

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend the Annual Meeting of the Derby City Council in the Great Hall, Assembly Rooms, Derby on Wednesday 25 May 2005 at 11.00 am.

A G E N D A

1. To elect the Mayor of the City for the next municipal year.

2. To appoint the Deputy Mayor of the City for the next municipal year.

3. To thank the retiring Mayor.

Motion - That the thanks of this Council be given to Councillor Ruth Skelton 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. To receive apologies.

5. To appoint the Pinder and Tenter for the ensuring year.

Motion - That Dennis Wardle be appointed Pinder and Tenter for the ensuring year.

6. Presentation of the Derby Civic Awards for 2004/05 to:

Thelma Bradshaw
Dr Keith Dodd
Mohammed Hassan

John Huddlestone
George Mighty
Don Prime

7. To adjourn the Council meeting.

Motion - That the Council now adjourn until 6.00 pm today in the Council Chamber, Council House, Derby.

(Please note that there will be a demonstration of the new multi-media system in the Council Chamber at 4 pm).

8. To receive apologies.

9. To receive Declarations of Interest.

10. To approve the minutes of the meeting of the Council held on 2 March 2005. **DOCUMENT 10**

Motion - That the minutes of the meeting of the Council held on 2 March 2005 be approved as a correct record, confirmed and signed by the Mayor

11. To receive any announcements from The Mayor.
12. To receive any Statements from Members of the Council Cabinet.
13. To receive any questions from the public to Members of the Council Cabinet and the answers to those questions.

No questions have been received.

14. To receive any written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority, and the answers to those questions.

No questions have been received.

15. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.

16. To consider the minutes and recommendations of the Scrutiny Management Commission dated 19 April 2005, and the Council Cabinet dated 26 April 2005 relating to the Review of Derby City Council's Overview and Scrutiny Function, requiring the approval of the Council.

98/04 Draft Report on the Review of Scrutiny

**DOCUMENTS 16A
AND 16B**

Resolved

1. To make the following recommendations on the topic review of the Council's Overview and Scrutiny function:
 - a) The engagement between Council Cabinet and Scrutiny Commissions should be improved.
 - b) Commissions should increase their involvement in scrutiny by reducing the emphasis currently placed on topic reviews and giving more attention to scrutiny.
 - c) Commissions should review their work processes with a view to improving outcomes and the linkages to Council priorities.
 - d) Commissions should identify the skills needed by chairs and members to deliver effective scrutiny and prepare training programmes designed to address any skill shortages they identify.

- e)
 - i) The number of commissions should be reduced from six to four and that the structure should broadly follow that of option 3b in the Review report.
 - ii) In order to promote better relations with Cabinet, the split in functions between Commissions should follow Option 3 in the Cabinet paper dated 26 April 2005, which links each commission with two Cabinet portfolios.
- 2. Subject to paragraph 1, to recommend Council to approve the Scrutiny Management Commission's report on the review of Derby City Council's Overview and Scrutiny Function.

392/04 The Review of the Council's Overview and Scrutiny Function – Proposals for a Revised Structure

DOCUMENTS 16C AND 16D

- 1. To commend the Scrutiny Management Commission for its work in reviewing the current overview and scrutiny function, including options for reform.
- 2. To recommend Council to adopt the scrutiny structure set out in Option 3b of the Commission report.

Motion - (1) To approve the minutes and recommendations of the Scrutiny Management Commission dated 19 April 2005 and Council Cabinet dated 26 April 2005, relating to the Review of Derby City Council's Overview and Scrutiny Function.

(2) To authorise the Director of Corporate Services and Monitoring Officer to amend the Constitution accordingly.

- 17. To elect the Leader and Council Cabinet for the next municipal year.

(Note – In accordance with paragraph 7.2 of Article 7 of the Constitution, the Council Cabinet must consist of the Council Cabinet Leader together with no fewer than two and no more than nine Councillors.)

Motion - To follow

- 18. To approve proposed amendments to the Constitution.

DOCUMENT 18

Motion - To approve the amendments to the Constitution now submitted.

- 19. To approve constitutional appointments.

