

**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 15 July 2009 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 20 May 2009 **DOCUMENT 3**

**Motion - That the minutes of the Annual Meeting of the Council held on 20 May 2009 be approved as a 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. Colin Underhill - Cathedral Green Fence Panels
  - b. Colin Underhill - Jury's Inn Road Layout
  - c. Stephen Bate - Protocol for Consulting on Developments
  - d. Tony Dunn - New Bus Station – Capacity
  - e. Tony Dunn - New Bus Station – Charges
  - f. Mike Cook - Chaddesden Library Consultation
  - g. Lorraine Radford - Kedleston Road Bus Lanes
  - h. Penny De Abreu - Seven Stars Car Park
  - i. Penny De Abreu - Noise Pollution

(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 7 July 2009 requiring the approval of the Council.

**DOCUMENT 9  
(TO FOLLOW)**

(Please note there are no minutes of the Council Cabinet meetings on 2 June 2009 that require the approval of the Council).

**Motion – To approve the minutes and recommendations of the Council Cabinet dated 7 July 2009.**

10. To consider a report of the Director of Corporate and Adult Services concerning the Appointment of Co-optees to the Climate Change Commission and Appointment to the Elizabeth Turner Charity.

**DOCUMENT 10**

**Motion:**

- 1. To approve the co-option of Peter Robinson, Bob Hewins and Jeremy Fisk to the Climate Change Commission for the 2009/10 municipal year.**
- 2. To approve the appointment of a Trustee of the Elizabeth Turner Charity.**

11. To consider the following Notices of Motion:

- (1) Councillor Williamson to move, Councillor Repton to second:

“Council recognises that the post office closure programme had a disproportionate effect on certain neighbourhoods around the city.

Council concedes that the proposals contained in the Labour Group’s alternative budget would have enabled a start to be made on reopening some of the city’s post offices, starting with the Chester Green Post Office.

Council therefore calls on the Liberal Democrat administration to set aside £20,000 in the council’s base budget and to approach Post Office Ltd to secure the reopening of Chester Green Post Office this year.”

- (2) Councillor Williamson to move, Councillor Dhindsa to second:

“Council considers that public transport in Derby is not satisfactory for an ambitious city and is concerned that the Liberal Democrat administration’s proposals to cut school transport will make matters worse.

Council also acknowledges that dissatisfaction with the public transport arrangements for the new City Hospital is justified and supports the establishment of a ring road bus service to the hospital.

Council recognises that the Labour Group's budget proposals would have secured both the future of the school bus services threatened with removal and a hospital bus service around the ring road.

Council therefore demands that the Liberal Democrat administration gives a commitment to retain the school buses they threatened to axe and implement the Labour Group's proposals for a ring road hospital bus service."

(3) Councillor Jennings to move, Councillor Holmes to second:

"That Council identifies the Conservative Group as the opposition group with the ability to appoint a Shadow Cabinet for the purposes of the Council's Protocol on Member/Officer Relations."

(4) Councillor Poulter to move, Councillor Holmes to second:

"Council notes with concern the continuing failure of the Derby Roads Partnership as it is clear that the originally agreed vision, values and objectives are not being achieved and the partnership may no longer be fit for purpose.

Council therefore resolves to establish a special Highways Maintenance Overview and Scrutiny Commission comprising:

- The Chair of the Planning and Transportation Commission as chair of the commission (1 Conservative)
- Two other members and Planning and Transportation Commission (1 Labour, 1 Liberal Democrat)
- Three members of the Audit and Accounts Committee (other than members of the Council Cabinet) (1 Conservative, 1 Labour, 1 Liberal Democrat)

with the following terms of reference:

1. To review the management, work programme, work practices and performance of the Derby Roads Partnership
2. To consider whether the funding of the Partnership offers best value in ensuring that the overall objective of effectively and efficiently meeting the City's immediate, medium-term and long-term highways maintenance needs are achieved
3. To produce a robust action plan, with timescales, accountabilities and reporting mechanisms, aimed at driving up performance standards

4. To make regular reports to the Council Cabinet on the progress of the review and to recommend urgent actions
5. To submit a final report to the Council Cabinet prior to the setting of the Council's 2010/11 budget."

*M A Jooke*

Director of Corporate and Adult Services  
and Acting Chief Executive

## **ANNUAL MEETING OF THE COUNCIL 20 MAY 2009**

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

### **Apologies**

Apologies were received from Councillors R Khan, Poulter and Williams.

### **1/09 Election of Mayor**

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

It was proposed by Councillor Jones, and seconded, that Councillor Hird 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 Hird:

Councillors Allen, Batey, Care, Carr, Ginns, Harwood, Hird, Jones, Keane, F Khan, Lowe, Naitta, Richards, Skelton, Troup, Tuplin, Winter (17).

The following members voted for Councillor Marshall:

The Mayor (Councillor Jackson), Councillors Banwait, Baxter, Bayliss, Berry, Bolton, Chera, Dhindsa, Graves, Grimadell, Hickson, Higginbottom, Holmes, Hussain, Ingall, Jennings, Latham, Leeming, Marshall, Nath, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Webb, Williamson, Willoughby, Wood (30).

Councillor Marshall was declared elected.

**Resolved that Councillor Sean William Marshall be elected Mayor of the City for the next municipal year.**

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

## 2/09 Appointment of Deputy Mayor

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

It was proposed by Councillor Jones, and seconded, that Councillor Hird be appointed Deputy Mayor of the City for the next municipal year.

The appointment was put to the vote and Councillor Hussain was declared appointed.

**Resolved that Councillor Fareed Hussain be appointed Deputy Mayor of the City for the next municipal year.**

Councillor Hussain then made the declaration of acceptance of office.

## 3/09 Thanks to the Retiring Mayor

**Resolved, on the motion of Councillor Williamson, that the thanks of this Council be given to Councillor Barbara Sybil Jackson 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.**

## 4/09 Appointment of Pinder and Tenter

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

## 5/09 Presentation of the Derby Civic Award for 2008/09 and Recognition of Derby Community Champions

The Mayor presented a crystal goblet and scroll to Barbara Lowe, winner of the Derby Civic Award for 2008/09.

The Council recognised the Derby Community Champions for 2008/09 as follows:

Keyan Johnson	Sharanjit Bola
Wendy Hall	Annie Mooney
Paul Dickenson	Antonio Mosley
Karnjit Khatkar	Luke Freestone

## 6/09 Adjournment of Meeting

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

The Council adjourned at 12.07pm and reconvened in the Council Chamber, Council House, Derby at 6.00 pm on 20 May 2009.

