

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend a meeting of the Derby City Council in the Council Chamber at the Council House, Derby on Wednesday 25 January 2006 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 23 November 2005

DOCUMENT 3

Motion - That the minutes of the meeting of the Council held on 23 November 2005 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.	Mr T Dunn	-	Riverlights – Concept and Design
b.	Mr T Dunn	-	Riverlights – Funding
c.	Chris Thornewill	-	CCTV Coverage in Curzon Street
d.	Pat Woolley	-	Riverlights – Refurbishment of existing bus station
e.	Pat Woolley	-	Riverlights – Conditions of contract
f.	Mrs Helen Durose	-	Flooring in bus station café
g.	Chris Poulter	-	Spondon Village Hall
h.	Derek Limer	-	Pickford House Museum
i.	Penny Abreu	-	Planning Control Committee
j.	Penny Abreu	-	Green Lane Homeless Accommodation and Assessment Centre
k.	Matthew Holmes	-	Improvements to Mickleover's roads and pavements
7. 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.
8. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.

9. To consider the minutes and recommendations of the Council Cabinet dated 29 November 2005, 20 December 2005 and 17 January 2006 requiring the approval of the Council. **DOCUMENT 9, 9A, 9F**
- 203/05 Revenue Budget Strategy and Monitoring** **DOCUMENT 9B**
1. To recommend to Council the approval of the changes to 2005/6 budgets set out in Section 3 of the report and Appendix 2.
 2. To note the latest monitoring position in respect of the amended General Fund 2005/6 budgets and the Housing Revenue Account.
 3. To recommend to Council the approval of measures to achieve savings in 2006/7 budgets as set out in Section 5 of the report and Appendix 4.
- 204/05 Contract and Finance Procedures Matters Report** **DOCUMENT 9C**
- To recommend Council to extend the Treasury Management Strategy to authorise the Director of Finance to undertake, during the remainder of 2005/06, borrowing in advance to fund the 2006/07 capital programme, on condition that the capital funding requirement for 2006/07 is not exceeded and that the Director of Finance considers market conditions to be beneficial
- 220/05 Capital Programme and Resource Monitoring 2005/06** **DOCUMENT 9D**
- To recommend Council to approve the changes to the 2005/06 Capital Programme as detailed in Table 4 of the report.
- 221/05 Capital Strategy 2006/07 to 2008/09** **DOCUMENT 9E**
- To recommend to Council an updated and amended set of principles to guide the allocation of funding to support the capital programme from 2006/7 onwards, as set out in Appendix 2.
- 233/05 Supporting Derby Project** **DOCUMENT 9G**
- To recommend that Council approve the addition of capital elements of the project to the Regeneration and Community capital programme and to commence the scheme subject to written confirmation that all the external funding is in place.
- 241/05 Council Tax Base for 2006/07** **DOCUMENT 9H**
- That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 12003/3012), Cabinet agrees the council tax base for the year 2006/07 as 68,966 band D equivalent properties be approved in accordance with the methodology and estimates shown at appendices 2 and 3 of the report.
- 243/05 City of Derby Local Plan – Consideration of Representations made on the Proposed Modifications and Adoption of Plan** **DOCUMENT 9I**
- To recommend that Council approve the report and appendices on 25 January.

245/05 Housing Rents and Service Charges

DOCUMENT 9J

To recommend that Council on 25 January approve the revision of rent and service charges from 3 April 2006 on the basis set out in the report including:

- an average weekly rental increase of £2.41 or 5% calculated over 52 weeks
- an average weekly increase of 3.2% on Service Charges
- an average weekly increase of 5% on Garage Rents.

Motion - To approve the minutes and recommendations of the Council Cabinet dated 29 November 2005, 20 December 2005 and 17 January 2006.

10. To consider the following Notices of Motion:

(1) Councillor Skelton to move, Councillor Marshall to second:

“Council condemns the Labour Group’s plans to close Pickford House to general opening and restrict Sunday and Bank Holiday opening of other museums. This flies in the face of other aims to market Derby to in and outside of the city. Council calls on Cabinet to review these proposals.”

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

“Council acknowledges Pickfords House as one of the most valuable assets in the City and is concerned about plans to restrict access to this museum by limiting its availability to organised tours only which will both severely curtail attendances by the general public and families and seriously reduce the tourist offer in the City. Council therefore calls on the Cabinet to:

1. Abandon any plans to restrict public access to Pickfords House from what it is now.
2. Give a clear undertaking that Pickfords House will not be closed and sold off to meet budget shortfalls either in this year or in any future years.”

(3) Councillor Smalley to move, Councillor Samra to second:

**DOCUMENT
10A**

“The current difficulties with Metro Holst have left the City without a bus station and with the City Centre in chaos due to the temporary location of buses around the City Centre. Whilst acknowledging that the City needs a new bus station it is clearly absurd to leave the current traffic chaos as it is if there is to be a further period of delay and uncertainty whilst the Riverlights scheme is re-evaluated.

Council therefore calls on Cabinet to re-open the bus station immediately until the delays and uncertainties around Riverlights scheme are fully resolved and the entire scheme is ready to proceed.”

