

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend a meeting of Derby City Council in the Council Chamber, The Council House, Derby, on Wednesday 5 March 2014 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 meeting of the Council held on 29 January 2014 **DOCUMENT 3**

Motion - That the minutes of the meeting of the Council held on 29 January 2014 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	Dorothy Skrytek	Planning Conditions
b	Stephen Fowke	Council Resources and Political Literature
c	William Wright	New Communities Strategy Funding
d	Steve Hassall	Flood Defence Funding
e	Simon Bacon	Brown Bin Collection Costs
f	Steve Hassall	Our City, Our River
g	Simon Bacon	DEFRA Recycling Tonnage

(Note – unless the Council decides otherwise, the maximum period of time for questions by the public is thirty minutes.)

7. To receive any written questions about the business or functions of the Derbyshire Fire Authority and Derby Homes and the answers to those questions.

a	Councillor Poulter	Level of Precept for 2014/15
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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 a report of the Strategic Director of Resources, concerning an amendment to Council Procedure Rules, relating to Recorded Votes **DOCUMENT 9**

Motion -

1. To agree that Council Procedure Rule CP71 be amended with the addition of the words 'With the exception of votes relating to the annual approval of the council's budget and Council Tax precepts.'
 2. To agree that Council Procedure Rule CP71 be renumbered CP71a.
 3. To agree that an additional Council Procedure Rule, CP71b, be added stating that: 'For votes relating to the annual approval of the council's budget and Council Tax precepts, the provisions for a recorded vote detailed under CP71a will take place automatically'.
10. To consider minutes and recommendations of the Council Cabinet meeting of 12 February 2014, requiring the approval of the Council.
- DOCUMENT 10**

164/13 Osmaston Vision

1. To recommend Council to approve the borrowing of £1.5million towards the refurbishment costs of the building from the D2N2 Growing Places Fund, to be repaid by rental income generated.
2. To recommend Council to approve the corporate unsupported borrowing of £0.5m to allow the Marble Hall project to commence in advance of receipt of Developer Contributions via the Osmaston Regeneration Partnership in future years, and to amend the 2013/14 - 2015/16 capital programme.

165/13 Joint Committee for Economic Prosperity

1. To recommend Council to appoint the Leader of the Council as representative on the Joint Committee.

Motion –

To approve the above minutes and recommendations of the Council Cabinet meeting of 12 February 2014

170/13 Council Tax 14/15

The precepts from the Derbyshire Police and Crime Commissioner and Derbyshire Fire Authority have been informed to the Council since Council Cabinet met on 12 February. Document 10a has been created to provide the most current position and it is those recommendations which are set out for Council approval below.

DOCUMENT 10a

- 1 To recommend that Council approves the Council Tax

requirement for Derby City Council for 2014/15 of £72,770,013 in line with the detailed calculation presented in Appendix 2.

2. To recommend that Council confirms the following amounts for the year 2014/15, which are consistent with the net budget requirement agreed by the Council at its meeting on 29 January, in accordance with Sections 31A (1) of the Local Government Finance Act 1992 as amended by the Localism Act 2011:

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|---|------------------------------------|--|
| a | £570,149,525 | being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e). |
| b | (£351,866,462) | being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (c) of the Act. |
| c | £218,283,063 | 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 | £145,513,050 | 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, business rates top-up grant, revenue support grant, and additional corporate government grants. |
| e | £1,165.83 | 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 4.1 below, calculated by the Council, in accordance with Section 33 of the Act. |
| f | for the following Valuation Bands: | |
| | £ | £ |
| | A | E |
| | 777.22 | 1,424.90 |
| | B | F |
| | 906.76 | 1,683.98 |
| | C | G |
| | 1,036.29 | 1,943.05 |
| | D | H |
| | 1,165.83 | 2,331.66 |

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.

To note that for the year 2014/15, Derbyshire Police and Crime Commissioner 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	113.48	E	208.05

B	132.39	F	245.87
C	151.31	G	283.70
D	170.22	H	340.44

To note that for the year 2014/15, Derbyshire Fire 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	45.63	E	83.66
B	53.24	F	98.87
C	60.84	G	114.08
D	68.45	H	136.90

To recommend that Council sets the following amounts as the amounts of Council Tax for the year 2014/15 for each of the categories of dwellings shown below, being the aggregate in each case of the amounts in 2.3, 2.4 and 2.5, in accordance with Section 30(2) of the Local Government Finance Act 1992,

All dwellings in Valuation Band:

	£		£
A	936.33	E	1,716.61
B	1,092.39	F	2,028.72
C	1,248.44	G	2,340.83
D	1,404.50	H	2,809.00

Motion –

To approve the above minutes and recommendations of the Council Cabinet meeting of 12 February 2014

note: The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, require that a recorded vote be taken on this motion.

To consider a report of the Strategic Director of Resources, concerning Members' Allowances - Recommendations of the Independent Remuneration Panel for 2014/15.

