

Time commenced - 6.00 pm
Time finished - 8.14 pm

COUNCIL MEETING 9 APRIL 2003

Present: The Mayor (Councillor Turner)
Councillors Ahern, L Allen, R J Allen, Baxter, Bayliss, Beech,
E Berry, P S Berry, Blanksby, Bolton, Brown, Burgess, Care, Carr,
Chera, Crosby, Dhamrait, Futers, Gerrard, Graves, Gupta,
Hickson, Hird, A Hussain, F Hussain, Jackman, Jackson, Kalia,
Latham, Lowe, MacDonald, Nath, Redfern, Rehman, Repton,
Roberts, R Skelton, Smalley, Troup, Webb, West, Whitehead,
Williamson, Willitts, Wilsoncroft, Wynn.

Apologies for Absence

Apologies for absence were received from Councillors Jones and
Leatherbarrow.

Declarations of Interest

There were no declarations of interest made.

Announcements from the Mayor

The Mayor referred to the Sikh festival of Visakhi on Sunday 13 April 2003 and
said that he would be taking part in the procession through the city on that day.

The Mayor announced that the following had been declared winners of the
Derby Civic Award for 2002/03:

Laura Bissett	For her work with and for sick, vulnerable and disadvantaged children.
Jean Gemmell	For her contribution to the performing arts particularly through musical theatre.
Mary Storer	For her outstanding work for leukaemia research.
Geoffrey and Cynthia Buckley	For the founding of and services to the Myasthenia Gravis Association.
Mohammod Rasab Khan	For his contribution to racial harmony.
Prem Singh Perdesi	A posthumous award for his outstanding contribution to racial harmony.

The Civic Award Panel had agreed that Gillian Spencer would receive a certificate of commendation.

The Mayor said that this would be last meeting of the Council before the forthcoming Council elections on 1 May 2003. Members paid tribute to Councillor Leatherbarrow and former Councillors Hanson and Lesley Skelton, for their services to the Council.

108/02 Minutes of the Previous Meeting

Resolved that the minutes of the meeting of the Council held on 3 March 2003 be approved as a correct record, confirmed and signed by the Mayor.

109/02 Change of Order of Business

Resolved, in accordance with rule CP39c, to change the order of business in the agenda to allow public questions to be considered next.

110/02 Public Questions

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

1. By Julie Hickson, concerning ownership and development of land adjacent to the War Memorial Village at Allenton/Shelton Lock, answered by Councillor Bolton, Council Cabinet Member for Planning and Prosperity.
2. By Sean Conway, concerning traffic calming measures in Boulton Ward, answered by Councillor Bolton, Council Cabinet Member for Planning and Prosperity.
3. Notice of a public question concerning the council tax increase had been received from Mark Collins. At the appointed time, Mr Collins was not present in the Chamber and Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy, undertook to send Mr Collins a written answer to his question.

111/02 Written Questions about the Business or Functions of the Derbyshire Police Authority or Derbyshire Fire Authority

Written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority were asked as follows:

1. By Councillor Smalley, seeking information about reservist officers of Derbyshire Constabulary being called up for military service, answered by Jo Thornton, Chair of the Derbyshire Police Authority.

2. By Councillor Smalley, seeking assurances from the Chair of the Police Authority concerning the threat to public safety from potential terrorists in the city, following the arrest of eight men on 27 March 2003 under the Terrorism Act, answered by Jo Thornton, Chair of the Derbyshire Police Authority.

112/02 Statements by Members of the Council Cabinet

There were no statements by members of the Council Cabinet.

113/02 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 Appendix A to these minutes.

Resolved, on the motion of Councillor Williamson, to approve the minutes and recommendations of the Council Cabinet dated 18 March and 1 April 2003.

114/02 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

A written question, concerning recycling facilities in the Littleover area, was asked by Councillor Carr, and answered by Councillor Kalia, Council Cabinet Member for Environment and Direct Services.

115/02 Notice of Motion

Meeting with the Chief Constable to discuss crime and disorder issues

It was moved by Councillor Smalley, and seconded, that the public continues to express genuine concern over a range of crime and disorder issues.

There is widespread public frustration at the difficulties faced by the Police in meeting their own targets for dealing with, in particular, the very serious issues of violent crime, burglary and anti social behaviour which disrupt and interfere with peoples lives.

Council therefore requests that an urgent meeting is arranged with the Chief Constable at Derby to fully brief members of the Council about the issues of violent crime, burglary and anti-social behaviour and to inform us what his force's current and future strategies are for reducing the instances of these crimes in particular.

Members can then give the public of this City appropriate and real assurances that their elected members on this Council and the Police Authority are giving these matters the priority they need.

It was moved by Councillor Bayliss, and seconded that the motion be amended by...