DOCUMENT 19

- Motion - To approve the constitutional appointments for the next municipal year now submitted.**
20. To appoint the Council's Young People's and Older People's Champions.
- Motion - To appoint Councillor E Berry as the Young People's Champion, and Councillor Lowe as the Older People's Champion.**
21. To approve the Schedule of Meetings. **DOCUMENT 21**
- Motion - To approve the Schedule of Meetings for June 2005 to July 2006 now submitted.**
22. To approve appointments to outside bodies and charities. **DOCUMENT 22**
- Motion - To approve appointments of representatives to serve on outside bodies and charities for the next municipal year, now submitted.**
23. To approve attendances at annual conferences. **DOCUMENT 23**
- Motion - To approve the list of representatives authorised to attend annual conferences for the next municipal year, now submitted.**
24. To consider the minutes and recommendations of the Council Cabinet dated 15 March 2005 requiring the approval of the Council. **DOCUMENTS 24 AND 24A**
- 344/04 Revision of the Council's Environmental Policy**
1. To approve the revised Environmental Policy as set out in appendix 3 of the report.
 2. To recommend Council to formally adopt the new Environmental Policy.
- Motion - To approve the minutes and recommendations of the Council Cabinet dated 15 March 2005.**
25. To consider the minutes and recommendations of the Planning Control Committee dated 28 April 2005 requiring the approval of the Council. **DOCUMENTS 25 AND 25A**
- 126/04 Workload and Organisational Issues**
1. To change the frequency of meetings to twice a month, except in January and August, with effect from the 2005/06 municipal year, for a trial period of six months.

2. to recommend full Council to amend paragraph 2c of the delegations to the Planning Control Committee, set out in Part E of Part 3 of the Constitution, to read:

“A Member of the Council has, within three weeks of being sent notification of an application, written to the Director of Development and Cultural Services requesting its determination by the Committee, giving reasons for the request. 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 Development and Cultural Services.”

Motion - To approve the minutes and recommendations of the Planning Control Committee dated 28 April 2005.

26. To consider the minutes and recommendations of the Standards Committee dated 15 April 2005 requiring the approval of the Council.

DOCUMENTS 26, 26A, 26B, 26C, 26D AND 26E

32/04 Planning Protocol

Resolved to recommend Council to adopt the Planning Protocol.

34/04 Policies and Guidance for Councillors on Information and Communication Technology related Issues

Resolved to recommend Council to approve and adopt the following documents as amended:

- E mail and Internet User Policy for Councillors
- Website Facilities for Councillors – Acceptable Use Policy
- Data Protection Act 1998 – Councillor Guidance for Requesting Access to a Services User's Personal Information.

Motion - To approve the minutes and recommendations of the Standards Committee dated 15 April 2005.

27. To consider the minutes and recommendations of the General Licensing Committee dated 11 May 2005 requiring the approval of the Council.

DOCUMENT 27 AND 27A

Gaming Machines – Prohibited Premises

Resolved to recommend to Council to approve the addition of laundrettes and coin-operated laundrettes to the classes of premises where gaming machines are prohibited.

Motion - To approve the minutes and recommendations of the General Licensing Committee dated 11 May 2005.

28. To consider the minutes and recommendations of the Scrutiny Management Commission dated 19 April 2005 requiring the approval of the Council.

**DOCUMENT 28
AND 28A**

97/04 Draft Annual Report of the Overview and Scrutiny Commissions

Resolved

1. To set the following objectives for Overview and Scrutiny for the coming year, as follows:
 - i) the engagement between Council Cabinet and the Scrutiny Commissions should be improved.
 - ii) commissions should increase their involvement in Scrutiny by reducing the emphasis currently placed on topic reviews and giving more attention to Scrutiny.
 - iii) the Commissions should review their work processes with a view to improving outcomes and the linkages to Council priorities.
 - iv) the Commissions should identify the skills needed by Chairs and Members to deliver effective Scrutiny and prepare training programmes designed to address any skill shortages they identify.
2. To recommend Council to accept the Annual Report of the Overview and Scrutiny Commissions for 2004/05.

Motion - To approve the minutes and recommendations of the Scrutiny Management Commission dated 19 April 2005.

29. To consider a joint report of the Director of Development and Cultural Services and the Director of Corporate Services on the Neighbouring Highway and Traffic Authorities – Agency Agreements and Discharge of Functions

DOCUMENT 29

- Motion –**
1. **To agree to the delegation offered by Derbyshire County Council in respect of the proposed weight restriction amendments in Alvaston and Chellaston.**
 2. **To authorise the Director of Development and Cultural Services and the Director of Corporate Services to carry out and perform such works and tasks, including the making and sealing of Orders, the erection of traffic signs, and any legal or administrative work as may arise from the delegation.**