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

## Apologies

Apologies were received from Councillors R Khan, Poulter and Williams

## Declarations of Interest

There were no declarations of interest.

## 7/09 Announcements from the Mayor

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

## 8/09 Minutes of the Previous Meetings

**Resolved that the minutes of the meeting of the Council held on 2 March 2009 and the extraordinary meeting of the Council held on the 5 March 2009 be approved as correct records, confirmed and signed by the Mayor.**

## 9/09 Statements by Members of the Council Cabinet

There were no statements by members of the Council Cabinet.

## 10/09 Public Questions

Questions from members of the public were asked as follows:

1. By Tony Dunn, concerning proposed changes to Planning Application Procedures, answered by Councillor Wood, Chair of the Planning Control Committee.

2. By Tony Dunn, concerning the Diseased Tree Programme, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
3. By Dorothy Skrytek, concerning public information on landfill allowance targets, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services
4. By Penny De Abreu, concerning parking on the Market Place, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
5. By Penny De Abreu, concerning replacement trees in the former St Alkmunds Churchyard, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
6. By Colin Underhill, concerning planned social housing development in St Helen's Street, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation
7. By Colin Underhill, concerning the outcome of archaeological digs in King Street and Ford Street, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.

## 11/09 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.

## 12/09 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

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

1. By Councillor Ingall, concerning the 3 Bin Recycling Scheme, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
2. By Councillor Rawson, concerning kerbside recycling, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
3. By Councillor Willoughby, concerning the Firs Crescent bus stop, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
4. By Councillor Graves, concerning the use of the Quad toilets, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.



5. By Councillor Banwait, concerning Cabinet Member advice, answered by Councillor Troup, Council Cabinet Member for Housing and Public Protection.

## 13/09 Election of Leader of the Council for the next Municipal Year

It was proposed by Councillor Allen that Councillor Jones be elected Leader of the Council for the next municipal year.

It was proposed by Councillor Holmes that Councillor Jennings 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 Jones:

Councillors Allen, Batey, Care, Carr, Ginns, Harwood, Hird, Jones, Keane, F Khan, Lowe, Mitchell, Naitta, Richards, Skelton, Troup, Tuplin, Winter (18).

The following members voted for Councillor Jennings:

The Mayor (Councillor Marshall), Councillors Berry, Chera, Grimadell, Hickson, Holmes, Ingall, Jennings, Latham, Leeming, Nath, Webb, Willoughby, Wood (14).

The following members abstained:

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

Councillor Jones was declared elected.

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

## 14/09 Appointment of Council Cabinet for the next Municipal Year

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

- 1. To establish a Council Cabinet of seven 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.**
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<b><u>Areas of Responsibility</u></b>	<b><u>Councillor</u></b>
<b>Policy, Partnerships and Economic Development</b>	<b>Leader</b>
<b>Children and Young People (Deputy Leader)</b>	<b>Allen</b>
<b>Planning and Transport</b>	<b>Care</b>
<b>Adult Services and Health</b>	<b>Skelton</b>
<b>Direct and Internal Services</b>	<b>Carr</b>
<b>Housing and Environment</b>	<b>Troup</b>
<b>Leisure and Culture</b>	<b>Naitta</b>

### **Council Cabinet Members Areas of Responsibility 2009/10**

#### **Policy, Partnerships and Economic Development**

- Overall corporate strategic co-ordination and leadership
- Corporate policies and strategies including capital and revenue budgets
- Performance management
- Lead partnership liaison with city partners including Derby City Partnership, Derby Cityscape, Marketing Derby and Derby Community Safety Partnership
- Community participation and empowerment (Neighbourhood Boards and Forums)
- Communications and consultation
- Emergency planning and business continuity
- Lead partnership liaison with local, regional, national and international partners
- Economic development and tourism, including City Centre Management
- External Regeneration Funding

#### **Planning and Transport**

- Strategic planning and transport
- Highways and footpath maintenance including Derby Roads contract
- Traffic management
- Development control
- Building control
- Buildings of heritage and importance
- Car parking strategy and enforcement
- Land drainage
- Spatial Strategy
- Local Development Framework

#### **Adult Services 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

## **Direct and Internal Services**

- Corporate human resources including training and development and health and safety
- Property Services including Accommodation Strategy
- Employee payments (payroll) and income tax
- Waste management and recycling
- Street cleaning and lighting
- Fleet management
- School Meals and in-house catering
- External employment initiatives
- Customer Services including Derby Direct
- Council Tax and Business Rates
- Information and Communications Technology and Telephony
- Procurement
- Corporate Legal and Democratic Services (including Civic and Members' Services / Elections / Register Office / Overview and Scrutiny)
- Financial Services, Audit and Risk Management
- Markets

## **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 Environment**

- **Private sector housing**
- **Housing strategy and performance and development**
- **Housing management client (Derby Homes Single Shareholder Vote)**
- **Housing and council tax benefit administration**
- **Housing advice, including Housing Options service**
- **Tackling homelessness**
- **Climate change**
- **Environmental health, food health and safety and trading standards**
- **Fly Tipping**
- **Natural environment**
- **Social Cohesion**
- **Derwent New Deal for Communities programme and succession strategy**
- **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 (Assembly Rooms and Guildhall)**
- **Physical Activity Strategy including B Active**
- **Public toilets**
- **Parks and grounds maintenance**
- **Cemeteries and crematorium**

## **15/09 Constitutional Appointments 2009/10**

It was proposed by Councillor Jones, and seconded, to approve the Constitutional Appointments for the next municipal year now submitted.

It was proposed by Councillor Dhindsa, and seconded, that the motion be approved subject to the inclusion of the names of Councillors Bolton and Higginbottom in the membership of the Corporate Parenting Sub Commission.

The amendment was put to the meeting and carried.

It was proposed by Councillor Roberts, and seconded, that the motion be amended subject to the substitution of Councillor Allen for Councillor Hird as the member on the Fostering Panel.

The amendment was put to the meeting and lost.