(4) Councillor Carr to move, Councillor Troup to second:

“That Derby City Council,

1. expresses its concern at:
 - the decline of local services and facilities which affects local communities and in particular the elderly and people on the lowest incomes;
 - the resulting decline of local jobs and local economies and the resulting extra traffic and pollution caused by the need to travel further
2. and notes that this combination of factors increases people’s feelings of exclusion and lack of involvement; and so
3. supports measures to reverse this process and
4. supports the concept of local sustainability as envisaged in the Sustainable Communities Bill, namely;
 - the promotion of local economies
 - the promotion of local services and facilities
 - the protection of the environment
 - the reduction of social exclusion and
 - measures to increase involvement in the democratic process
5. and accordingly resolves to support the Sustainable Communities Bill which:
 - requires the government to assist councils and communities in promoting local sustainability in ways decided by them; and
 - sets up a participative process whereby councils and communities can drive the way in which government uses its power and influence to assist with the promotion of local sustainability; and
 - notes that this Bill is therefore fully in accord with current thinking in local government in that it impacts on central authorities and does not impose any new duties on councils but instead enables them to influence how government uses its resources and influence to help councils and communities; and
 - specifically provides that where councils themselves decide to take action to promote local sustainability that they should be given the resources to do so; and so
6. resolves to write to:
 - local MPs, asking them to support the Bill; and sign EDM (Early Day Motion) No. 641; and
 - Local Works, the campaign behind the Bill, (at 94 White Lion St, London N1 9PF) expressing its support.”

- (5) Councillor Care to move, Councillor Jones to second:

“Derby City Council notes that the temporary bus station is expected to be here for the next two years. Bus passengers are not happy with the current situation:

- The shortage of seats
- Lack of toilets
- Poor signage and information
- Insufficient shelter
- Too much traffic

Council further notes that officers have sought to improve the situation by increasing the seating, renewing signs and ordering an information kiosk. Traffic will be difficult to divert until the Inner Ring Road Major Maintenance Scheme is complete. Given that it will be at least two years before a permanent bus station is available again, further improvements are a priority.

Council therefore calls on the Cabinet to ensure resources are available to:

- Provide 24 hour toilet facilities in the area
- Significantly increase the number of on-street bus shelters, and
- Investigate providing a ‘waiting room’.”

11. To consider a report of the Corporate Director, Corporate and Adult Social Services concerning Constitutional Appointments and Appointments to Outside Bodies.

DOCUMENT 11

Motion - To approve the following appointments:

Derby Homes Limited Management Board:

Sue Glithero – an independent board member – until October 2008

Nottingham East Midlands Airport Independent Consultative Committee:

Councillor Bolton – member of the Independent Consultative Committee for the remainder of the current municipal year.

Women’s Advisory Committee

Lyn Anglin – Organisational representative of the Friendship Group

12. To consider a report of the Corporate Director, Corporate and Adult Social Services concerning Members’ Allowances – Recommendations of the Independent Remuneration Panel.

DOCUMENT 12

Motion:

1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2
2. To decide whether to have four or two vice chairs of the General Licensing Committee for the remainder of the current municipal year.
3. Subject to 1.2 above, to approve revised Special Responsibility Allowances for the General Licensing Committee as follows:

Position	Pro-rata Percentage	Number	Yearly Allowance (2005/06) £
Vice Chair	6%	4	1640.10
OR			
Vice Chair	12½%	2	3416.87
Member	4%	10	1093.40

4. To amend the current Members' Allowances Scheme with immediate effect.
5. To refer the Panel's suggestion for combining the General Licensing Committee and the Taxi Licensing and Appeals Committee into a single Licensing Committee, to the political groups for further consideration.

13. To consider a report of the Director of Resources concerning the 2004/5 Joint Audit and Inspection Letter.

DOCUMENT 13

Motion:

1. To receive the Joint Audit and Inspection Letter.
2. To note that the Accounts and Audit Committee will discuss details of the letter at its next meeting.
14. To consider a report of the Corporate Director, Corporate and Adult Social Services concerning an Urgent Non-Executive Decision Made by the Chief Executive.

DOCUMENT 14

Motion – To note the report.

M A Jooke

Corporate Director, Corporate and Adult Social Services
and Deputy Chief Executive

The Council House
Derby DE1 2FS
20 January 2006

COUNCIL MEETING 23 NOVEMBER 2005

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

Apologies for Absence

An apology for absence was received from Councillor E Berry.

Declarations of Interest

All members present apart from Councillor Latham declared a personal and prejudicial interest in Minute No. 62/05 – Indemnities for Members and Officers. In accordance with the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002, the Council's Standards Committee had granted dispensations to those Members in respect of this item.

Announcements from the Mayor

The Council stood in silence as a tribute to the memory of former Alderman Albert Swain and former Councillor John Dilks. Councillor Roberts paid tribute to John Dilks' service to the city.

Judy Flack, Chair of the Derby and Sandiacre Canal Society, presented a shield to the Mayor in recognition of the Council's contribution to the society and the canal restoration project.

The Mayor congratulated the Derby Tourist Information Centre for its Gold award as the best Tourist Information Centre in the East Midlands.

The Mayor invited Members and Officers to join him for a Christmas drink on 22 December between 12 noon and 2pm.

The Mayor referred to the fact that this was the last Council meeting before Sue Glithero, Director of Policy, retired after over 30 years service with the

Council. Tributes to Sue Glithero were paid by Councillors Hickson, Jones and Williamson.

54/05 Minutes of the Previous Meeting

Resolved that the minutes of the meeting of the Council held on 14 September 2005 be approved as a correct record, confirmed and signed by the Mayor.