Director of Corporate Services
and Deputy Chief Executive

The Council House
Derby DE1 2ZL
17 May 2005

Pagenda

**COUNCIL MEETING
2 MARCH 2005**

Present: The Mayor (Councillor Skelton)
Councillors Ahern, Allen, Baxter, Bayliss, E Berry, P Berry,
Blanksby, Bolton, Brown, Burgess, Care, Carr, Chera, Dhamrait,
Dhindsa, Gerrard, Graves, Gupta, Hickson, Higginbottom, Hird,
Hussain, Jackman, Jackson, Jones, Khan, Latham, Leeming,
Liversedge, Lowe, MacDonald, Marshall, Nath, Redfern,
Rehman, Repton, Richards, Roberts, Samra, Smalley, Tittley,
Travis, Troup, Turner, Webb, West, Williamson, Willitts, Winter,
Wynn

Apologies for Absence

There were no apologies for absence.

Declarations of Interest

All members present at the meeting declared personal interests in the matters referred to in Minute No.77/04 – Members' Allowances: Recommendations of the Independent Remuneration Panel for 2005/06. Councillors Allen and Jackson declared personal interests in Minute No. 79/04 – Appointment to the Liversage Trust Charity – as they were themselves trustees of the Liversage Trust Charity.

Announcements from the Mayor

The Mayor said that she had received a certificate from Derbyshire Artists thanking her and the Council for the use of the Guildhall to raise funds for the Tsunami Appeal. A total of £4,357.00 had been raised by the artists.

71/04 Minutes of the Previous Meeting

Resolved that the minutes of the meeting of the Council held on 26 January 2005 be approved as a correct record, confirmed and signed by the Mayor.

72/04 Statements by Members of the Council Cabinet

There were no Statements by Members of the Council Cabinet.

73/04 Public Questions

Questions from members of the public were asked and answered as follows:

1. By Mr A Dunn, concerning spending on the Riverlights project, answered by Councillor Hickson, Deputy Leader of the Council and Council Cabinet Member for Performance Management, Economic Development and Housing.
2. By Mr A Dunn, concerning the position of Derby Cityscape as a consultee on planning applications, answered by Councillor Care, Council Cabinet Member for Planning, Transportation and Environment.

74/04 Written Questions about the Business or Functions of the Derbyshire Police Authority or Derbyshire Fire Authority

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

75/04 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

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

1. By Councillor Blanksby, concerning excessive speed and volume of traffic using Boulton Lane, answered by Councillor Care, Council Cabinet Member for Planning, Transportation and Environment.
2. By Councillor Roberts, concerning the Contractors – Managing Safety Policy, answered by Councillor Carr, Council Cabinet Member for Personnel, Equalities and Direct Services.

76/04 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 the Appendix A to these minutes.

The Mayor said that the Budget related minutes of the Council Cabinet would be taken as one item for the purpose of debate, and that she proposed to allow Councillors Burgess, Hickson and Williamson to speak for more than five minutes in the Budget debate.

It was moved by Councillor Burgess, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 8 and 22 February 2005 and

1. To note the final local government finance settlement announcement.
2. To approve for 2005/6 the departmental estimates and associated virements and use of reserves as included in Appendices 1 and 3 of the report, incorporating the proposals listed in paragraphs 3.18 to 3.39 of the report.
3. To note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 of the report, and to adjust the 2004/5 budget to reflect the proposed use of reserves to support 2005/6 budgets.
4. To approve the measures proposed to manage budget risks in 2005/6 and in future years, set out in paragraphs 3.63 to 3.66 of the report.
5. To approve a budget requirement for Derby City Council for the year ended 31 March 2006 of £269,679,000.
6. To approve within this total:

Service estimates of:	£
Education Department	154,370,000
Social Services Department	67,058,000
Development and Cultural Services Department	37,423,000
Commercial Services Department	4,195,000
Chief Executive's Department	33,052,000
Cross departmental contingencies	1,900,000
Census backdated/LPSA1 Reward/LGBGI Grant	-4,475,000
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	293,523,000
Capital charges	-25,075,000
Net appropriations from Pump Priming Fund	-21,000
Contributions from earmarked reserves as follows:	
Corporate reserves	-2,666,000
Services' reserves	-693,000

Appropriations to corporate reserves	4,225,000
Public Priority revenue financing capital	386,000
	<hr/>
	269,679,000

7. To note that, at its meeting on 26 January 2005, the Council calculated the amount of 68,589.4 as the Council's Tax Base for the year 2005/6 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.
8. To calculate the following amounts for the year 2005/6 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 – the Act.
 - (a) £505,764,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) net of Section 32(3)(c) of the Act.
 - (b) £236,085,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (b) of the Act.
 - (c) £269,679,000 as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act.
 - (d) £204,931,560 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, reduced by the amount of the sums which the Council estimates will be transferred in the year to its Collection Fund from its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax) and the sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge).