**Resolved to approve the Constitutional Appointments for the next municipal year now submitted, subject to the inclusion of Councillors Bolton and Higginbottom in the membership of the Corporate Parenting Sub Commission.**

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

## 19/09 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 2009/10. 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 Webb		Councillor Webb
Alvaston	Councillor Graves		Councillor Graves
Arboretum	Councillor R Khan	Councillor Hussain	Councillor Hussain
Blagreaves	Councillor Skelton		Councillor Skelton
Boulton	Councillor Jackson		Councillor Jackson
Chaddesden	Councillor Bolton		Councillor Bolton
Chellaston	Councillor Jennings		Councillor Jennings
Darley	Councillor Richards	Councillor Repton	Councillor Repton
Derwent	Councillor Redfern		Councillor Redfern
Littleover	Councillor Carr		Councillor Carr
Mackworth	Councillor Higginbottom		Councillor Higginbottom
Mickleover	Councillor Winter		Councillor Winter
Normanton	Councillor Dhindsa		Councillor Dhindsa
Oakwood	Councillor Harwood	Councillor Wood	Councillor Wood
Sinfin	Councillor Shanker		Councillor Shanker
Spondon	Councillor Poulter		Councillor Poulter

**Resolved to approve the above appointments.**

## 20/09 Schedule of Meetings : May 2009 – July 2010

It was proposed by Councillor Jones, and seconded, to approve the schedule of meetings for May 2009 – 2010 now submitted.

It was moved by Councillor Dhindsa, and seconded, that the motion be approved subject to the addition of the words “subject to the addition of meetings of the Derby Homes Board and the Standing Advisory Council for Religious Education”.

The amendment was put to the meeting and carried.

**Resolved to approve the Schedule of Meetings for May 2009 – July 2010 now submitted subject to the inclusion of meetings of Derby Homes Board and the Standing Advisory Council for Religious Education.**

## **21/09 Appointments to Outside Bodies and Charities 2009/10**

**Resolved, on the motion of Councillor Jones, to approve the list of appointments of representatives to serve on Outside Bodies for 2009/10, and appointments to Charities, now submitted, subject to the following amendments:**

<b>Outside Body</b>	<b>Representatives</b>
Director of the Connexions Derbyshire Board	The appropriate senior officer from the Children and Young People Department
Derby Homes Ltd Board (second Conservative place)	Councillor Hickson
The Poor's Land, Littleover (Joyce Harpur) Charity	Councillor Skelton
Liversage Trust	Councillor Roberts

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

## **22/09 Attendance at Annual Conferences**

**Resolved, on the motion of Councillor Jones, to approve the list of representatives authorised to attend Annual Conferences for the next municipal year, now submitted.**

## **23/09 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 C to these minutes.

**Resolved, on the motion of Councillor Redfern, to approve the minutes and recommendations of the General Licensing Committee dated 25 March 2009.**

## **24/09 Minutes and Recommendations of the Planning Control Committee**

The Council considered the minutes and recommendations of the Planning Control Committee, requiring the approval of the Council, set out in Appendix D to these minutes.

**Resolved, on the motion of Councillor Wood, to refer back for further consideration by the Committee the minutes and recommendations of the Planning Control Committee dated 9 April 2009.**

## **25/09      Office of Chief Executive and Head of the Council's Paid Service**

The Council considered a report of the Leader of the Council concerning the Appointment of the Chief Executive and Head of the Council's Paid Service, and interim arrangements in respect of the appointment of an Acting Chief Executive and Acting Head of the Paid Service, and Acting Monitoring Officer.

### **Resolved:**

- 1. To appoint Adam Wilkinson as the Council's Chief Executive and Head of the Paid Service with effect from 27 July 2009, subject to satisfaction of the usual formalities; namely, Criminal Records Bureau checks, evidence of qualifications and entitlement to work in the UK and medical clearance, on the following terms:**
  - a salary of £160,000 per annum.
  - the national conditions of service for local authority Chief Executives, including pay awards determined from time to time by the Local Authority Chief Executives Joint Negotiating Committee - subject to the agreement of a balanced Member appraisal panel - supplemented by the provisions of the local Derby City Council personnel handbook where appropriate.
  - the appointment to be for an initial fixed term of five years - with provision for termination on three months' notice before the expiry of the fixed term - and with provision for renewal by mutual agreement on expiry.
- 2. To appoint Michael Foote, Director of Corporate and Adult Services and Deputy Chief Executive, as Acting Chief Executive and Acting Head of the Paid Service from 6 June to 26 July 2009 on a salary of £140,508 pa for the duration of that period.**
- 3. To appoint Stuart Leslie, Assistant Director – Legal, as Acting Monitoring Officer from 6 June to 26 July 2009, and to authorise the payment of an honorarium of £500 per month to Stuart in respect of these duties for the duration of that period.**

(Michael Foote, Deputy Chief Executive and Director of Corporate and Adult Services withdrew from the meeting during consideration of the above minute.)

## 26/09      Housing Rents – Reduction to Approved Rent Increase 2009/10

The Council considered a joint report of the Corporate Directors of Corporate and Adult Services and Resources which stated that additional housing revenue account subsidy had been offered by the Department for Communities and Local Government to all Councils with a housing stock if they agreed to reduce the amount of the 2009/10 rent increase. The report proposed a reduction to the rent increase previously agreed by the Council on 2 March 2009.

### **Resolved, on the motion of Councillor Troup:**

- 1. To accept the offer from CLG of additional financial assistance to enable council house rents to be reduced.**
- 2. To reduce the average overall rent increase for all Council owned dwellings within the HRA to 3.1%, instead of an increase of 5.95% as approved by Council at its meeting on 2 March 2009.**
- 3. To agree that the revised increase will be implemented from 13 July 2009 and will only apply to tenants in residence on that date.**

## 27/09      Review of Contract Procedure Rules

The Council considered a joint report of the Corporate Director of Corporate and Adult Services and Corporate Director of Children and Young People which proposed the adoption of new Contract Procedure Rules, as recommended by the Audit and Accounts Committee.

### **Resolved, on the motion of Councillor Jones:**

1. To adopt the new Contract Procedure Rules ("The Rules") and agree that they be brought into effect on 1 July 2009.
2. To authorise the Assistant Director – Legal Services / Chief Legal Officer in consultation with the Head of Procurement to make minor amendments and additions to the revised Rules and to report them to the Audit and Accounts Committee.
3. To adopt the new Contract Procedure Rules for schools and agree that they be brought into effect on 1 July 2009.
4. To replace the wording in Paragraph 2.18 of the Scheme for Funding Schools with that in paragraph 8.2 of the Schools Contract Procedure Rules in order to update the thresholds for particular competition requirements.



## 28/09 Proposed Amendments to the Constitution

The Council considered a report of the Director of Corporate and Adult Services, as Monitoring Officer, on proposed amendments to the Constitution.