55/05 Statements by Members of the Council Cabinet

Statements by members of the Council Cabinet were made as follows:

1. By Councillor Bolton, Council Cabinet Member for Environment and Direct Services, concerning environment awards to the Council, namely the East Midlands Assembly Award, for work on Pride Park, and two Green Apple Awards.
2. By Councillor Wynn, Council Cabinet Member for Children's and Education Services, announcing that Andrew Flack, Director of Education, had been appointed as the Council's first Director for Children and Young People.

56/05 Public Questions

Questions from members of the public were asked as follows:

1. By Mr M Holmes, concerning education and leisure provision in Mickleover, answered by Councillor Wynn, Council Cabinet Member for Children's and Education Services.
2. By Mr A Hill, concerning congestion charging, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.
3. By Mr A Dunn, concerning air pollution readings in the city centre following the closure of the bus station, answered by Councillor Bolton, Council Cabinet Member for Environment and Direct Services.
4. By Mr A Dunn, concerning the size and number of proposed bus loading bays in the new bus station, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.
5. By Mrs P Taylor, concerning the Council's policy on 'A' boards in the city, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.

6. By Mrs P Woolley, concerning bus services between the bus and train stations, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.
7. By Mrs P Woolley, concerning the bond with MetroHolst relating to the Riverlights development, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.
8. By Ms P Abreu, concerning the agenda for the meeting of the Scrutiny Management Commission on 1 November 2005, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.
9. By Ms P Abreu, concerning the inner ring road and Connecting Derby schemes, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.

57/05 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.

58/05 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 as follows:

1. By Councillor West, concerning the provision of local libraries, answered by Councillor Dhindsa, Council Cabinet Member for Leisure and Cultural Services.
2. By Councillor Latham, concerning average spending on school meals, answered by Councillor Wynn, Council Cabinet Member for Children's and Education Services.
3. By Councillor Smalley, concerning the Fairer Charging Policy for Home Care Charges, answered by Councillor Hussain, Council Cabinet Member for Adult Services.
4. By Councillor Carr, concerning the Single Status Agreement, answered by Councillor Roberts, Council Cabinet Member for Personnel, Performance Management and Economic Development.

5. By Councillor Care, concerning the use of “cancelled” stickers on fly posters, answered by Councillor Bolton, Council Cabinet Member for Environment and Direct Services.

59/05 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.

It was moved by Councillor Williamson, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 27 September 2005.

The Council consented to a proposal by Councillor Williamson to amend the motion by the addition of the following words “with the exception of paragraph 4. of the resolution in Minute No. 125/05 which be amended by the insertion of the words ‘subject to the amendment of the first two bullet points to read:

- Cabinet will be updated on 29 November on progress with planning the revenue budget and with updating the Corporate Plan and will be asked to approve recommendations to the Council on an updated Capital Strategy at its meeting on 20 December.
- Council on 25 January will amend the approved 2005/6 budget to take account of the 1% savings exercise for 2005/6”

(The effect of the amendment, if approved, was that paragraph 4. of the resolution in Minute No. 125/05 would read as follows:

“4. the timetable set out in paragraph 8 of the report subject to the amendment of the first two bullet points to read:

- Cabinet will be updated on 29 November on progress with planning the revenue budget and with updating the Corporate Plan and will be asked to approve recommendations to the Council on an updated Capital Strategy at its meeting on 20 December.
- Council on 25 January will amend the approved 2005/6 budget to take account of the 1% savings exercise for 2005/6.”)

The amendment was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 27 September 2005, as amended.

60/05 Notices of Motion

1. *Air Ambulance Service*

Resolved, on the motion of Councillor Williamson, that Council supports Staffordshire County Council's call for the Government to fund the Air Ambulance Service from central resources instead of this vital, life saving service having to rely on charitable donations as it currently does. Council requests that the city's MPs be asked to lend their support.

2. *Police Reorganisation*

It was moved by Councillor Hickson, and seconded, that Council notes with concern Government proposals to compulsorily reduce the number of police forces which will result in the loss of Derbyshire Police Force and almost certain amalgamation with Nottingham if not an even bigger East Midlands Force.

Council is concerned about the loss of the Derbyshire Force and the implications that will have for policing both in this city and the county.

Council therefore calls on the Home Secretary to reconsider these proposals as a matter of urgency and allow those forces which are delivering to agreed standards to remain in situ if that is the wish of their governing authorities.

It was moved by Councillor Roberts, and seconded, that the motion be amended by the deletion of all words after the word "notes" in the first line and the insertion in their place of the words "the proposals to restructure the Police Forces nationally which may result in the loss of the Derbyshire Police Force. Derby City Council resolves to work closely with the Derbyshire Police Authority and the Chief Constable to seek a solution that delivers first class policing to the citizens of Derby and one that will provide the levels of assurance that give appropriate comfort to their concerns."

The amendment was put to the meeting and carried.

Resolved that the Council notes the proposals to restructure the Police Forces nationally which may result in the loss of the Derbyshire Police Force. Derby City Council resolves to work closely with the Derbyshire Police Authority and the Chief Constable to seek a solution that delivers first class policing to the citizens of Derby and one that will provide the levels of assurance that give appropriate comfort to their concerns.

3. *Area Panel Agendas*

It was moved by Councillor Bayliss, and seconded:

1. To restore the free distribution of paper agendas and the full supporting paperwork for Area Panels to citizens of Derby who request them.
2. To update the list of citizens sent agendas regularly, on the basis of those who currently attend Panel meetings, and to stop sending agendas to any person who does not attend two successive meetings of an Area Panel unless the request is renewed.
3. To continue to make Area Panel papers available electronically through email alerts, the Council's web site and CMIS, and to encourage the use of these access channels.
4. To rescind Minute No. 53/04 (1).

