

ITEM 3

Time commenced - 6.03pm

Time finished - 7.54pm

COUNCIL

22 November 2017

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

49/17 Apologies

Apologies were received from Councillor Ingall.

50/17 Declarations of Interest

Councillor Matthew Holmes declared an interest in the item detailed at minute 54/17 – Petition: Derbyshire NHS Sustainability and Transformation Plan on the basis of his employment. Councillor Alison Holmes declared an interest in the same item on the basis of her partner's employment.

51/17 Minutes of the Previous Meeting

In respect of the minutes of the previous meeting, Councillor Graves was granted approval by the Mayor to make a statement under CP65 about comments made about him in his absence at the last meeting. The statement was given.

Resolved that the minutes of the meeting of Council held on 20 September 2017 be approved as a correct record, confirmed and signed by the Mayor.

52/17 Announcements from the Mayor

The Mayor reported the passing of two former councillors and Mayors of Derby – Norman Glen and Nancy Wawman. A number of members spoke about the former councillors, and a minute's silence was observed.

Members were updated on the Mayor's charitable efforts, and members were reminded about the Mayor's Quiz that was taking place at the Silk Mill on 25 November 2017.

53/17 Statements from Members of the Council Cabinet

There were no statements.

54/17 Petition: Derbyshire NHS Sustainability and Transformation Plan

Councillors A Holmes, M Holmes and Stanton left the room during consideration of this item.

A report of the Strategic Director of People's Services detailed that a petition had been received requesting Council to reject the Derbyshire NHS Sustainability and Transformation Plan. Members were advised that it was beyond Council's remit to reject the Plan, but that as a partner of the health authority it would be reasonable to consider the petition, given that it had been signed by 4,179 Derby residents.

It was proposed that instead of approving the wording as put in the petition, Council vary the words with a motion as follows:

"Council acknowledges the concerns of the 4,179 Derby residents who have signed a petition opposing potential budgetary cuts and bed losses across Derby and Derbyshire arising from the Derbyshire NHS Sustainability Plan."

Mr Peter Robinson, as lead petitioner, presented the petition to Council.

The motion suggested in the report was formally moved by Councillor Shanker, and seconded.

It was moved by Councillor Repton, and seconded, that the motion be amended by the addition of two further paragraphs as follows:

"Council firmly commits to fighting any reduction in hospital-based facilities where it is not safe or appropriate and until properly funded community-based facilities are demonstrably able to provide a better service. Council considers that changes should only be made where alternative provision has already been identified and made ready. This will enable the Sustainability and Transformation Plan to achieve its objective to achieve joined up care across Derbyshire."

"Council supports the principle of the petition with regard to avoiding unnecessary cuts to an already underfunded health service and social care sector, and empowers the Cabinet Member for Integrated Health and Care to make strong representations to Government Ministers insisting that the Sustainability and Transformation Plan is not used as a smokescreen to disguise further cuts being imposed on these services. Council also empower the Cabinet Member to lobby for a return to the annual increase in NHS budgets of four per cent, in place prior to 2010, rather than the one per cent increase that has been in place since then."

As required under Rule CP71a of the Council Procedure Rules, it was demanded by at least 10 members that a recorded vote be taken on the amendment. The voting was as follows:

For the amendment:

Councillors Afzal, Anderson, Ashburner, Banwait, Bolton, Care, Carr, Dhindsa, Eldret, Evans, Froggatt, Graves, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Naitta, Nawaz, Raju, Rawson, Repton, Russell, Sandhu, Skelton, Turner, West, Winter and the Mayor, Councillor Whitby (29)

Against the amendment:
None

Abstentions:

Councillors Barker, Grimadell, Harwood, Hassall, Hudson, Keith, Marshall, Potter, Poulter, Roulstone, Smale, Webb, Williams, Willoughby and Wood (15)

The amendment was carried.

The motion as amended was put to the vote and carried.

Resolved:

Council acknowledges the concerns of the 4,179 Derby residents who have signed a petition opposing potential budgetary cuts and bed losses across Derby and Derbyshire arising from the Derbyshire NHS Sustainability Plan.

Council firmly commits to fighting any reduction in hospital-based facilities where it is not safe or appropriate and until properly funded community-based facilities are demonstrably able to provide a better service. Council considers that changes should only be made where alternative provision has already been identified and made ready. This will enable the Sustainability and Transformation Plan to achieve its objective to achieve joined up care across Derbyshire.