(e) £943.99 as the basic amount of its Council Tax for the year, being the amount at (c) above, less the amount at (d) above, all divided by the amount at 7. above, calculated by the Council, in accordance with Section 33 of the Act.

(f) for the following Valuation Bands:

	£		£
A	629.33	E	1,153.77
B	734.21	F	1,363.54
C	839.10	G	1,573.32
D	943.99	H	1,887.98

as the amounts to be taken into account for the year, under Section 30(2)(a) of the Act, in respect of categories of dwellings listed in different valuation bands, being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.

9. To note that for the year 2005/6, Derbyshire Police Authority, as precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
A	86.01	E	157.69
B	100.35	F	186.36
C	114.68	G	215.03
D	129.02	H	258.04

10. To note that for the year 2005/6, Derbyshire Fire Authority, as precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

All dwellings in Valuation Band:

	£		£
A	36.63	E	67.16
B	42.74	F	79.37
C	48.84	G	91.58
D	54.95	H	109.90

11. Having calculating the aggregate in each case of the amounts in 8, 9 and 10 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, to set the following amounts as the amounts of Council Tax for the year 2005/6 for each of the categories of dwellings shown below:

	£		£
A	751.97	E	1,378.62
B	877.30	F	1,629.27
C	1,002.62	G	1,879.93
D	1,127.96	H	2,255.92

12. To note the budget plans for 2006/7 and 2007/8 set out in this report for budget planning purposes and their indicative status.
13. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

Amendment 1 – Lost

It was moved by Councillor Williamson, and seconded, that the under mentioned paragraphs of the motion be amended to read as follows:

"5 To approve a budget requirement for Derby City Council for the year ended 31 March 2006 of £269,342,000."

"6 Corporate Reserves -3,003,000
269,342,000"

"8 (b) £236,422,000

(c) £269,342,000

(e) £939.07

(f)	A	626.05	E	1,147.75
	B	730.09	F	1,356.43
	C	834.73	G	1,565.12
	D	939.07	H	1,878.14"

"11	A	748.69	E	1,372.60
	B	873.48	F	1,622.16

C	998.25	G	1,871.73
D	1,123.04	H	2,246.08"

The amendment was put to the meeting and lost.

Amendment 2 – Lost

It was moved by Councillor Roberts, and seconded, that the under mentioned paragraph of the motion be amended to read as follows:

- "2 To approve for 2005/6 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to a transfer of £1,367,000 within the highways maintenance, street cleaning and grounds maintenance budgets to the control of Area Panels strictly for use on local safer, greener issues and the Director of Corporate Services being given authority to amend the Council's Constitution accordingly."

The amendment was put to the meeting and lost.

Amendment 3 – Lost

It was moved by Councillor Bayliss, and seconded, that the under mentioned paragraphs of the motion be amended to read as follows:

- "2 To approve for 2005/6 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to the filling of the two vacant Area Panel Manager posts at a cost of £70,000 to be funded from income from the Local Authorities Business Growth Incentives Fund, Gershon savings across the Council and increases in income from creative use of the new powers to charge and trade."

- | | | |
|----|------------------------------|--------------|
| "6 | Chief Executive's Department | £33,122,000 |
| | Corporate Reserves | -£2,736,000" |

The amendment was put to the meeting and lost.

Amendment 4 - Lost

It was moved by Councillor Hussain, and seconded, that the under mentioned paragraphs of the motion be amended to read as follows:

- "2 To approve for 2005/6 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to the abolition of home care service charges from 1 April 2005 at a cost of £760,000 to be funded by achieving £380,000 of accelerated

efficiencies in Social Services in 2005/6 and £380,000 from corporate underspends with the budget for 2006/7 being balanced following a detailed budget review from the full year effect of Social Services efficiencies, Gershon savings across the Council, introducing a target to reduce the number of external private child care placements by 10, additional income from the Business Growth Incentive Scheme and increases in income from creative use of the new powers to charge and trade."

"6	Social Services Department	67,438,000
	Corporate reserves	- 3,046,000"

The amendment was put to the meeting and lost on the casting vote of the Mayor.