It was moved by Councillor Smalley, and seconded, that the motion be amended by the deletion of paragraphs 1 and 4, the renumbering of paragraphs 2. and 3. as paragraphs 1. and 2., and the insertion of a new paragraph 3. "that the costs of extending any further free distribution of Area Panel agendas are brought before Cabinet for approval prior to implementation."

(The effect of the amendment, if approved, was that the motion would read as follows:

- "1. To update the list of citizens sent agendas regularly, on the basis of those who currently attend Panel meetings, and stop sending agendas to any person who does not attend two successive meetings of an Area Panel unless the request is renewed.
2. To continue to make Area Panel papers available electronically through email alerts, the Council's website and CMIS, and to encourage the use of these access channels.
3. That the costs of extending any further free distribution of Area Panel agendas are brought before Cabinet for approval prior to implementation.")

The amendment was put to the meeting and lost.

Resolved:

- 1. To restore the free distribution of paper agendas and the full supporting paperwork for Area Panels to citizens of Derby who request them.**
- 2. To update the list of citizens sent agendas regularly, on the basis of those who currently attend Panel meetings, and to stop sending agendas to any person who does not attend two successive meetings of an Area Panel unless the request is renewed.**

3. **To continue to make Area Panel papers available electronically through email alerts, the Council's web site and CMIS, and to encourage the use of these access channels.**

4. **To rescind Minute No. 53/04 (1).**

4. *Pension Credit*

It was moved by Councillor Care, and seconded, that Council believes that pensioners deserve a decent level of financial support but that this is being hindered by a Pension Credit system which requires many pensioners to complete a lengthy, and especially to vulnerable people, daunting form to increase their income to a level that the Government considers acceptable.

This Council is concerned that around 4,000 pensioners in Derby who may be entitled to pension credit are not currently receiving it. The Council therefore agrees to:

1. Continue encouraging local pensioners to apply for pension credit.
2. Write to our local MPs expressing our concern with the current system and asking that it is reviewed at the earliest opportunity to remove the barriers which discourage pensioners from receiving a reasonable level of financial support.

It was moved by Councillor Williamson, and seconded, that the motion be amended by the deletion of all words after the word "support" in the first line and the insertion in their place of the words "and therefore welcomes Government initiatives to simplify the process of claiming benefits for pensioners, particularly the shorter claim form for Pension Credit and the introduction of 5 year awards.

Council acknowledges the achievements in promoting take-up of Pensioner Credit in Derby, which have been nationally recognised. This work is vital to local people and also has a beneficial financial impact for the Council.

Council therefore instructs the Cabinet Member for Housing and Social Inclusion to ensure that Derby Advice, the Council's benefits advice service, and Derby Benefits continue to promote take-up of benefits for Derby's pensioners."

The amendment was put to the meeting and carried.

Resolved that this Council believes that pensioners deserve a decent level of financial support and therefore welcomes Government initiatives to simplify the process of claiming benefits for pensioners, particularly the shorter claim form for Pension Credit and the introduction of 5 year awards.

Council acknowledges the achievements in promoting take-up of Pensioner Credit in Derby, which have been nationally recognised. This work is vital to local people and also has a beneficial financial impact for the Council.

Council therefore instructs the Cabinet Member for Housing and Social Inclusion to ensure that Derby Advice, the Council's benefits advice service, and Derby Benefits continue to promote take-up of benefits for Derby's pensioners.

5. School Meals

It was moved by Councillor Smalley, and seconded, that the Conservative Group on Derby City Council instructs Council to ask Cabinet to review its paradoxical decision not to use any of the £150k Government grant earmarked for the improvement of school meals in Derby on the actual ingredients of those meals, instead preferring to spend the money painting the walls of the dining halls in the city's schools.

The motion was put to the meeting and lost.

6. Education White Paper

It was moved by Councillor Latham, and seconded, that this Council congratulates the Secretary of State for Education on her recently announced decision to re-introduce Grant Maintained Schools, albeit by another name, into the state system of education and will fully support the principle when it has passed all its stages through the Parliamentary system to become law.

It was moved by Councillor Williamson, and seconded, that the motion be amended by the deletion of all words after the word "her" in the first line and the insertion in their place of the words "determination to further improve the quality of education for children in England, set out in the Government's recently-published Education White Paper.

Like the Government, this Council believes in education as one of the most important means through which we lessen and eradicate the injustices which still disfigure our society, and with which we create a society where power, wealth and opportunity are in the hands of the many not the few.

Council takes immense pride in the ever-improving educational attainment of the city's children, supported by their teachers, parents, headteachers, and governors.

Council welcomes several aspects of the Education White Paper, in particular

- the extension of school/parent contracts;
- tough new nutritional standards for school food ;
- the abolition of the Schools Organisation Committee;

- the power to act as a champion for the interests of children and parents in schools across the city;
- the introduction of new measures to assist in maintaining school discipline and to manage exclusions;
- more funding for bilingual learners and other minority groups subject to underachievement;
- better provision for Looked After Children.

In spite of this, Council notes that reservations have been expressed about certain aspects of the White Paper, particularly about the ability to ensure a fair admissions policy is maintained throughout the city.

However, Council acknowledges that the White Paper is a discussion document representing an intention to legislate rather than actual legislation.

Council therefore instructs the Cabinet Member for Children's Services to work with others to develop a constructive dialogue with a government that shares this Council's values and its commitments to educational excellence.