**Resolved, on the motion of Councillor Jones, to approve the amendments to the Constitution set out in Appendix 2 to the report subject to the recommendation to amend the Protocol on Call-in of Executive Decisions only being implemented if the Corporate Director of Corporate and Adult Services confirms the recommendation is within the Council's powers.**

## 29/09 Councillor Call for Action – Adoption of Draft Protocol

The Council considered a report of the Chair of the Scrutiny Management Commission which proposed the adoption of a protocol for the use of Councillor Calls for Action in order to comply with requirements of the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007.

**Resolved, on the motion of Councillor Higginbottom, to approve the draft Protocol for the Use of Councillor Calls for Action and to agree that the Scrutiny Management Commission reviews its operation after 12 months.**

## 30/09 Devolved Neighbourhood Highways Budgets

The Council considered a report of the Chair of the Scrutiny Management Commission which proposed amendments to the Neighbourhood Boards and Forums Good Practice Guide to give effect to the decision of the Council to devolve highways budgets in 2009/10.

**Resolved, on the motion of Councillor Higginbottom, to approve the proposed amendments to the Neighbourhood Boards and Forums Good Practice Guide.**

## 31/09 Urgent Non-Executive Decisions of 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.**

## 32/09 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 2008/09.

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

## 33/09 Standing Advisory Council for Religious Education – New Representative

The Council considered a report of the Corporate Director of Corporate and Adult Services concerning the appointment of a new representative to serve on the Standing Advisory Council for Religious Education.

**Resolved, on the motion of Councillor Jones, to approve the appointment of Maxine Bull as a Church of England representative on the Standing Advisory Council for Religious Education for a four year term.**

## 34/09 Notices of Motion

### 1. *Direct Election of Police Authority Members or Police Commissioners*

**Resolved, on the motion of Councillor Williamson, that Council believes that the Police Service should work closely with Local Councils and other agencies, and commends the successful relationships built up in many Crime and Disorder Reduction Partnerships.**

**Council notes that a significant proportion of council tax is spent on policing and welcomes the steps taken to increase the responsiveness of the service, particularly the Derbyshire Constabulary.**

**Council commends the Constabulary's efforts to keep the public informed through initiatives such as crime mapping, policing pledge and their support for and involvement with the City's neighbourhood agenda.**

**Council recognises the importance of greater transparency and accountability at neighbourhood, basic command unit and force level but rejects proposals for the direct election of police authority members or police commissioners.**

**Council therefore welcome's the Home Secretary's decision not to proceed with such proposals.**

### 2. *"Speakers Corner"*

It was moved by Councillor Banwait, and seconded, that Council acknowledges a "Speakers Corner" in Derby as an innovative way to help improve community cohesion in our city by encouraging the following:

- Greater involvement with – and engagement in – political debate, current affairs and community concerns
- Provide a forum for opinions to be aired and responses sought, especially from the more marginalised and more disenfranchised members of our communities
- To foster positive social attitudes and understandings, and thereby help prevent and pre-empt anti-social behaviour.

Council therefore asks Cabinet to set up a working group comprising one member from each political group together with representatives from Community Safety Partnership, Derby Live and Derby District Speakers Club to draw up a proposal for the use, location, appearance and funding for a Speakers Corner in Derby.

It was moved by Councillor Wood, and seconded, that the motion be amended by the deletion of the words “and funding” from the final paragraph of the motion.

The amendment was put to the meeting and carried.

**Resolved that Council acknowledges a “Speakers Corner” in Derby as an innovative way to help improve community cohesion in our city by encouraging the following:**

- **Greater involvement with – and engagement in – political debate, current affairs and community concerns**
- **Provide a forum for opinions to be aired and responses sought, especially from the more marginalised and more disenfranchised members of our communities**
- **To foster positive social attitudes and understandings, and thereby help prevent and pre-empt anti-social behaviour.**

Council therefore asks Cabinet to set up a working group comprising one member from each political group together with representatives from Community Safety Partnership, Derby Live and Derby District Speakers Club to draw up a proposal for the use, location and appearance for a Speakers Corner in Derby.

### *3. Office of Recorder*

**Resolved, on the motion of Councillor Wood, that this Council approves in principle a proposal to revive the title of ‘Recorder of Derby’ as an honorary position thereby bringing the judiciary and local elected members closer together. Council instructs the Director of Corporate and Adult Services to bring a report to a future meeting of the Council on the implementation of this proposal on the basis that there would be no additional costs to the authority.**

### *4. Osmaston Area Regeneration*

**Resolved, on the motion of Councillor Shanker, that Council agrees that the Osmaston area of Derby, including Victory Road, Ash Tree Avenue and Elm Tree Avenue are in need of regeneration to improve the general perception of the area and the quality of life for residents and businesses in the area.**

**Council is frustrated at the lack of progress made by the current administration in moving the master planning proposals forward and recognise the frustration and anger that this mismanagement has caused residents.**

**Council therefore calls on the Council Cabinet to:**

- instruct officers to produce a realistic timeline for regeneration activities to take place and communicate this to all residents.**

- b) agree that other developments such as new schools, Home refurbishments and any highways maintenance will not be delayed in the short and medium term on the back of the feeble master plan that might or might not be happening.**
- c) work with Derby Homes to maintain all its properties in the area and not use the masterplan as an excuse to not doing any repairs or improvements.**

MAYOR

### **CONSTITUTIONAL APPOINTMENTS 2009/10 (as approved by Council on 20 May 2009)**

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

Chair - Councillor Higginbottom

Vice Chair – Webb

Councillors Batey, Hird, Hussain, F Khan, Poulter

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

Chair – Councillor Bolton

Vice Chair – Councillor Williams

Councillors Ginns, Higginbottom, F Khan, R Khan, Latham

Statutory Co-opted Members  
(for education matters only)

- 1 Church of England diocese  
representative  
Roman Catholic diocese  
representative  
2 parent governor  
representatives  
1 representative of other faiths/denominations

- 2a Corporate Parenting Sub Commission (Con 1, Lab 2, Lib Dem 1)

Councillors Bolton, Ginns, Higginbottom, Williams

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

Chair – Councillor Hussain

Vice Chair – Councillor Nath

Councillors Keane, Tuplin, Turner, Winter, Williams

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

Chair – Councillor Poulter

Vice Chair – Councillor Repton

Councillors Batey, Harwood, Ingall, Lowe, Rawson

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

Chair - Councillor Grimadell

Vice Chair - Councillor Bayliss

Councillors Chera, R Khan, Leeming, Lowe, Redfern, Richards

6. Climate Change Commission (Con 2, Ind 1, Lab 2, Lib Dem 3)  
Chair – Councillor Ingall  
Vice Chair – Councillor Banwait  
Councillors Chera, Hird, Keane, Shanker, Tuplin, Webb
7. Audit and Accounts Committee (Con 2, Lab 2, Lib Dem 3)  
  