- deleting the first two paragraphs
- deleting in the third paragraph the words "an urgent meeting is arranged" and inserting in their place the words "the Council Cabinet Member for Youth and Community organises a meeting"
- deleting in the third paragraph the words "us what his forces current and future strategies are for reducing the instances of these crimes in particular," and inserting in their place the words "councillors about the Derbyshire Constabulary's current strategies for reducing the instances of crime."
- inserting between the third and fourth paragraphs a new paragraph: "It is also requested that the new national crime reporting measures are explained to members at this meeting."
- deleting in the fourth paragraph the words "are giving" and inserting in their place the words "will continue to give".

The amendment was put to the meeting and carried.

Resolved that Council requests that the Council Cabinet Member for Youth and Community organises a meeting with the Chief Constable at Derby to fully brief members of the Council about the issues of violent crime, burglary and anti-social behaviour and to inform councillors about the Derbyshire Constabulary's current strategies for reducing the instances of crime.

It is also requested that the new national crime reporting measures are explained to members at this meeting.

Members can then give the public of this City appropriate and real assurances that their elected members on this Council and the Police Authority will continue to give these matters the priority they need.

116/02 Appointments to the School Admissions Forum

The Council considered a report of the Director of Corporate Services concerning Appointments to the School Admissions Forum.

Councillor Williamson, Leader of the Council, informed the meeting that the two nominees for Parent Governor Representatives had now confirmed their acceptance of the positions. It was pointed out that the first category of representative under recommendation 2 should read "Community and Voluntary Controlled Schools".

Resolved, on the motion of Councillor Williamson:

- (1) To appoint to the School Admissions Forum, Councillors Ahern, L Allen, Gerrard, F Hussain and Latham until the end of the current municipal year.**
- (2) To appoint the following representatives to the School Admissions Forum for a four year term ending on 31 March 2007:**

Community and Voluntary Controlled Schools	Mrs Carran Stevenson Ms Kathy Maher Vacancy
Voluntary Aided Schools	Mr David Byrne
Foundation Schools	Mr Neil Plimmer Mr Lane Dean
Church of England Diocese	Mr David Edwards
Roman Catholic Church Diocese	Miss Rosemary Smith
Parent Governors	Mr Ian Samways Mr Thomas Johnston
City Centre Technology College	Mr Stephen Whitely

117/02 Annual Report of the Overview and Scrutiny Commissions

The Council considered the Annual Report of the Overview and Scrutiny Commissions, submitted under paragraph 6.3(4) of Article 6 of the Constitution. The report summarised the work that the Overview and Scrutiny Commissions had carried out since April 2002, and set out the targets they aspired to achieve in the following year.

Resolved, on the motion of Councillor Graves, to receive the report.

118/02 Urgent Decisions of the Council Cabinet

The Council considered a report of the Director of Corporate Services on Urgent Decisions of the Council Cabinet taken since the previous meeting of the Council.

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

119/02 Urgent Non-Executive Decisions of the Chief Executive

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

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

120/02 Designation of Alcohol Free Zone North Parade and Surrounding Area

The Council considered a report of the Director of Corporate Services which recommended the designation of an Alcohol Free Zone to cover North Parade and the surrounding area.

Resolved, on the motion of Councillor Williamson:

- (1) To approve the designation of North Parade and the surrounding area, shown shaded on the plan attached to the report as an Alcohol Free Zone.**
- (2) To authorise the Director of Corporate Services to make the necessary order, advertise it in a local paper and erect signs in the designated area.**

MAYOR

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 18 MARCH 2003

Present: Councillor Williamson – Chair
Councillors Bayliss, Bolton, Gerrard, Kalia, Nath, Repton, Repton,
Roberts, and Wilsoncroft

Also present: Councillor Care

349/02 Borrowing Limits 2003/04

The Council Cabinet considered a report from the Director of Finance, setting out proposals for long term and short term borrowing limits for the 2003/04 financial year.

Decision

To recommend Council to approve the financial year 2003/04:

- a) an overall borrowing limit of £263.8 million
- b) a short-term borrowing limit at no more than 20% of the overall borrowing limit, that is £52.8 million
- c) no more than 20% of the total interest payable be at rates of interest which can be varied by the lender or by reference to external factors -

Provided that the above be subject to such revision as may be necessary from time to time, and to such further direction as may be received. The Director of Finance be authorised to borrow within such limits as may be set from time to time.

350/02 Housing Allocations Policy

The Council Cabinet considered a report from the Director of Policy, setting out proposals to introduce a new allocations policy from 1 May 2003 in accordance with the Housing Act 1996 and the Homelessness Act 2002. Key components of the proposed scheme were to:

- produce one single allocation scheme applying it both to applicants for social housing and secure or introductory tenants seeking a transfer
- detail categories of applicants who are to be awarded “reasonable

- preference” within the allocation scheme
- provide a mechanism for local authorities to give some applicants a lesser preference
- provide additional information to applicants about their rights under the allocation scheme
- abolish the two year period during which local authorities were subject to the main homelessness duty to secure suitable accommodation until a settled housing solution is found
- provide additional circumstances in which the main homelessness duty can be brought to an end
- amend statutory arrangements for housing allocations to allow local authorities to offer more choice to homeless people and others in housing need
- requires authority to take a strategic approach to combating homelessness
- provide a power to secure accommodation for homeless applicants who are not in priority need.