The amendment was put to the meeting and carried.

Resolved that this Council congratulates the Secretary of State for Education on her determination to further improve the quality of education for children in England, set out in the Government's recently-published Education White Paper.

Like the Government, this Council believes in education as one of the most important means through which we lessen and eradicate the injustices which still disfigure our society, and with which we create a society where power, wealth and opportunity are in the hands of the many not the few.

Council takes immense pride in the ever-improving educational attainment of the city's children, supported by their teachers, parents, headteachers, and governors.

Council welcomes several aspects of the Education White Paper, in particular

- the extension of school/parent contracts;
- tough new nutritional standards for school food ;
- the abolition of the Schools Organisation Committee;
- the power to act as a champion for the interests of children and parents in schools across the city;
- the introduction of new measures to assist in maintaining school discipline and to manage exclusions;
- more funding for bilingual learners and other minority groups subject to underachievement;
- better provision for Looked After Children.

In spite of this, Council notes that reservations have been expressed about certain aspects of the White Paper, particularly about the ability to ensure a fair admissions policy is maintained throughout the city.

However, Council acknowledges that the White Paper is a discussion document representing an intention to legislate rather than actual legislation.

Council therefore instructs the Cabinet Member for Children's Services to work with others to develop a constructive dialogue with a government that shares this Council's values and its commitments to educational excellence.

61/05 Duration of Meeting

Resolved, on the motion of Councillor Roberts, that, in accordance with Rule CP10, the duration of the meeting be extended beyond four hours.

62/05 Proposed Changes to Political Management Arrangements – Phase 2

The Council considered a joint report of the Director of Corporate Services and Monitoring Officer and the Director of Finance concerning proposed changes to Political Management Arrangements – Phase 2.

It was moved by Councillor Williamson, and seconded:

1. To approve the proposed changes to political management arrangements set out in the report and review their operation in May 2006.
2. To approve the proposed delegations to individual members of the Council Cabinet set out in Appendix 3 of the report.
3. To authorise the Director of Corporate Services to draw up a revised Schedule of Meetings to July 2006 incorporating meetings of individual members of the Council Cabinet and a reduced frequency of Cabinet meetings.
4. To approve the recognition of Opposition Spokespeople and a Shadow Cabinet, and the consequent proposed amendment of Part of the Protocol on Member / Officer Relations set out in Appendix 4 of the report.
5. To approve the proposed amendments to the Constitution set out in Appendix 5 of the report.

6. To establish a cross-party working group (Con 1, Lab 2, Lib Dem 1), under the chairmanship of the Council Cabinet Member for Community Services, Regeneration, Equalities and e-Government to consider ways of increasing citizen engagement through e-democracy initiatives and produce proposals for a future Council meeting.

It was moved by Councillor Smalley, and seconded, that the motion be amended by the addition of the following words:

- “7. To recommend that no further Special Responsibility Allowances (SRA's) are created by the implementation of these proposed new arrangements.”

The amendment was put to the meeting and lost.

Resolved:

1. **To approve the proposed changes to political management arrangements set out in the report and review their operation in May 2006.**
2. **To approve the proposed delegations to individual members of the Council Cabinet set out in Appendix 3 of the report.**
3. **To authorise the Director of Corporate Services to draw up a revised Schedule of Meetings to July 2006 incorporating meetings of individual members of the Council Cabinet and a reduced frequency of Cabinet meetings.**
4. **To approve the recognition of Opposition Spokespeople and a Shadow Cabinet, and the consequent proposed amendment of Part of the Protocol on Member / Officer Relations set out in Appendix 4 of the report.**
5. **To approve the proposed amendments to the Constitution set out in Appendix 5 of the report.**
6. **To establish a cross-party working group (Con 1, Lab 2, Lib Dem 1), under the chairmanship of the Council Cabinet Member for Community Services, Regeneration, Equalities and e-Government to consider ways of increasing citizen engagement through e-democracy initiatives and produce proposals for a future Council meeting.**

(Councillor Williamson indicated that Councillor Jackson would be the second Labour Group representative on the cross-party working group referred to in paragraph 6 above.)

63/05 Indemnities for Members and Officers

The Council considered a report of the Director of Corporate Services concerning Indemnities for Members and Officers.

Resolved, on the motion of Councillor Williamson:

- 1. To approve the provision of Indemnities for Members and Officers on the basis set out in Appendix 2 of this report.**
- 2. To authorise the Director of Finance to secure insurance cover in respect of such indemnities as he considers appropriate.**

(All Members of the Council, apart from Councillor Latham, declared a personal and prejudicial interest in the above Minute but participated in the decision in accordance with a dispensation granted by the Council's Standards Committee.)

64/05 Standards Committee and Independent Remuneration Panel – Membership Issues

The Council considered a report of Director of Corporate Services and Monitoring Officer concerning membership issues relating to the Standards Committee and Independent Remuneration Panel for Members Allowances.

Resolved, on the motion of Councillor Williamson:

- 1. To approve that the term of office of independent members of the Standards Committee be three years with members retiring on a rolling basis in accordance with the table below:**

	First term of office ends at:		
	Annual Meeting in 2006	Annual Meeting in 2007	Annual Meeting in 2008
Mr G Bagga	X		
Canon R B Blowers		X	
Mrs C McDowall			X

- 2. To approve that independent members may serve up to a maximum of three terms of office.**
- 3. To approve that an independent member shall cease to be a member if he/she fails to attend three consecutive meetings without a good reason.**

4. **To invite members of the Independent Remuneration Panel for Members' Allowances to commit themselves to follow the Seven Principles of Public Life set out in the report and to delegate to the Standards Committee the investigation and determination of any complaints of misconduct by Panel members.**

65/05 Constitutional Appointments and Appointments to Outside Bodies

The Council considered a report of the Director of Corporate Services concerning Constitutional Appointments and Appointments to Outside Bodies.