Chair Councillor Roberts  
Vice Chair – Councillor Willoughby  
Councillors Allen, Harwood, Holmes, Jackson, Troup
8. Personnel Committee (Con 2, Lab 2, Lib Dem 3)  
Chair – Councillor Rawson  
Vice Chair – Councillor Leeming  
Councillors Carr, Hird, Jones, Nath, Roberts
- 8a Disputes Resolution Sub Committee (Con 1, Lab 1, Lib Dem 1)  
Chair – Councillor Rawson  
Councillors Leeming, Hird
9. General Licensing Committee (Con 4, Lab 5, Lib Dem 5)  
  
Chair – Councillor Redfern  
Vice Chairs (4) – Councillors Baxter, Berry, Leeming, Rawson,  
Councillors Hird, Hussain, Jackson, Poulter, Richards, Skelton, Tuplin, Williams,  
Winter
- 9a General Licensing Sub Committee  
  
Any three members of the General Licensing Committee, to include the chair  
or one of the vice chairs.
10. Taxi Licensing and Appeals Committee (Con 4, Lab 5, Lib Dem 5)  
  
Chair – Councillor Redfern  
Vice Chairs (4) – Councillors Baxter, Berry, Leeming, Rawson,  
Councillors Hird, Hussain, Jackson, Poulter, Richards, Skelton, Tuplin, Williams,  
Winter
- 10a Taxi Licensing Sub Committee  
Any three members of the Taxi Licensing and Appeals Committee, to include  
the chair or one of the vice chairs.
- 10b Employee Appeals Sub Committee  
  
Any three members of the Taxi Licensing and Appeals Committee, to include  
the chair or one of the vice chairs.
- 10c Disciplinary Sub Committee  
  
Any three members of the Taxi Licensing and Appeals Committee, to include  
the chair or one of the vice chairs.
- 10d 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.

10f Housing Appeals Sub Committee

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

10g 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.

10h 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.

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

Chair – Councillor Wood

Vice Chair - Councillor Shanker

Councillors Baxter, Bolton, Care, Carr, Grimadell, Harwood, Hickson, Richards

12. Conservation Area Advisory Committee (Con 2, Lab 3, Lib Dem 2)

Councillors Care, Grimadell, Naitta, Rawson, Turner, Wood (Vacancy Lab)

13. Fostering Panel (Lib Dem 1)

Councillor Hird

14. Adoption Panel (Con 1, Lib Dem 1)

Councillors Ingall, Tuplin

15. Representatives on the following bodies:

15a Derbyshire Fire Authority (Con 1, Lab 2, Lib Dem 2)

Councillors Allen, Bolton, Carr, Williams, Williamson

15b Joint Committee with Derbyshire County Council for Local Authority  
Appointments to the Derbyshire Police Authority (Con 1, Lib Dem 1)

Councillors Hickson, Winter

15c Derbyshire Development Plans Joint Advisory Committee (Con 2, Lab 2, Lib  
Dem 2)

Councillors Baxter, Care, Grimadell, Shanker, Wood (Lib Dem Vacancy)

- 15d Standing Advisory Council on Religious Education (SACRE) (Con 1, Lab 2, Lib Dem 2)

Councillors Ginns, Higginbottom, F Khan, Turner, Willoughby

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

Councillors Hird, Holmes, Jackson  
Independent Members - Canon R B Blowers, Mrs C McDowall, Ms D Reid  
Mr P Sunderland

### **Informal Advisory Groups**

- a. Plain English Panel (Con 2, Lab 2, Lib Dem 2)

Councillors Bolton, Grimadell, Hird, Tuplin, Turner, Webb

- b. Members Services Working Party (Con 2, Lab 2, Lib Dem 2)

Councillors Carr, Hickson, Hird, Jackson, Williamson, Wood

- c. Disabled People's Diversity Forum (Con 2, Ind 1, Lab 2, Lib Dem 2)

Councillors Chera, Grimadell, Hird, Ingall, Richards, Turner (Vacancy Lab)

- d. Minority Communities Diversity Forum (Con 2, Lab 2, Lib Dem 2)

Councillors Berry, Dhindsa, R Khan, Naitta, Poulter, Shanker

- e. Gender and Sexuality Diversity Forum (Con 2, Lab 1, Lib Dem 2)

Councillors Higginbottom, Leeming, Mitchell, Willoughby, Winter (Vacancy Lab)

### **Champions**

Disabled People – Councillor Hird

Gender and Sexuality – Councillor Winter

Minority Communities – Councillor Naitta

Older People – Councillor Skelton

Young People – Councillor Batey

Play – Councillor Allen

Heritage – Councillor Naitta

Cycling – Councillor Care



## APPENDIX B

### APPOINTMENTS TO OUTSIDE BODIES 2009/10 Annual Appointments unless stated (as approved by the Council on 20 May 2009)

Body	Representative(s) 2008/09	Other Information
Age Concern – Derbyshire	Councillor Wood	Does not have to be an Elected Member
Association of Public Service Excellence (APSE)	Councillors Graves and Carr	2 representatives
Cathedral Quarter Business Improvement District	Councillor Jones	Relevant Cabinet Member
Children First	Councillor Allen	Must be an Elected Member. Knowledge of family issues required.
CLAC Liaison Board (Replaced Derby Community Legal Service Partnership Board)	Councillor Nath	Must be an Elected Member
Compact Forum	Councillors Turner and Troup Relevant Assistant Directors	Terms of Reference revised during 2007-08. Council now entitled to two councillor representatives
Director to the Connexions Derbyshire Board (Formerly Connexions Derbyshire Ltd and Local Connexions Partnership)	Councillor Allen Appropriate senior officer from the Children and Young People Department	The appropriate senior officer from the Children and Young People Department
Derby and Sandiacre Canal Trust	Councillor Berry, Mr R Salmon	1 Elected Member, 1 Officer
Derby and Sandiacre Canal Trust – Executive	Rob Salmon	
Derby City Homes Regeneration Limited	Councillor Troup	Council Cabinet Member with responsibility for Housing and Social Inclusion