Motion –

- 1. To continue the established practice of linking the annual uplift of Members' Allowances (both Basic Allowance and Special Responsibility Allowances) to the increase in Council employees' salaries. For 2014/15 this will be a 1% increase, with effect from 1 April 2014.**
- 2. To vary the conditions within Schedule 3 of the Scheme, relating to travelling expenses, to remove consideration of Members' homes as a place of work. To comply with HMRC guidance, the sole place of work will be The Council House and journeys between it and the Member's home will not qualify for a mileage allowance.**
- 3. To make no changes to the Special Responsibility Allowances (SRA), other than the 1% uplift, until the Annual Meeting of the Council on 11 June 2014, recognising that the decisions on constitutional appointments, when all roles are appointed to, is the logical point to introduce change.**
- 4. Subject to recommendation 2.3 being accepted, then at the time of the Annual Meeting the following recommendations be introduced:**
 - a. Councillors continue to be mindful, when making appointments at the Annual Meeting, that payments of Special Responsibility Allowances should be restricted to no more than 50% of all Members, currently a maximum of 25. The IRP recognises the particular commitment made by those who serve on Licensing Committees and Adoption and Fostering Panels and recommends that those SRAs should not be included in the calculation of the 50% target**
 - b. to increase the payment of the SRA to members of the General Licensing Committee and the Taxi Licensing and Appeals Committee, to a level equivalent to 6.25% of the Leader's Allowance, to reflect the time commitment and responsibility of these roles. There is a requirement that each member will attend at least 15% of the meetings called and**

the Panel wishes to receive a report of attendances at its meeting in 2015, to ensure compliance with this condition

- c. to reduce the payment of the SRA to vice-chairs of Scrutiny Boards, to the level currently paid to members of the Adoption and Fostering Panels, and that proposed for members of Licensing Committees, being 6.25% of the Leader's Allowance.
- d. to introduce a condition that the SRA for the Deputy Leader of a political group, be payable only if that group has at least ten members, that number being the minimum required to request a recorded vote in a meeting of Council, under Council Procedure Rule 71
- e. that the Council ceases the practice of funding Members broadband connections, to reflect that employees do not receive a similar benefit. This measure to be phased, so that the minority of Members currently receiving this benefit retain it, until the end of their current electoral term, the effect being a complete phasing out by 2016/17.

- 12 To consider a report of the Strategic Director of Resources, relating to the Pay Policy Statement .

DOCUMENT 12

Motion –

- 1. To approve the Pay Policy Statement attached at Appendix 2.**
- 2. To note that, when approved, the Pay Policy Statement will be published on the Council's website.**

- 13 To consider the following Notices of Motion

- (1) Councillor Hickson to move, Councillor Holmes to second:

'This Council is concerned about the levels of domestic violence across the country, but most particularly within the City of Derby, where domestic violence is a growing issue of concern and where the Council has a direct role in combatting the issue.

The levels of abuse are astonishing with a recent survey showing that 30% of the female population has been subject to domestic violence of one sort or another and that this may be an underestimate, as victims are often reluctant to report this crime

Council wants to confirm its commitment to dealing with this insidious crime and therefore asks the Council Cabinet to bring forward proposals to :

Set up a cross party Domestic Violence Review Panel comprising members and other appropriate agencies to :

- (a) consider and evaluate the levels of domestic abuse within the City
- (b) to 'dip sample' the way that cases have been managed and their outcomes
- (c) to discuss and disseminate the best possible levels of professional practice within the City
- (d) to consider training on this issue for members
- (e) to make recommendations to Cabinet about future resources, training and awareness'

(2) Councillor Hickson to move, Councillor Holmes to second:

'The current arrangements for the Standards Committee at Derby City Council are a serious cause for concern and are not providing the reassurance that the public want or need and are in danger of disenfranchising the lay members that sit on it.

Applying Widdecombe rules, to the constitutional make-up of the Committee, are a barrier to fair adjudications and the inability of lay members to have any meaningful role in the adjudication process, is seen as a very serious obstruction to achieving decisions, which are in the public interest.

Council therefore calls on Council Cabinet to bring forward proposals, for a revised structure for this committee, if it is to exist after the Annual General Meeting of the Council by

- (a) reducing its membership to one member of each political group so that there should not be a majority of any one particular political party on the Committee and
- (b) seeking ways to strengthen and enhance the role of the lay members and making suitable representations to Government and the LGA if that outcome cannot be achieved locally'

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

'This Council warmly congratulates Bombardier on its recent success in achieving the Crossrail contract. The Council is delighted that the United Kingdom's last train manufacturer has an exciting future and that it is remaining in this city, where it belongs and where it adds so much value to Derby.

Council wishes the management and the workforce every success moving forward.'

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

'Council remains concerned about the on-going potential for electoral fraud, following the prosecutions and convictions for corrupt electoral practices in Arboretum Ward.

Council is concerned that public confidence in the voting arrangements managed by this Council were severely damaged as a result of the prosecutions that occurred.

Council therefore requests that the Council Cabinet immediately sets up a formal cross party Democratic Integrity Panel

The panel should be chaired by the Council's Chief Legal Officer and Returning Officer and should have a membership made up from members from each political group, political agents, the Police and such other parties as may have a legitimate interest in the election processes

The role of this new panel shall be to make sure that corrupt electoral practices are driven out of the City and to recommend whatever measures are necessary, to make sure that polling procedures are fair and untainted in future, and that public confidence is restored in the electoral process.'



Janie Berry
Director of Legal and Democratic Services