

Time commenced - 6.00 pm
Time finished - 7.40 pm

**COUNCIL MEETING
18 DECEMBER 2013**

Present: The Mayor (Councillor Hussain (in the Chair))
Councillors Afzal, Allen, Ashburner, Atwal, Bailey, Banwait, Barker, Bayliss, Bolton, Carr, Davis, Harwood, Hickson, Higginbottom, Hillier, Holmes, Ingall, Jackson, Jennings, Keith, J Khan, S Khan, MacDonald, Martin, Naitta, Nawaz, Pegg, Poulter, Radford, Rawson, Redfern, Repton, Roberts, Russell, Sandhu, Shanker, Skelton, Stanton, Tittley, Troup, Turner, Webb, Whitby, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Campbell, Dhindsa, Jones and Williams

46/13 Declarations of Interest

There were no declarations of interest

47/13 Minutes of the previous meeting

Resolved that the Minutes of the meeting of the Council, held on 18 September 2013, be approved as a correct record, confirmed and signed by the Mayor.

48/13 Announcements by the Mayor

The Mayor paid tribute to the life, work and example of Nelson Mandela, former President of South Africa who had passed away on 5 December 2013, aged 95. Council stood for a minute of applause.

The Mayor informed Council of the recent death of former Councillor Madge Topham, who had represented Derwent Ward from 1976 until 1983.

The Mayor informed Council of the excellent work of two Council employees, Kelvin Jones and Mike Garner, both of Streetpride, whose quick action and intervention, in calling the emergency services, may well have saved the life of a seriously ill baby, whose mother had approached them for help. Mick Garner was in the Chamber for this meeting and Council stood to applaud him.

The Mayor informed Council that he intended to introduce, as Item 9a on the agenda, 'Consideration of Minutes of the Audit and Accounts Committee, dated 11 December', which had been previously circulated

49/13 Statements by Members of the Council Cabinet

There were no statements.

50/13 Public Questions

A full list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions from members of the public were put as follows:

1. By Keith Burchell – concerning recent changes to waste collection, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
2. By Simon Bacon – concerning e-mails to councillors, answered by Councillor Russell, Council Cabinet Member for Business, Finance and Democracy
3. By Dorothy Skrytek, – concerning question tampering, answered by Councillor Russell., Council Cabinet Member for Business, Finance and Democracy
4. By Paul Chadwick – concerning Council House trees and planters, answered by Councillor Bayliss, Leader of the Council
5. By Simon Bacon – concerning Sinfin Waste Treatment Plant, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
6. By Dorothy Skrytek –concerning Renewable Obligation Certificates, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
7. By Paul Chadwick – concerning quotes for Council House trees and planters, answered by Councillor Bayliss, Leader of the Council

51/13 Written Questions about the Business or Functions of Derbyshire Fire and Rescue Authority and Derby Homes Ltd

There were no written questions about the business or functions of Derbyshire Fire and Rescue Authority or Derby Homes Ltd.

52/13 Written Questions from Non Council Cabinet Members

Written questions from Non Council Cabinet Members to Members of the Council Cabinet or Committee Chairs were asked as follows:

1. By Councillor Webb – concerning the Public Health budget, answered by Councillor Tittley, Council Cabinet Member for Adults and Health
2. By Councillor Poulter – concerning the Brown Bin Collection Service, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
3. By Councillor Poulter – concerning unwanted brown bins, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
4. By Councillor Holmes–concerning Children and Young People budget proposals, answered by Councillor Rawson, Council Cabinet Member for Children and Young People
5. By Councillor Holmes – concerning adverse winter weather preparations, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride
6. By Councillor Holmes– concerning sculptures at Derby’s Speakers Corner, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride

53/13 Minutes and Recommendations of the Council Cabinet

There were no minutes and recommendations of the Council Cabinet of 16 October, 6 November or 11 December 2013, which required the approval of the Council.

54/13 Minutes and Recommendations of the Audit and Accounts Committee

Council considered the minutes and recommendations of the Audit and Accounts Committee, dated 11 December 2013, requiring the approval of Council

45/13 Protecting the Public Purse 2013

1. To recommend to Council an amendment to its constitutional appointments, to establish the position of an Anti-Fraud Champion, vested with responsibility for monitoring and reviewing the council’s anti-fraud and corruption measures; and
2. that the Chair of the Audit and Accounts Committee be appointed as the council’s Anti-Fraud Champion.

Resolved to approve the minutes and recommendations of the Audit and Accounts committee, dated 11 December 2013.

55/13 Appointments to the Health and Wellbeing Board

The Council considered a report of the Strategic Director of Resources, concerning one new appointment and one replacement nominee to the Health and Wellbeing Board

Resolved on the motion of Councillor Bayliss and seconded:

- 1. To appoint the Derbyshire Police and Crime Commissioner, Mr Alan Charles, to the Health and Wellbeing Board.**
- 2. To appoint Dr Paula Crick, Assistant Dean – Head of School of Health and Social Care, Faculty of Education to the Health and Wellbeing Board in place of Dr Chris Bussell.**

56/13 Co-option of members to the Children and Young People Overview and Scrutiny board

The Council considered a report of the Strategic Director of Resources, concerning the need to ratify appointments of faith and parent governor representatives to the Children and Young People Overview and Scrutiny Board

Resolved on the motion of Councillor Bayliss and seconded:

- 1. To ratify the appointment of the following direct nominees by faith organisations to the Children and Young People Overview and Scrutiny Board, or any successor body holding the same terms of reference, as co-opted members, to serve for four years commencing 1 January 2014:**
 - Reverend Eleanor Berry, representing the Church of England**
 - Dr Chris Reynolds, representing the Catholic Diocese**
 - Dr Phil Henry, representing other faith groups**
- 2. To ratify the appointment of the following parent governor nominees to the Children and Young People Overview and Scrutiny Board, or any successor body holding the same terms of reference, as co-opted members, to serve for four years commencing 1 January 2014:**
 - Dr Didier Matamba, a parent governor at Becket Primary School**
 - Mr Stephen Grundy, a parent governor at Firs Estate Primary School**
 - Ms Bev Stewart, a parent governor at Gayton Junior School**

57/13 Appointments to the Osmaston Regeneration Partnership Joint Venture Vehicle

The Council considered a report of the Strategic Director of Resources, concerning the need to make appointments to the Osmaston Regeneration Partnership Joint Venture Vehicle. The Mayor asked for a Member nomination to that body and Councillor Bayliss was proposed and seconded

Resolved on the motion of Councillor Bayliss and seconded:

- 1. To appoint Councillor Paul Bayliss to the Osmaston Regeneration Partnership as one of the Designated Members for the Council.**
- 2. To appoint the Head of Regeneration Projects, to the Osmaston Regeneration Partnership as one of the Designated Members of the Council.**

58/13 Notices of Motion

1) *Rewiring Public Services*

It was moved by Councillor Bayliss and seconded that

‘Derby City Council welcomes the LGA initiative ‘Rewiring Public Services’ and resolves to support the general thrust of the proposals set out in their programme of 10 Big Ideas.

We believe the re-energising of local authorities is long overdue, following the centralisation of services by successive governments, resulting in councils being unable to adequately provide local services, particularly in the current climate of austerity.

This Council believes that the pursuit of these aims and objectives would significantly enhance the call for a fair deal for Derby that is the current policy of the Council.’

It was moved by Councillor Carr and seconded that the motion be amended by the deletion of the third paragraph

The amendment was carried

Resolved that

‘Derby City Council welcomes the LGA initiative ‘Rewiring Public Services’ and resolves to support the general thrust of the proposals set out in their programme of 10 Big Ideas.

We believe the re-energising of local authorities is long overdue, following the centralisation of services by successive governments, resulting in councils being unable to adequately provide local services, particularly in the current climate of austerity.’

2) *Education in Derby*

Resolved on the motion of Councillor Rawson and seconded that

‘Council notes the article published in the Derby Telegraph on 20 November with the headline: ‘Get your facts straight Mr Gove!’

Council is pleased to recognise that 72 per cent of schools in Derby have been rated either ‘outstanding’ or ‘good’ by OFSTED, compared to just 50 per cent in June 2012. It is noted that Derby’s schools are improving more quickly than the national average. This Council recognises with appreciation the hard work of headteachers, teachers, students and local authority improvement partners, in raising standards and levels of attainment.

Council also rejects the erroneous comments, based on outdated information, made by the Secretary of State for Education, Michael Gove, in response to questioning in the House of Commons from the Member of Parliament for Derby North, Chris Williamson.

This Council therefore agrees to oppose Michael Gove’s ideological policies which are damaging the education system. Despite the increasing prevalence of academies and free schools, Derby City Council recognises its responsibility to intervene where necessary to meet the educational needs of all of Derby’s children and young people whatever the legal status of their school.

Council therefore calls upon the Coalition Government to ensure all local authorities have the powers and resources needed to deliver high levels of educational attainment at all establishments in their area, including free schools, and to guarantee that there is no repeat of the Al-Madinah scandal here or elsewhere.’

3) *Cost of Living Crisis*

Resolved on the motion of Councillor Russell and seconded that

‘Council recognises we are in the midst of a cost of living crisis.

Council notes that prices continue to rise faster than wages for residents in Derby and beyond. Council also recognises that working people are on average £1,600 worse off today than they were in 2010.

Council calls on the Government to ease this burden. Council supports the introduction of the living wage nationally, a freeze on energy prices and the abolition of the bedroom tax.

Council notes that the administration is tackling the cost of living in Derby, despite the intransigence of central government.

Council endorses the introduction of further policies that support working people through the cost of living crisis and will lobby the Government to stand up for the interests of working people, rather than the privileged few.'

4) *Conduct of Councillors*

It was moved by Councillor Higginbottom and seconded that

'This Council agrees that its collective role is to work on behalf of the citizens of Derby to achieve the best results for the city. Council recognises the importance of behaving in a business-like manner and the way to ensure this is to introduce a zero-tolerance of bickering and personal attack within the chamber.'

It was moved by Councillor Hickson and seconded that the motion be amended, by removal of the section

'Council recognises the importance of behaving in a business-like manner and the way to ensure this is to introduce a zero-tolerance of bickering and personal attack within the chamber'

and its replacement with

'Council does however recognise and acknowledge that the democratic process relies on robust debate, but re-affirms that such debate should be within the terms of the Council's Constitution, the Members' Code of Conduct and rulings of the Mayor and Chairs where appropriate'

The amendment was carried.

Resolved that

'This Council agrees that its collective role is to work on behalf of the citizens of Derby to achieve the best results for the city.

Council does however recognise and acknowledge that the democratic process relies on robust debate, but re-affirms that such debate should be within the terms of the Council's Constitution, the Members' Code of Conduct and rulings of the Mayor and Chairs where appropriate'

Mayor