Body	Representative(s) 2008/09	Other Information
<b>Derby City Partnership Groups</b>		
• Board	Councillor Jones	Leader of the Council
• State of the City Forum	Liberal Democrats: Councillors Care, Troup and Hird  Labour: Councillors Jackson, Rawson and Williamson  Conservatives: Councillors Hickson, Jennings 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 Allen	Cabinet Member with responsibility for children and young people
• Healthy City Executive	Councillor Skelton	Cabinet member with responsibility for health, social care and housing management
• City for Stronger and Safer Communities Executive	Councillor Jones	Cabinet Member with responsibility for neighbourhoods and community safety
• Cultural City Executive	Councillor Naitta	Cabinet Member with responsibility for culture
• City Growth Executive	Councillor Jones	Cabinet Member with responsibility for economic development, planning, transportation, enforcement and housing strategy
• Performance Support Group	Councillor Bolton Councillor Poulter Councillor Webb Councillor Grimadell Councillor Higginbottom Councillor Hussain Councillor Jones Councillor Ingall	Leader of the Councillor, Chairs of Scrutiny Commissions, Vice Chair of SMC
• URBAN PMC	Councillor Carr	
Derby CityScape Ltd	Councillor Jones Chief Executive	<b>2 representatives. Do not have to be an Elected Members.</b>

<b>Body</b>	<b>Representative(s) 2008/09</b>	<b>Other Information</b>
Derby College – Board of Governors	Cllr Dhindsa	<b>Four-year appointment from 21 May 2008</b>
Derby Community Healthcare Project	Mr R Williams, Ms S Downey	
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	2 representatives. Do not have to be Elected Members
Derby Furniture Project Management Committee	Councillor Higginbottom	Does not have to be an Elected Member
Derby Homes Limited - Board	Councillors Bayliss, Redfern, Webb, Batey and Hickson  Alison Brown Oct 2009 Tabani Ndlovu Oct 2009 Iain MacDonald Oct 2010 Bob Osler Oct 2010 Mike Smith Oct 2011	5 Elected Members and 5 non-elected members. Representatives should be able to attend meetings on the last Thursday in every month
Derby Hospitals NHS Foundation Trust	Councillor Nath	3 year appointment to start on 1 July 2007
Derby Racial Equality Council	Councillors Richards, Turner and Webb	3 members – General Committee
<ul style="list-style-type: none"> <li>General Committee</li> </ul>	Councillors Turner and Webb	Two of these members to be appointed to the Exec Committee
<ul style="list-style-type: none"> <li>Executive Committee</li> </ul>		
Derby Rail Forum	Councillor Jones	Must be Cabinet Member responsible for Economic Development
Derby Skillbuild (formerly DAHRTI)	Councillor Troup	Does not have to be an Elected Member
Derby Women's Centre/Steering Committee	Councillors Ginns and Mitchell	2 representatives. Do not have to be Elected Members

Body	Representative(s) 2008/09	Other Information
Derbyshire County Council – Investment Committee	Councillors Carr and Roberts	2 Members. Must be Elected Members
Derbyshire Environment Trust Ltd	Mr Ron Blanksby	Does not have to be an Elected Member
Derbyshire Housing Aid	Councillor Latham	Does not have to be an Elected Member
Derbyshire Mental Health NHS Trust	Councillor Hussain	
Derbyshire Partnership Forum	Councillor Jones	3 year appointment but representative could be replaced mid term
Derbyshire Rape Crisis	Councillors Winter, Vacancy	2 Members. Must be Elected Members
Derbyshire Sport	Councillor Naitta	
Derbyshire Valuation Tribunal	Councillor Naitta – 31 March 2015 Miss C Fenton – 31 March 2015 Miss S Haynes – 31 March 2015 <b>Vacancy – 31 March 2015</b> Mr D Daullah JP – 31 March 2012 Councillor Hickson – 31 March 2012 Councillor Lowe – 31 March 2012 Vacancy – 31 March 2012	Do not have to be Elected Members 6 year appointments maximum age 72, DCC compliment of 8 members
Derbyshire Wildlife Trust Council of Members	Councillor Jackson	Must be an Elected Member
Derwent Community Partnership	Councillors Troup, Rawson, Redfern and Roberts	Relevant Council cabinet Member and 3 ward Councillors for Derwent Ward
Derwent Valley Mills Partnership	Councillor Care	
Derwent Valley Trust	Councillor Care	Must be an Elected Member

<b>Body</b>	<b>Representative(s) 2008/09</b>	<b>Other Information</b>
Disability Direct – Management Committee	Councillor Hussain	Must be an Elected member
East Midlands Airport Independent Consultative Committee	Councillor Care	1 Member
East Midlands Museum Service	Councillor Naitta	
East Midlands Reserve Forces and Cadets Association <i>(Formerly Territorial, Auxiliary &amp; Volunteer Reserve Association for the East Midlands)</i>	Councillor Jennings	Must be an Elected Member
English Churches Housing Group Midlands Customer Focus Group	Ms L Callow	Does not have to be an Elected Member
Environment Agency Regional Flood Defence Committee	1.1 Councillor Leeming	Does not have to be an Elected Member – but strongly preferred to be.  One appointment and one deputy shared with Derbyshire County Council, we hold appointment until 2008 then we become deputy for 3 years.
Groundwork Derby and Derbyshire Trust Board	Councillor Troup	Must be the relevant Cabinet Member
Guru Ravidass Sabha Community Centre Management Group	Councillor Dhindsa	
Indian Community Centre Executive Committee	Councillor Dhindsa	
Local Authorities World Heritage Forum	Richard Williams and Harry Hopkinson	Do not have to be Elected Members
Local Authority Energy Partnership	Councillors Banwait, Bolton and I	3 Members. Must be 3 Elected Members

<b>Body</b>	<b>Representative(s) 2008/09</b>	<b>Other Information</b>
<b>Local Government Association</b>		
• General Assembly	Councillors Care, Jennings, Jones and Williamson	4 Members – 5 Votes
• Urban Commission	Councillors Jones and Care	2 Members
• Special Interest Group of Metropolitan Authorities (SIGOMA)	Councillor Jones	1 Member
• Derbyshire LGA	Councillors Graves, Jones and Latham	3 Members
• Derbyshire LGA Environmental Co-ordination Group	Councillor Troup	1 Member
• Local Government East Midlands – LGEM – General Meeting	Councillors Care, Jones, Latham and Roberts	4 Representatives – 5 votes
• Local Government East Midlands - LGEM – Representative on Regional Assembly	Councillor Care	1 Member
Local Government Information Unit – LGIU – Management Assembly	Councillor Jones	Normally the Leader of the Council
Loughborough University – Court	Councillor Allen	Does not have to be an Elected Member
Midland Railway Trust Limited	Councillor Lowe	Does not have to be an Elected Member
National Association of British Market Authorities	Councillors Jennings and Poulter	2 Members
National Council for Housing and Planning (ROOM) East Midlands Regional Executive Committee	Councillor Care	1 Member
New Growth Point Housing Market Area Board	Councillor Care	
Quad Management Board	Councillor Naitta	Must be an elected Member