Council supports the principle of the petition with regard to avoiding unnecessary cuts to an already underfunded health service and social care sector, and empowers the Cabinet Member for Integrated Health and Care to make strong representations to Government Ministers insisting that the Sustainability and Transformation Plan is not used as a smokescreen to disguise further cuts being imposed on these services. Council also empower the Cabinet Member to lobby for a return to the annual increase in NHS budgets of four per cent, in place prior to 2010, rather than the one per cent increase that has been in place since then.

54/17 Questions from the public to members of the Council Cabinet

Questions and answers were put and responded to as follows:

Questioner	Respondent	Subject
David Gale	Councillor Rawson	Lease of One Friar Gate Square
Brendan Connelly	Councillor Afzal	Nottingham Road Cemetery
Lynne Evans	Councillor Afzal	Dustbins left on streets
George Morland	Councillor Shanker	Taxi Licensing
Rob Cooper	Councillor Shanker	Councillor communications
Carole Fenton	Councillor Afzal	Disabled parking and the Equality Act
Simon Bacon	Councillor Afzal	PSPO impact on Derby Arboretum
Thomas Bull	Councillor Russell	Brackensdale school SEN provision
Dorothy Skrytek	Councillor Afzal	Operation of Sinfin Waste Treatment Centre
Brendan Connelly	Councillor Hussain	Disabled bungalows
Rob Cooper	Councillor Rawson	Assembly Rooms impact assessment
Carole Fenton	Councillor Hussain	Drug dealing and anti-social behaviour
Simon Bacon	Councillor Afzal	Food waste recycling

55/17 Questions relating to Derbyshire Fire Authority or Derby Homes

There were no questions.

56/17 Questions from non-Council Cabinet members

Questions and answers were put and responded to as follows:

Question	Respondent	Subject
Councillor Graves	Councillor Banwait	Implementation of Standards Committee recommendations
Councillor Skelton	Councillor Russell	EHCP conversions
Councillor Barker	Councillor Shanker	Standards Committee recommendations and corporate governance
Councillor Grimadell	Councillor Rawson	City centre public realm improvements
Councillor Willoughby	Councillor Russell	Department for Education Opportunity Areas
Councillor Poulter	Councillor Shanker	Receipt of government grants
Councillor Harwood	Councillor Rawson	Performance venue options and Assembly Rooms damage
Councillor Graves		
Councillor Potter	Councillor Rawson	Planning enforcement referrals
Councillor Smale	Councillor Raju	Libraries Strategic Review – employee support
Councillor M Holmes	Councillor Rawson	City centre footfall
Councillor Care	Councillor Banwait	Local impact of Brexit
Councillor Graves	Councillor Raju	Alvaston Park Cafe opening hours
Councillor Willoughby	Councillor Banwait	Senior management restructure
Councillor Poulter	Councillor Banwait	LGA Corporate Peer Challenge
Councillor Smale	Councillor Raju	Libraries Strategic Review – CML contingency
Councillor Care	Councillor Russell	SEN banding
Councillor Graves	Councillor Afzal	Church Street lane closure

56/17 Minute 75/17 of Council Cabinet requiring the approval of Council

It was moved by Councillor Banwait, and seconded, that the minute be approved by Council, in relation to Minute 75/17 – New Swimming Pool Complex at Moorways.

Resolved:

To increase the capital programme for the project by £13,000,000 to provide a capital budget of £33,000,000, which was within the maximum envelope value of £35,000,000 and that the 2018/19 - 2019/20 Capital Programme be re-profiled accordingly.

57/17 Appointment of Statutory Co-optees to the Children and Young People Scrutiny Review Board

A report of the Chief Executive was considered.

It was reported that there was provision for up to eight co-opted members to be appointed to the Children and Young People Overview and Scrutiny Board to partake in discussion on education matters. Three were directly nominated faith representatives (categorised as Church of England, Catholic and other faiths), while between two and five parent governors could also be appointed.

Council was advised that the existing appointments were due to expire on 31 December 2017, and that a recruitment exercise had been undertaken to fill the roles from 1 January 2018. The nominations following that process were not proposed.

Resolved to:

- 1) Appoint Gill Butler and Chris Hulse and re-appoint Steve Grundy to the board with effect from 1 January 2018 as parent governor representatives;**
- 2) Note and endorse the nomination of Ruth Richardson (other faiths) and re-nomination of Chris Reynolds (Catholic) to the board with effect from 1 January 2018; and**
- 3) Note that a nomination to fill the Church of England position was awaited.**

58/17 Corporate Parenting Committee – Terms of Reference

A report of the Strategic Director of People Services proposed changes to the terms of reference for the Corporate Parenting Committee. This was put to Council for approval.

Resolved to approve the proposed changes to the terms of reference as detailed in the appendix to the report.

MAYOR