Resolved, on the motion of Councillor Williamson:

1. **To appoint Mrs Susan Haynes as a member of the Derbyshire Valuation Tribunal for a six year term**
2. **To make the following appointments**

Scape System Build Limited:

Councillor Ahern – Director for the remainder of the current municipal year

Chris Edwards, Assistant Director – Property Services – Shareholder Representative – appointed until December 2007

Representative on CLASP - Consortium of Local Authorities Special Projects:

To nominate a Member for the remainder of the current municipal year

3. **To appoint Councillor Turner to the Adoption Panel for the remainder of the current municipal year**

66/05 Urgent 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 since the last meeting of the Council.

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

67/05 Designation of Alcohol Free Zone - City Centre

The Council considered a report of the Director of Corporate Services concerning the designation of an Alcohol Free Zone covering the City Centre.

It was moved by Councillor Williamson, and seconded:

1. To approve the designation of land in the City Centre listed in Appendix 2 of 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.

It was moved by Councillor Burgess, and seconded, that the motion be amended by the insertion of the words “plus Great Northern Road, Sudbury Street and College Mews” between the words “Appendix 2” and “as an Alcohol Free Zone” in paragraph 1.

(The effect of the amendment, if approved, was that paragraph 1. of the motion would read as follows:

“To approve the designation of land in the City Centre listed in Appendix 2, plus Great Northern Road, Sudbury Street and College Mews, as an Alcohol Free Zone.”)

The amendment was put to the meeting and carried.

Resolved:

- 1. To approve the designation of land in the City Centre listed in Appendix 2, plus Great Northern Road, Sudbury Street and College Mews, 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.**

68/05 Review of Departmental Structure 2005

The Council considered a report of the Leader of the Council and the Chief Executive concerning Review of Departmental Structure 2005.

Resolved, on the motion of Councillor Roberts to:

- 1. Approve the new five-director structure for implementation with effect from 1 January 2006 and to approve the slotting-in of the four existing chief officers as follows:**

- **Michael Foote, Deputy Chief Executive**
 - **John Winters, Corporate Director Environmental Services**
 - **Jonathan Guest, Corporate Director Regeneration and Community**
 - **Paul Dransfield, Corporate Director Finance and Performance.**
- 2. Appoint an Ad Hoc Restructuring Committee made up of the following five members:**
- **Councillor Williamson (Chair)**
 - **Councillor Roberts**
 - **Councillor Wynn**
 - **Councillor Jones**
 - **Councillor Hickson.**
- 3. Delegate to the Ad Hoc Restructuring Committee the making of interim arrangements needed to facilitate moving to these new arrangements and the determination of the detailed structures for the implementation on 1 April 2006, including setting up Appointments Panels where necessary and changes to the Council's Constitution.**

69/05 Exclusion of Press and the Public

Resolved, on the motion of the Mayor, that, under Section 100A of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the ground that they involve the likely disclosure of exempt information as defined on paragraphs 1 and 11 of Schedule 12A of the Act.

70/05 Chief Officer Pay Review

The Council considered a report of the Interim Assistant Director, Personnel, concerning the Chief Officer Pay Review.

It was moved by Councillor Roberts, and seconded, to implement the recommendations of the Pay Review as outlined in Appendix 5 of the report, with effect from 1 January 2006.

It was moved by Councillor Carr, and seconded, that the motion be amended by the addition of the words “but to link progression to the top of the grade on a performance – related basis, following the development of a system as outlined in paragraph 2.15.”

(The effect of the amendment, if approved, was that the motion would read as follows:

“To implement the recommendations of the Pay Review as outlined in Appendix 5 of the report, with effect from 1 January 2006, but to link progression to the top of the grade on a performance – related basis, following the development of a system as outlined in paragraph 2.15.”)

The amendment was put to the meeting and lost.

Resolved to implement the recommendations of the Pay Review as outlined in Appendix 5 of the report, with effect from 1 January 2006.

71/05 Voluntary Early Retirement

The Council considered a report of Councillor Roberts and the Chief Executive concerning a Voluntary Early Retirement.

Resolved, on the motion of Councillor Roberts, to approve the Voluntary Early Retirement of Margaret McGlade, Director of Social Services, on 31 January 2006 on the terms set out in the report.

MAYOR

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 29 NOVEMBER 2005

Present Councillor Williamson - Chair
 Councillors Bayliss, Bolton, Dhindsa, Hussain, Repton,
 and Wynn

Also Present: Councillor Jones

This record of decisions was published on 1 December 2005. The 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

203/05 Revenue Budget Strategy and Monitoring

The Council Cabinet considered a report on Revenue Budget Strategy and Monitoring. The report set out the Council's latest spending position for 2005/6 and the progress made to date in formulating the budget for 2006/7. The Council Cabinet was continuing in its determination to keep council tax increases at moderate levels, to fund the abolition of home care charges and to redirect our priorities into local areas and priority neighbourhoods. To achieve this, positive action was being taken by Council Cabinet members working closely with their Chief Officers to identify savings. The report included:

- early identification of £863k of savings within 2005/6 budgets while still aiming to achieve a balanced year end position
- early decisions on some specific 2006/7 savings to allow implementation to commence prior to the start of the next financial year, totalling £1.213m
- updated details of the Council's wider budget position and of ongoing work with Chief Officers to create a balanced position to be consulted on in January.