Body	Representative(s) 2008/09	Other Information
Queens' Hall Women's Hostel Management Committee	Councillor Winter	Must be an Elected Member
Revive (Healthy Living) Project – Board of Directors	Councillor Roberts	Must be a Derwent Ward Member
Rosehill Business Centre Ltd	Councillor Bolton	Does not have to be an Elected Member  Changes to previous nomination have to be agreed by the Board of Directors.  Status – Non Exec Director
Scape System Build Limited (formerly CLASP Consortium)		
• Director	Chris Edwards – Assistant Director – Property Services	Does not have to be an elected Member
• Alternate Director	Paul Glowacki, Principal Architect	
Member of Management Committee	Councillor Allen	Relevant Cabinet Member
Sherwood Foresters Regimental Museum	Councillor Berry	
Sinfonia ViVA	Councillors Grimadell and Jackson	2 Members
SUPPORT Management Committee	Councillor Turner	Does not have to be Elected Member
University of Derby – Council	Councillor Allen	Does not have to be an Elected Member
University of Derby – Court	Councillor Allen	Does not have to be an Elected Member
University of Leicester – Court	Councillor Allen	Must be an Elected Member
University of Nottingham – Court	Councillor Allen	Does not have to be an Elected Member





**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
Councillor Baxter	30 June 2010
Councillor Webb	24 May 2010
Mr M J Fuller	15 February 2011

**Hoult and Annie Sutton Memorial Houses**

Councillor Higginbottom	24 May 2010
Councillor Willoughby	24 May 2010
Mr C Wynn	24 May 2010

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

Councillor Skelton	26 April 2013
Councillor Allen	26 April 2011

**Thomas Haughton**

Councillor Berry	24 May 2010
Mrs N R Wawman	24 May 2010
Mr C Wynn	24 May 2010

**Elizabeth Turner**

<b>Vacancy</b>	<b>4 Year Term</b>
Mr C Wynn	30 June 2010
Councillor Baxter	24 May 2012

**Liversage**

Councillor Roberts	30 June 2012
Councillor Grimadell	24 May 2010
Councillor Marshall	23 September 2012
Councillor Jackson	1 March 2011
Councillor Redfern	13 July 2012
Mr C Wynn	24 May 2010
Ms Sue Glithero	24 May 2010

**Spondon Relief in Need**

Councillor Poulter	30 June 2012
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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

24 May 2010

<p>MINUTES OF GENERAL LICENSING COMMITTEE REQUIRING THE APPROVAL OF COUNCIL</p>
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**GENERAL LICENSING COMMITTEE  
25 MARCH 2009**

Present: Councillor Redfern (Chair)  
Councillors Banwait, Baxter, Berry, Hird, Hussain, Leeming,  
Lowe, Rawson, Skelton and Winter

In attendance: Councillors F Khan and Webb

**27/08 Scrutiny Management Commission's Review of  
Licensing Enforcement**

The Commission considered a report from the Chair of the Scrutiny Management Commission detailing the outcomes of the Scrutiny Management Commission's Review of the Enforcement of the Council's Licensing Policy and the recommendations that had been made by the Commission.

The Cross Party Working Group had met to consider the recommendations of the Scrutiny Management Commission and had made its own observations and recommendations in response.

**Resolved:**

- 1. To note the Scrutiny Management Commission's Review of Licensing Enforcement.**
- 2. To approve the recommendations of the Scrutiny Management Commission with the amendments made by the Cross Party Working Group and refer these to Council for its consideration:**
  - a. All Derby Responsible Authorities (RAs) should use their enforcement powers promptly and effectively and in conjunction with each other to deal with breaches of licence conditions and the licensees should be made aware that this will happen.**
  - b. That within any limitations imposed by the legislation or by the interpretation of the legislation there should be regular monthly liaison meetings between representatives of all the Derby RAs.**
  - c. To investigate the degree to which links between the Council and the Police Licensing Teams can legitimately be strengthened and enhanced and if appropriate to develop a protocol for an improved working**

relationship aimed at making best use of resources and providing the most effective enforcement of the Act.

- d. An effective and workable information sharing protocol should be developed to enable the legitimate exchange of information on licensed premises between Police and the Council in its role as RA. The protocol should include procedures for the exchange all the information that can legitimately be exchanged, including if possible the issue of closure notices currently recorded on the Police 'Innkeeper' system.
- e. That the Environmental Health and Trading Standards Division make provision for Environmental Health and Trading Standards staff to work frequently and regularly outside during the times when it is known that problems at/with 'on' and 'off' licensed premises are likely to occur.

It is also recommended that as part of their job the Environmental Health and Trading Standards officers be tasked to inspect all types of licensed premises to:

- i. Investigate complaints and take action where appropriate
- ii. Conduct under age sales investigations
- iii. Proactively ensure compliance with Licence conditions

Where breaches of the legislation or License conditions are found to have occurred the Environmental Health and Trading Standards officers should report and action their findings promptly and correctly so that the appropriate action can be taken by the Licensing Committee.

- f. That the Trading Standards Section should implement the recommendation made in the Underage Sales Review (2004) and should work co-operatively with other neighbouring local authorities in order to provide 'new' staff and test customers for underage sales exercises.
- g. (i) That the Trading Standards Team and Derbyshire Constabulary should prepare and publish a protocol that defines the actions they will take as RAs in the event that a licensed premises fails a test purchase exercise. The protocol should for example specify the circumstance under which a failed test purchase would result in a warning or in a request for a review of the license.  
  
(ii) That where Trading Standards have information of the nature and quality to enforce failed test purchases, they should be tasked to more readily exercise their own statutory review powers so that the matter can then work its way through the system to members to make a determination upon.
- h. That a senior officer of Derbyshire Constabulary should be asked:
  - iv. to confirm or deny the statements made to the SMC working group by representatives of Derbyshire Constabulary about the level of alcohol related crime in Derby and the resource implications that this is presenting for the Police, and:

- v. to comment on the suggestion made by the representatives of Derbyshire Constabulary that there are just too many licensed premises
  - vi. to clarify whether the comments made by the Derbyshire Constabulary representatives amount to a indication on the part of the Police that they are in favour of the establishment of a Saturation Zone.
- i. That wherever legally practicable and the appropriate RAs should recommend that membership of Pubwatch is made a condition of the 'on' licences they consider.
  - j. To investigate ways whereby the views of the Derby Community Safety Partnership and the Derby Primary Care Trust on matters relating to the licensing of premises can be made available to and taken into account by the Licensing Committee.
  - k. Investigate what might be done to change the 'drinking culture' of Derby
  - l. That the means whereby enforcement action taken by Fire Officers is reported to the Council is examined and improved where necessary.

