APPROVAL OF COUNCIL
--

**AUDIT AND ACCOUNTS COMMITTEE**  
**24 JUNE 2010**

**Present:** Councillor Ashburner – Chair  
Councillors Chera, Davis, Harwood, Roberts and Troup

12/10      Audit and Accounts Committee – Changes to Terms of Reference

The committee considered a report which stated that Council agreed to establish an Audit and Accounts Committee on 20 July 2005. The Terms of Reference were approved by Council as part of that decision. They were last reviewed in 2006 and proposed changes were agreed by Committee at its meeting on 28 September 2006 for forwarding to full Council for approval. The revised Terms of Reference were approved by Council on 22 November 2006

As part of the self-assessment of the effectiveness of the Audit and Accounts Committee, the current terms of reference have been compared to the Chartered Institute of Public Finance and Accountancy (CIPFA) suggested Terms of Reference and a gap analysis produced, this is set out in Appendix 2 of the report.

This alignment of the current terms of reference with the CIPFA guidance shows a number of areas where there is no specific responsibility detailed in the terms of reference. In the majority of cases the responsibility is being carried out by Committee although it is not formally included in the Terms of Reference. The responsibilities in the CIPFA guidance that are not defined in the current terms of reference are:

- To consider reports dealing with the management and performance of the providers of internal audit services.  
*The service is provided by the Council's internal audit team and although not specifically detailed as a responsibility it has been covered through the receiving of quarterly updates on Internal Audit progress and in the Head of Audit and Risk Management's annual opinion report.*
- To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.  
*This responsibility is not specifically detailed in the current terms of reference, but Committee receives a quarterly report on the progress of implementation of internal recommendations.*

- To consider specific reports as agreed with the external auditor.  
*Committee receives relevant reports produced by External Auditor.*
- To comment on the scope and depth of external audit work and to ensure it gives value for money.  
*This responsibility has been undertaken when considering External Audit's audit plan.*
- To liaise with the Audit Commission over the appointment of the council's external auditor.
- To commission work from internal and external audit.  
*Committee has on a couple of occasions made requests to internal audit for specific areas of work to be carried out and reported back*
- To review any issue referred to it by the chief executive or a director, or any council body.  
*Items are referred to committee for consideration and review as necessary by the Strategic Director – Resources.*

There are responsibilities specific to the Council that have been delegated to this Committee that are not reflected in CIPFA guidance. The key one is the Independent Remuneration Panel on Members Allowances

To adhere to best practice, the Terms of Reference have been re-written based on the CIPFA guidance, and were shown in Appendix 3 of the report.

**Resolved to recommend Council to approve the proposed amendments to the Audit and Accounts Committee's terms of reference set out in appendix 3 of the report, subject to the amendment of the word 'review' to read 'approve' in item 16 of the terms of reference.**