Amendment 5 – Lost

It was moved by Councillor Graves, and seconded, that the under mentioned paragraphs of the motion be amended to read as follows:

- "2 To approve for 2005/6 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to paragraph 3.35 being amended to include additional expenditure on:

		£000's
a	as one-off allocation:	
	• tree management inspection and treatment work budget	£150 £500
	• enhanced footway and highway repairs, and	£150
	• more facilities for young people	£10
	• conclusion and implementation of social inclusion strategy	£25
	• offer of full benefits check to home care service users and housing benefit/council tax benefit claimants	
	to be funded from the use of corporate underspends in 2004/5, unused balances from LPSA1 reward and census refunds not allocated or committed; and	
b	as ongoing commitment:	
	• further expansion of graffiti removal by £50k to	£80
	• extension of free bulky waste service to include free collections, and	£100
	• additional funding for CAB	£30
	• community centre refurbishment/replacement programme	£180 £60

- street champions fund £90
- neighbourhood advice centre expansion

to be funded from the use of corporate underspends in 2004/5, unused balances from LPSA1 reward and census refunds unallocated in 2005/6 and subsequent funding from accelerated Gershon savings."

"6	Education Department	154,520,000
	Development and Cultural Services Department	37,663,000
	Commercial Services Department	4,345,000
	Chief Executive's Department	33,207,000
	Corporate Reserves	-4,011,000
	Public Priority revenue financing capital	1,066,000"

The amendment was put to the meeting and lost on the casting vote of the Mayor.

Amendment 6 - Carried

It was moved by Councillor Ahern, and seconded, that the under mentioned paragraph of the motion be amended to read as follows:

- "2 To approve for 2005/6 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to the increase in cremation charges being restricted to 4% with the consequential estimated shortfall in income being contained within the Commercial Services Department revenue budget."

The Council consented to the alteration of the amendment to read as follows:

- "2 To approve for 2005/06 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to the increase in cremation charges being restricted up to 4% with the consequential estimated shortfall in income being contained within corporate underspends."

The altered amendment was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 8 and 22 February 2005, and

1. To note the final local government finance settlement announcement.
2. To approve for 2005/06 the departmental estimates and associated virements and use of reserves included in Appendices 1 and 3, incorporating the proposals listed in paragraphs 3.18 to 3.39, subject to the increase in cremation charges being restricted up to 4% with the consequential estimated shortfall in income being contained within corporate underspends.
3. To note the latest budget monitoring position provided in Appendix 6 and summarised in Table 5 of the report, and to adjust the 2004/5 budget to reflect the proposed use of reserves to support 2005/6 budgets.
4. To approve the measures proposed to manage budget risks in 2005/6 and in future years, set out in paragraphs 3.63 to 3.66 of the report.
5. To approve a budget requirement for Derby City Council for the year ended 31 March 2006 of £269,679,000.
6. To approve within this total:

Service estimates of:	£
Education Department	154,370,000
Social Services Department	67,058,000
Development and Cultural Services Department	37,423,000
Commercial Services Department	4,195,000
Chief Executive's Department	33,052,000
Cross departmental contingencies	1,900,000
Census backdated/LPSA1 Reward/LGBGI Grant	-4,475,000
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	293,523,000
Capital charges	-25,075,000
Net appropriations from Pump Priming Fund	-21,000
Contributions from earmarked reserves as follows:	
Corporate reserves	-2,666,000
Services' reserves	-693,000
Appropriations to corporate reserves	4,225,000
Public Priority revenue financing capital	386,000
	<hr/>
	269,679,000

7. To note that, at its meeting on 26 January 2005, the Council calculated the amount of 68,589.4 as the Council's Tax Base for the year 2005/6 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.
8. To calculate the following amounts for the year 2005/6 accordance with Sections 32 to 36 of the Local Government Finance Act 1992 – the Act.

- (a) **£505,764,000** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) net of Section 32(3)(c) of the Act.
- (b) **£236,085,000** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (b) of the Act.
- (c) **£269,679,000** as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act.
- (d) **£204,931,560** being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, reduced by the amount of the sums which the Council estimates will be transferred in the year to its Collection Fund from its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax) and the sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge).
- (e) **£943.99** as the basic amount of its Council Tax for the year, being the amount at (c) above, less the amount at (d) above, all divided by the amount at 7. above, calculated by the Council, in accordance with Section 33 of the Act.

- (f) for the following Valuation Bands:

	£		£
A	629.33	E	1,153.77
B	734.21	F	1,363.54
C	839.10	G	1,573.32
D	943.99	H	1,887.98

as the amounts to be taken into account for the year, under Section 30(2)(a) of the Act, in respect of categories of dwellings listed in different valuation bands, being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.