The Derby Homefinder choice-based letting system had been piloted in four areas of the city since February 2002 and was proposed to go city-wide from 1 May 2003.

Decision

- 1) To amend the Housing Allocations Policy to include the amendments / additions suggested by Derby Homes
- 2) To recommend Council to approve the Housing Allocations Policy and adopt it as part of the Budget and Policy framework to be implemented on 1 May 2003.

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET
1 APRIL 2003

Present: Councillor Williamson – Chair
Councillors Bayliss, Bolton, Gerrard, Kalia, Nath, Repton,
Wilsoncroft and Wynn

Also present: Councillors Care and Hickson
Councillor Ahern attended to speak on minute no 356/02 below.

363/02 Urban Regeneration Company

The Council Cabinet considered a report from the Director of Development and Cultural Services, which outlined the key issues in the legal agreements which needed to be submitted to the Office of the Deputy Prime Minister before the Derby Urban Regeneration Company proposals could be approved.

The Director of Development and Cultural Services reported on amendments suggested following a meeting of the Shadow Board. These included what happens to assets when the company is eventually wound up and membership of the board terms of office.

Options considered

Council Cabinet had approved the Urban Regeneration Company bid on 17 December 2002. This included draft legal agreements which it was assumed would be finalised if the bid was successful. The Urban Regeneration Company Shadow Board was now required to complete the documents and submit them to the Office for the Deputy Prime Minister/Department of Trade and Industry before the bid could be determined. Hence, the proposals described in the report represented the only option available to the Council.

Decision

- 1 To approve the completion of the Urban Regeneration Company legal agreements as outlined in the report for officers to submit as soon as possible to the Office of the Deputy Prime Minister and Department of Trade and Industry.
- 2 To recommend Council to nominate the Leader as its Director and the remainder of the Council Cabinet, Chief Executive, Director of Corporate Services and Deputy Chief Executive and Director of Development and Cultural Services as persons who may act as alternate directors of the Urban Regeneration Company.

Reason

The Urban Regeneration Company bid could not be determined unless these documents were completed.

373/02 City of Derby Local Plan Review – Response to Revised Deposit Plan Consultation

The Council Cabinet considered a report from the Director of Development and Cultural Services, which set out the background for the latest stage of the Local Plan Review process which was a consultation on revisions previously agreed by Cabinet and Council. This would allow the Local Plan Review to proceed to the public inquiry stage. The report identified some of the more significant issues arising from the Revised Deposit stage but noted that most issues were of a fairly minor nature.

Decision

- 1 To agree the recommendations set out in the 'Response to the Revised Deposit Plan Consultations' document, subject to consideration of the views of the Planning and Prosperity and Environment and Sustainability Overview and Scrutiny Commissions which were set out in a separate report.
- 2 To authorise officers to prepare proofs of evidence in support of the Council's position as set out in this and previous reports.
- 3 To authorise officers to negotiate with objectors to put minor changes before the Inspector in the interests of resolving objections.
- 4 To recommend Council to approve the changes to the Local Plan.

376/02 Housing Renewal Policy

The Council Cabinet considered a report for the Director of Policy, which stated that the Government's Regulatory Order on Housing Renewal came into force on 18 July 2002. It had important implications because it repeals much of the existing prescriptive legislation governing the provision of renewal grants for private sector housing. This has been replaced by a wide-ranging power to provide assistance for housing renewal, although Disabled Facilities Grants would remain as a mandatory entitlement.

The new power can only be used when the Council formally adopts and publicises a housing renewal policy.

Decision

To recommend Council to formally adopt and publish the Housing Renewal Policy with effect from 10 April 2003.

378/02 Ofsted / Audit Commission Inspection of the LEA

The Council Cabinet considered a report from the Director of Education, which stated that the Autumn inspection of the Council's functions as a Local Education

Authority represented a significant improvement since the first inspection in 2000. An action plan must be prepared to address the recommendations of the inspection report. The plan must be approved by full Council and submitted to the Secretary of State for Education and Skills and the Office for Standards of Education (Ofsted) and the Audit Commission by 16 April 2003.

Lifelong Learning and Culture Overview and Scrutiny Commission had considered the draft and their comments were reported to Cabinet.

Decision

- 1 To recommend Council to adopt the post-inspection action plan as set out in the Appendix to the report.
- 2 To authorise the Director of Education in consultation with the Council Cabinet Member for Lifelong Learning, to make minor amendments to detail and complete the introductory sections in the light of comments just received from the Department of Education and Skills (DfES) before the adoption of the action plan.