Decision

1. To recommend to Council the approval of the changes to 2005/6 budgets set out in Section 3 of the report and Appendix 2.

2. To note the latest monitoring position in respect of the amended General Fund 2005/6 budgets and the Housing Revenue Account.
3. To recommend to Council the approval of measures to achieve savings in 2006/7 budgets as set out in Section 5 of the report and Appendix 4.

Contract and Financial Procedure Matters

204/05 Contract and Finance Procedures Matters Report

The Council Cabinet considered setting out a number of contract and finance procedure matters.

- the one-off revenue budget required to complete the job evaluation implementation, and the associated funding
- Education capital scheme commencement for Woodlands Community School pool refurbishment.
- Following a competitive tendering process to award the contact for the management of the Council's golf courses.
- Treasury Management Borrowing Strategy.

Decision

1. To approve a one-off revenue budget of £239,298 in 2005/06 and £223,475 in 2006/07 funded from £198,000 earmarked job evaluation reserve and £265,000 2005/06 job evaluation revenue budget.
2. To approve a capital scheme commencement for the swimming pool refurbishment at Woodlands Community School.
3. To award the contract for the management of the Council's golf courses to Commercial Services for a period of two years from 1 January 2006.
4. To recommend Council to extend the Treasury Management Strategy to authorise the Director of Finance to undertake, during the remainder of 2005/06, borrowing in advance to fund the 2006/07 capital programme, on condition that the capital funding requirement for 2006/07 is not exceeded and that the Director of Finance considers market conditions to be beneficial

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 20 DECEMBER 2005

Present Councillor Williamson - Chair
 Councillors Bayliss, Bolton, Dhindsa, Hussain, Nath,
 Repton, Roberts and Wynn

Also present: Councillors Hickson and Jones

This record of decisions was published on 22 December 2005. The decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a decision is called in.

Budget and Policy Framework

220/05 Capital Programme and Resource Monitoring 2005/06

The Council Cabinet considered a report on Capital Programme and Resource Monitoring 2005/06. A monitoring exercise has been undertaken on the 2005/06 Capital Programme up to the end of October 2005. The report provided information on the expenditure to date and sought the necessary approval for changes to the programme. Prior to the monitoring the 2005/06 revised programme was restated to take account of changes approved at previous Council Cabinet meetings. The restated Capital Programme totalled £82m.

Following detailed monitoring; the programme now required further change, reducing the programme by £2m in 2005/06. There was an associated increase of £3.6m in later years. The net overall increase of £1.6m is broadly matched by additional specific external funding. The changes mainly reflected a combination of programme additions and slippage. Financial Procedure Rules require Council Cabinet approval for the commencement of schemes in excess of £250k.

Decision

1. To recommend Council to approve the changes to the 2005/06 Capital Programme as detailed in Table 4 of the report.
2. To note the latest monitoring position.
3. To approve the commencement of schemes over £250k.

Budget and Policy Framework

221/05 Capital Strategy 2006/07 to 2008/09

The Council Cabinet considered a report on the Capital Strategy 2006/07 to 2008/09. This was the annual report that confirmed the process that would guide capital investment decision making as part of the budget process for 2006/7 onwards. Existing principles guiding this process required updating, including the need to consider supported housing needs when considering the best use of resources for housing, the future impact of the Government's recent proposals on Planning Gain Supplement, and the new division between children's and adult services. The timetable for decision making in 2006 showed how the different service programmes and the corporate programme would be subject to review and scrutiny. The report confirmed the expected funding levels over the period from 2006/7 and the proposed allocation of resources to the corporate capital programme, consistent with the updated principles for guidance. Some updating of indicative corporate allocations from 2006/7 was shown, consistent with approvals made to date and subject to the decisions to be taken in the new year following further review. Further pressures likely to emerge on the corporate programme were also set out in the report. The scale of the Council's approved use of self-financing prudential borrowing was set out and demonstrates the effective use of new powers under the Local Government Act 2003.

Decision

1. To recommend to Council an updated and amended set of principles to guide the allocation of funding to support the capital programme from 2006/7 onwards, as set out in Appendix 2.
2. To agree the planned allocation of resources to the corporate capital programme, as set out in Sections 4.2 to 4.4 and Table 2.
3. To note the ongoing re-evaluation of the corporate capital programme, and revisions made to the indicative programme, prior to later decisions by Cabinet and Council.
4. To confirm the approach to self-financing prudential borrowing set out in Section 5.
5. To confirm the process and timetable for taking decisions on the detailed content of the capital programme for 2006/7 to 2008/9, set out in Appendix 3.

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

**COUNCIL CABINET
17 JANUARY 2006**

Present Councillor Roberts - Chair
 Councillors Bayliss, Bolton, Dhindsa, Hussain, Nath,
 Repton and Wynn

Also present: Councillors Hickson and Jones

This record of decisions was published on 19 January 2006. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Key Decisions

233/05 Supporting Derby Project

The Council Cabinet considered a report on the Supporting Derby Project. Partners working through the Prosperous City Executive of Derby City Partnership have developed a project to help local people take up forthcoming job opportunities at the redeveloped Eagle Centre by targeting training programmes and assisting companies with recruitment. The 'Supporting Derby' project has secured funding under Derby and Derbyshire Economic Partnership's £300,000 allocation to Derby to employ a Project Manager and support the development of a training centre. The Council has been a key partner in the initiative and is best placed to be the Accountable Body. The project will develop a model for partnership working on employment and skills that can be rolled out to future developments within Derby. It will be an important way of supporting the retail sector in the city, which has been identified as a growth area of the local economy through the City Growth Strategy project.