9. To note that for the year 2005/6, Derbyshire Police Authority, as precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
A	86.01	E	157.69
B	100.35	F	186.36
C	114.68	G	215.03
D	129.02	H	258.04

10. To note that for the year 2005/6, Derbyshire Fire Authority, as precepting authority, has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

All dwellings in Valuation Band:

	£		£
A	36.63	E	67.16
B	42.74	F	79.37
C	48.84	G	91.58
D	54.95	H	109.90

11. Having calculating the aggregate in each case of the amounts in 8, 9 and 10 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, to set the following amounts as the amounts of Council Tax for the year 2005/6 for each of the categories of dwellings shown below:

	£		£
A	751.97	E	1,378.62
B	877.30	F	1,629.27
C	1,002.62	G	1,879.93
D	1,127.96	H	2,255.92

12. To note the budget plans for 2006/7 and 2007/8 set out in this report for budget planning purposes and their indicative status.
13. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

77/04 Members' Allowances – Recommendations of the Independent Remuneration Panel for 2005/06

The Council considered a report of the Director of Corporate Services on Members' Allowances – Recommendations of the Independent Remuneration Panel for 2005/06.

Resolved, on the motion of Councillor Burgess:

1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2.
2. To include in the list of approved duties for Travel and Subsistence and Dependent Carers Allowances, attendance at Members' surgeries and any meeting to which a Member is invited as a ward councillor.
3. To link increases in Basic and Special Responsibility Allowances in 2005/06 to the average salary award for local authority employees of 2.95% with effect from 1 April 2005.
4. Not to pay a Special Responsibility Allowance to members of the Planning Control Committee, other than the Chair.
5. To amend the Members' Allowance Scheme accordingly.

78/04 Derby and Derbyshire Waste Local Plan - Adoption

The Council considered a report of the Director of Development and Cultural Services on the adoption of the Derby and Derbyshire Waste Local Plan.

Resolved, on the motion of Councillor Burgess to adopt the Revised Edition of the Derby and Derbyshire Waste Local Plan, as modified by the Council Cabinet decision on 9 November 2004, in accordance with the provisions of Part II of the Town and Country Planning Act 1990 and to authorise the carrying out of the legal adoption process.

79/04 Appointment to the Liversage Trust Charity

The Council considered a report of the Director of Corporate Services concerning an Appointment to the Liversage Trust Charity.

Resolved, on the motion of Councillor Burgess, to appoint Councillor Samra to the Liversage Trust Charity until 23 September 2008.

80/04 Urgent Non-Executive Decisions made by the Chief Executive

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

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

81/04 Minutes and Recommendations of the Social Care and Health Commission

The Council considered the minutes and recommendations of the Social Care and Health Commission, requiring the approval of the Council, set out in Appendix B to these minutes.

Resolved, on the motion of Councillor Hussain, to approve the minutes and recommendations of the Social Care and Health Commission dated 28 February 2005.

MAYOR

MINUTES OF SCRUTINY MANAGEMENT COMMISSION REQUIRING THE APPROVAL OF COUNCIL
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**SCRUTINY MANAGEMENT COMMISSION
19 APRIL 2005**

Present: Councillor Troup (in the Chair)
Councillors Ahern, Bayliss, P Berry, Graves, Hussain, Jones,
Latham, Lowe, MacDonald, Redfern, Repton, Smalley and
Travis.

98/04 Draft Report on the Review of Scrutiny

The Chair reminded members that the objective was to decide on recommendations for inclusion in the report on the Commission's topic review of the Council's Overview and Scrutiny function. He said that the working group, which had been established at the previous meeting, had met on 12 April 2005 and had been able to agree on four recommendations based on recommendations contained in the IDEA report on the Cabinet/Scrutiny workshop on 22 January 2005.

The working group had been unable to agree on a structure for Overview and Scrutiny.

The Commission considered the following papers:

- a) a report on the outcomes of the meeting of the Review of Scrutiny Working Group held on 12 April 2005.
- b) a report of the Vice Chairs of the Scrutiny Management Commission containing the proposals of the Labour Group.
- c) a report of the Chair of the Scrutiny Management Commission containing the proposals of the Liberal democrat and Conservative Groups.
- d) a report of the Director of Corporate Services setting out revised legal implications for the report submitted to the Commission meeting on 22 March 2005.
- e) a report of the Leader and Deputy Leader to be submitted to the Council Cabinet on 26 April 2005, on the structure of Overview and Scrutiny.