## 28/08      General Licensing Committee Cross Party Working Group Review of Licensing

The Commission considered a report detailing the outcomes and recommendations of the General Licensing Committee's Cross Party Working Group Review of Licensing.

**Resolved to approve the recommendations of the Cross Party Working Group Review of Licensing, and refer to Council for its consideration, as follows:**

1. To support the principle of the introduction of standardised county-wide licensing guidance and conditions, so far as is lawfully permissible and to the extent that doing so does not create a conflict with the need to secure that the terms of any such guidance or conditions remain relevant to the Council's corporate objectives.
2. That the Assistant Director (Environmental Health and Trading Standards) be instructed to undertake investigations, with a view to identifying practical measures to bring about improved joint working in the licensing field by stakeholder partners.
3. That a guide to making representations for non-licence applicants be drawn up and made readily available for distribution, along similar principles to the guide that has been prepared for the use of elected members who are called upon to make representations on behalf of residents of their ward.
4. That additional funding be made available to secure that effective enforcement of the Council's statutory obligations can take place, including but not limited to securing that an after-hours enforcement

**service is created. Part of the funding should also be earmarked to secure that relevant staff are trained, and have their training regularly reviewed.**

- 5. That a report be brought to committee at a future date to initiate discussions about how the Council's Licensing Policy can support the wider Alcohol Strategy for Derby.**
- 6. That training for Licensing Committee members be scheduled into the Member Training Programme like Planning Committee training and that members should not be allowed to sit on Licensing Sub-Committees unless they have received the training.**

### **PLANNING CONTROL COMMITTEE 9 APRIL 2009**

Present: Councillor Wood (Chair)  
Councillors Banwait, Baxter, Bolton, Care, Carr, Grimadell, Harwood and Richards

#### **142/08 Proposed amendments to the Constitution to amend the Scheme of Delegation arrangements**

The Head of Development Control informed the Committee of a series of amendments to the planning department's procedures and the Constitution's Scheme of Delegation to improve the efficiency of the department. The Chair informed members that all three parties had considered this report along with the Cabinet Member and senior officers. He informed the Committee that the Chief Executive had advised that this report be considered at a later date because of the current public sentiment. The Committee considered this advice and the Chair decided to open up the decision to consider this item to Members. It was put to the vote and:

**Resolved to consider the report at this meeting of the Planning Control Committee.**

**(The above resolution was carried on the casting vote of the chair).**

The Committee then considered each section of the report in turn and;

**Resolved to recommend that Council:**

- 1. Amend paragraph 2 of the Planning Control Committee's Scheme of Delegation by;**
  - A. Deleting paragraph 2b which requests that applications for planning permission and advertisement control or any other application made under planning legislation must be determined by the Planning Control Committee where "four or more objections have been received and the officer recommendation is to approve."**
  - B. Amending the remainder of paragraph 2 by inserting the words shown underlined so it now reads;**
- '2. determining individual applications for planning permission and advertisement control and any other application made under planning legislation where:**
  - a. The application is contrary to a Local Plan allocation and the officer recommendation is to approve ; or**
  - b. A Member of the Council has provided a written request, giving reasons,**

to the Director of Regeneration and Community, within three weeks of being sent the weekly list of planning applications which will highlight ward member specific planning applications, that it be determined by the Committee. Where the member concerned does not attend the meeting in person, or submit written representations, the application will be deemed to be determined in accordance with the recommendation of the Director of Regeneration and Community.'

2. Review the amendment in the new paragraph 2(b) in twelve months
3. Retain the three week Planning Control Committee meeting cycle;
4. Approve the following amendments to the Regeneration and Community Departments procedures;
  - A. Provide training annually for all Members informing them of the planning processes and the list of planning applications they receive;
  - B. No longer include enclosures or items in the Political Group Rooms or the Council Chamber Foyer and instead make these available on the Council's website;
  - C. Inform Members in each Committee report after the Section 106 information any reason for potentially missing target dates at the time of writing the report and that developers will be informed that the application will be refused if the agreement is not signed by the target date;
  - D. In the event of an objection to an application by the Conservation Area Advisory Committee and this is subsequently resolved through officer negotiation then this application would not be brought before the Planning Control Committee. In the case of a remaining objection then this would still be brought before the Committee's consideration. This practice to be reviewed in 12 months; and'
  - E. Consult with Members of Conservation Area Advisory Committee on whether they would prefer to receive an e-link to view plans and details.



<p><b>MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL</b></p>
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**COUNCIL CABINET  
7 JULY 2009**

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

In attendance Councillors Jennings and Williamson

This record of decisions was published on 9 July 2009. 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**

### **30/09 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:

- New funding streams – Children and Young People's department
- Neighbourhood budgets outturn
- Capital schemes commencement
- Schools Access Initiatives allocations
- Older People's Strategy reserve
- Investment policy
- Supporting People underspend.

#### **Decision**

1. To add the expenditure and income relating to new funding set out in section 3.1 into the Children and Young People's department budget.
2. To approve the recommendations for 2008/09 Neighbourhood budget carry forwards set out in section 3.2 subject to the amendment of the figures set out in paragraph 3.2.3 of the report.
3. To add Redwood Infant School extension and enhancements scheme to the 2009/10 to 2010/11 capital programme and to request scheme commencement as set out in paragraphs 3.3.1 and 3.3.2.

4. To approve the amendments to the capital schemes at Brookfield Primary and Moorhead Primary as set out in paragraphs 3.3.3 and 3.3.4.
5. To approve the allocations from the Schools Access Initiative Funding for disabled pupils and those with special educational needs as set out in Appendix 2, to add the schemes to the 2009/10 capital programme, and to request scheme commencements.
6. To transfer £1,470,000 to an earmarked reserve to contribute to the funding of the Older People's Strategy, financed by one off efficiency savings within adult social care, including non recurrent funding received as a result of reassessments under the National Health Services Act 2006 - Continuing Health Care.
7. To recommend Council to increase the limit of deposits placed with the Bank of England's Debt Management Office from £25m to £75m.
8. To approve the carry forward of the cumulative under spend of £1.8m on Supporting People budgets from 2008/09.