Options Considered

1. The project developed in Birmingham was successful in helping local residents, particularly those from target groups take up job opportunities at the Bull Ring Centre. This had been used as a model of best practice in developing the Supporting Derby project.
2. Derby City Partnership must work proactively with developers to make sure that Derby residents directly benefit from investment through accessing training and taking up job opportunities.

Decision

1. To agree to the Council acting as Accountable Body for the Supporting Derby project.
2. To retrospectively approve a bid for external funding to pay for the 'Supporting Derby' initiative and to approve the launch of the project.
3. To recommend that Council approve the addition of capital elements of the project to the Regeneration and Community capital programme and to commence the scheme subject to written confirmation that all the external funding is in place.

Reasons

The project is strategically important within Derby City Partnership and is included in the Community Strategy. It will help develop a model for structured partnership working on new developments and investment in Derby City that will maximise the benefits for local residents. In particular, the project targets new job and training opportunities to local people.

Budget and Policy Framework

241/05 Council Tax Base for 2006/07

The Council Cabinet considered a report on the Council Tax Base for 2006/07. The Council has to calculate the 'Council Tax Base' for 2006/07 as a means of raising council tax income from Derby council tax payers. The tax base was an estimated figure which equated to the effective number of domestic properties in terms of Band D in the Council's area during the year. It is used to translate total council tax income requirements in a headline charge for Band D. Charges for other bands were calculated as defined fractions of the headline charge. Due to the continued growth in the number of domestic properties the Council Tax Base could be increased from 68,589.4 to 68,966 Band D equivalent properties.

Decision

That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 12003/3012), Cabinet agrees the council tax base for the year 2006/07 as 68,966 band D equivalent properties be approved in accordance with the methodology and estimates shown at appendices 2 and 3 of the report.

243/05 City of Derby Local Plan – Consideration of Representations made on the Proposed Modifications and Adoption of Plan

The Council Cabinet considered a report on the City of Derby Local Plan – Consideration of Representations Made on the Proposed Modifications and Adoption of Plan. A Public Inquiry into objections to the draft City of Derby Local Plan (CDLP) Review was held in 2003-04 and the Inspector's report received in January 2005. Cabinet considered this at its 6 September meeting last year and a number of proposed modifications placed on deposit from the end of September to 11 November 2005. The report considered objections and supporting representations made to these modifications and sought authority to adopt the Plan. There had been a relatively small number of representations, reflecting the late stage in the Plan preparation process. There were slightly more supporting representations (nearly 40) than objections (around 35). Having said that, some of the objections raised issues that required careful consideration. A summary of the representations and full responses to them is set out in Appendix 2, which could be accessed on CMIS. A shorter summary of the main issues was given in the Director's report. One of the objections referred to the Inspector's recommendation that the Council should urgently review its strategy on convenience retail floor space. A review of this strategy was considered by Cabinet at the 6 September meeting and could be viewed on CMIS as Appendix 3. Also available on CMIS, as Appendix 4, was a copy of a retail report submitted with a planning application for development at the former Friar Gate station. This report argued the case in favour of retail use in the bonded warehouse and was relevant in considering the current objections. It was recommended that a number of very minor changes be made to the Plan, but these were not considered significant enough to need advertising as Further Modifications. Subject to Council approval, the next stage would be to adopt the Plan next month. Once adopted, it would replace the existing CDLP.

Decision

1. To approve the responses to representations, including recommended minor changes, as set out in Appendix 2.
2. To adopt the CDLP Review as previously modified and to authorise the Corporate Director, Regeneration and Community to make the necessary arrangements.
3. To authorise the Corporate Director, Regeneration and Community, in consultation with the relevant Cabinet Member to approve any further minor textual and/or technical changes to the Plan and to produce a final printed version of it once the six week period for High Court challenge had expired.
4. To note the contents of Appendix 3 and Appendix 4 of the report and to have regard to these in reaching a decision on recommendations relating to them.

5. To accept the justification for modified Policies R2 and H13 set out in appendix 5 of the report
6. To recommend that Council approve the report and appendices on 25 January.

245/05 Housing Rents and Service Charges

The Council Cabinet considered a report on housing rents and service charges. The Government had set a policy to restructure social housing rents over the 10 year period 2002/03 to 2011/12. This involved moving rents incrementally towards a target so that at the end of the tenth year, council housing rents would have converged with those of other Registered Social Landlords – RSLs. 2006/07 is the fifth year of rent restructuring and included some revisions to Government policy on the process with consequent changes being required to the policy used by the Council in determining the rent increase for its tenants.

Decision

1. To approve a variation to the policy of setting rents at the maximum possible while avoiding Rent Rebate Subsidy Limitation (RRSL) penalty to setting rents at a capped 5% increase for the next two years.
2. To recommend that Council on 25 January approve the revision of rent and service charges from 3 April 2006 on the basis set out in the report including:
 - an average weekly rental increase of £2.41 or 5% calculated over 52 weeks
 - an average weekly increase of 3.2% on Service Charges
 - an average weekly increase of 5% on Garage Rents.