Resolved

- 3. To make the following recommendations on the topic review of the Council's Overview and Scrutiny function:**
 - a) The engagement between Council Cabinet and Scrutiny Commissions should be improved.**
 - b) Commissions should increase their involvement in scrutiny by reducing the emphasis currently placed on topic reviews and giving more attention to scrutiny.**
 - c) Commissions should review their work processes with a view to improving outcomes and the linkages to Council priorities.**
 - d) Commissions should identify the skills needed by chairs and members to deliver effective scrutiny and prepare training programmes designed to address any skill shortages they identify.**
 - e)**
 - i) The number of commissions should be reduced from six to four and that the structure should broadly follow that of option 3b in the Review report.**
 - ii) In order to promote better relations with Cabinet, the split in functions between Commissions should follow Option 3 in the Cabinet paper dated 26 April 2005, which links each commission with two Cabinet portfolios.**
- 4. Subject to paragraph (1) to recommend Council to approve the Scrutiny Management Commission's report on the review of Derby City Council's Overview and Scrutiny Function.**

(The resolutions in paragraph (e) were passed on the casting vote of the Chair. Councillors Ahern, Bayliss, Graves, Hussain, MacDonald, Redfern, and Repton asked that their votes against these resolutions be recorded. A motion to approve the Labour Group's proposals was lost on the casting vote of the Chair. Councillors Ahern, Bayliss, Graves, Hussain, MacDonald, Redfern and Repton asked that their votes in favour of the motion be recorded.)

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 26 APRIL 2005

Present: Councillor Burgess – Chair
Councillors Allen, E Berry, Care, Carr, Hickson, Samra
and West

Also present: Councillor Williamson

This record of decisions was published on 28 April 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

Performance Monitoring

392/04 The Review of the Council's Overview and Scrutiny Function – Proposals for a Revised Structure

The Council Cabinet considered a report from the Leader and Deputy Leader of the Council seeking a Council Cabinet view on the review of the Council's Overview and Scrutiny Function – carried out by the Scrutiny Management Commission.

Decision

- 1. To commend the Scrutiny Management Commission for its work in reviewing the current overview and scrutiny function, including options for reform.**
- 2. To recommend Council to adopt the scrutiny structure set out in Option 3b of the Commissions report**

<p>MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL</p>

**COUNCIL CABINET
15 MARCH 2005**

Present: Councillor Burgess – Chair
Councillors Allen, E Berry, Care, Carr, Hickson, and West

Also present: Councillor Williamson

This record of decisions was published on 17 March 2005. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

Budget and Policy Framework

344/04 Revision of the Council's Environmental Policy

The Council Cabinet considered a report from the Director of Development and Cultural Services regarding the revision of the Council's Environmental Policy. The first Environmental Policy was adopted in 1998 but a revision to this document had been considered necessary for a number of reasons, including the changing nature of environmental issues such as climate change.

Decision

- 1. To approve the revised Environmental Policy as set out in appendix 3 of the report.**
- 2. To recommend Council to formally adopt the new Environmental Policy.**

MINUTES OF PLANNING CONTROL COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL

**PLANNING CONTROL COMMITTEE
28 APRIL 2005**

Present: Councillor Smalley – Chair
Councillors Baxter, Bolton, Chera, Liversedge, Marshall,
Rehman, Travis and Wynn.

126/04 Workload and Organisational Issues

A joint report of the Directors of Corporate Services and Development and Cultural Services was considered that set out proposals relating to changing the frequency of Planning Control meetings. It also suggested changing Part E of Part 3 of the Constitution which contains the delegated powers of the Planning Control Committee.

It was also reported that a new multi-media system was being install in the Council Chamber as an e-Derby, e-Democracy initiative. It was hoped that the system would be ready for use at the Committees' next meeting on 26 May 2005.

Resolved:

1. **to change the frequency of meetings to twice a month, except in January and August, with effect from the 2005/06 municipal year, for a trial period of six months.**
2. **to recommend full Council to amend paragraph 2c of the delegations to the Planning Control Committee, set out in Part E of Part 3 of the Constitution, to read:**

“A Member of the Council has, within three weeks of being sent notification of an application, written to the Director of Development and Cultural Services requesting its determination by the Committee, giving reasons for the request. 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 Development and Cultural Services.”

127/04 Planning Protocol

A report of the Director of Corporate Services was considered which detailed the proposed Planning and Development Control Protocol for Councillors and the recommendation to Council from the Standards Committee to adopt the Planning Protocol.

Resolved to note the recommendation to Council from the Standards Commission to adopt the Planning Protocol.

MINUTES OF STANDARDS COMMITTEE REQUIRING THE APPROVAL OF COUNCIL

**STANDARDS COMMITTEE
15 APRIL 2005**

Present: Reverend Canon R B Blowers – Chair
Mrs C McDowall
Councillors Baxter and Skelton

Officers In Attendance: Michael Foote - Director of Corporate Services
Steve Dunning Assistant Director Democratic
Services
Linda Torney – Principal Solicitor

32/04 Planning Protocol

The Committee considered a report of the Director of Corporate Services on a formal Planning Protocol which would be considered by Council.

Resolved to recommend Council to adopt the Planning Protocol.

**34/04 Policies and Guidance for Councillors on
Information and Communication Technology
related Issues**

The Committee considered a report of the Director of Corporate Services and Monitoring Officer which set out three documents which had been considered at the Members Services Working Party on policies or guidance on Information Communication Technology – ICT – issues:

- E mail and Internet User Policy for Councillors
- Website Facilities for Councillors – Acceptable Use Policy
- Data Protection Act 1998 – Councillor Guidance for Requesting Access to a Services User's Personal Information.

The Committee made the following comments:

E mail and Internet User Policy for Councillors

- To delete the sentence 'reasonable incidental personal use by councillors working at home should be kept to a minimum as such use involves a direct cost to the Council' from section three – 'limited personal use'

- To delete the words 'alleged' and 'deemed to be' from section four – 'expectations'
- To include a definition of 'intranet' in section 14 – 'terminology'
- To amend the contact list on page 9 to include 'John Dunnaway' in place of 'Lee Haynes'.

Resolved to recommend Council to approve and adopt the following documents as amended:

- **E mail and Internet User Policy for Councillors**
- **Website Facilities for Councillors – Acceptable Use Policy**
- **Data Protection Act 1998 – Councillor Guidance for Requesting Access to a Services User's Personal Information.**

DOCUMENT 27

GENERAL LICENSING COMMITTEE 11 MAY 2005

Present: Councillor Jones (Chair)

Councillors Baxter, Bolton, Jackson, Khan, Latham, Leeming,
Redfern, Richards, Roberts, Travis, Willitts and Wynn

08/04 Gaming Machines – Prohibited Premises

The Committee considered a report from the Director of Corporate Services that requested the addition of laundrettes and coin operated laundrettes to the classes of premises where gaming machines are prohibited.

It was reported that in September 1989 the Policy and General Purposes Sub Committee resolved that it would not grant or renew any gaming machines permits for certain types of premises.

Officers raised concerns that a number gaming machines were being proposed, to be sited within laundrettes and coin-operated laundrettes. Many of the premises had extended opening hours, did not have on site staff and were open to children.

Resolved to recommend to Council to approve the addition of laundrettes and coin-operated laundrettes to the classes of premises where gaming machines are prohibited.

<p>MINUTES OF SCRUTINY MANAGEMENT COMMISSION REQUIRING THE APPROVAL OF COUNCIL</p>
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**SCRUTINY MANAGEMENT COMMISSION
19 APRIL 2005**

Present: Councillor Troup (in the Chair)
Councillors Ahern, Bayliss, P Berry, Graves, Hussain, Jones,
Latham, Lowe, MacDonald, Redfern, Repton, Smalley and
Travis.

**97/04 Draft Annual Report of the Overview and
Scrutiny Commissions**

The Chair reminded members that at the meeting on 22 March 2005 it was agreed to defer setting the Overview and Scrutiny objectives for the annual report until after the recommendations of this Commission's topic review on the Council's Scrutiny structure had been agreed.

Councillor Bayliss proposed that the four topic review recommendations that had been agreed by the Working Group at its meeting on 12 April should be adopted as the annual report objectives.

Resolved

- 1. To set the following objectives for Overview and Scrutiny for the coming year, as follows:**
 - i) the engagement between Council Cabinet and the Scrutiny Commissions should be improved.**
 - ii) commissions should increase their involvement in Scrutiny by reducing the emphasis currently placed on topic reviews and giving more attention to Scrutiny.**
 - iii) the Commissions should review their work processes with a view to improving outcomes and the linkages to Council priorities.**
 - iv) the Commissions should identify the skills needed by Chairs and Members to deliver effective Scrutiny and prepare training programmes designed to address any skill shortages they identify.**

- 3. To recommend Council to accept the Annual Report of the Overview and Scrutiny Commissions for 2004/05.**