

Time commenced - 11.00 am  
Time adjourned - 12.15pm  
Time reconvened - 6.00 pm  
Time finished - 7.20 pm

## **ANNUAL MEETING OF THE COUNCIL 23 MAY 2012**

Present: The Mayor (Cllr Allen), The Deputy Mayor (Mr F Leeming)  
Councillors Afzal, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton,  
Campbell, Carr, Davis, Dhindsa, Harwood, Hickson, Higginbottom,  
Hillier, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, 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,  
Williams, F Winter, L Winter, Wood.

### **Apologies**

An apology for absence was received from Councillor Bailey.

### **1/12 Election of Mayor**

It was proposed by Councillor Whitby, and seconded, that Councillor Higginbottom be elected Mayor of the City for the next municipal year.

**Resolved that Councillor Lisa Higginbottom be elected Mayor of the City for the next municipal year.**

Councillor Higginbottom then made the declaration of acceptance of office and occupied the chair.

### **2/12 Election of Deputy Mayor**

It was proposed by Councillor Repton, and seconded, that Councillor Shiraz Khan be appointed Deputy Mayor of the City for the next municipal year.

**Resolved that Councillor Shiraz Khan be elected Deputy Mayor of the City for the next municipal year.**

Councillor Khan then made the declaration of acceptance of office.

### **3/12 Thanks to the Retiring Mayor**

**Resolved, on the motion of Councillor Jones, that the thanks of this Council be given to Councillor Leslie Allen, for the zeal, impartiality and ability with which**

**he has discharged the duties of the Office of Mayor of the City for the past year.**

#### **4/12        Thanks to the Retiring Deputy Mayor**

**Resolved, on the motion of Councillor Wood, that the thanks of this Council be given to Mr Frank Leeming, for the zeal, impartiality and ability with which he has discharged the duties of the Office of Deputy Mayor of the City for the past year.**

#### **5/12        Appointment of Pinder and Tenter**

**Resolved, on the motion of the Right Worshipful the Mayor (Councillor Higginbottom), that the Markets Officer be appointed Pinder and Tenter for the ensuing year.**

#### **6/12        Presentation of the Derby Civic Award for 2011/12 and Recognition of Derby Community Champions**

The Mayor presented a crystal goblet and scroll to Eve Allen, winner of the Derby Civic Award for 2011/12.

The Council recognised the Derby Community Champions for 2011/12 as follows:

Chief Constable's Special Award - John Augustin

Achieving Against the Odds Award – Katie Smith

Carer Award – Christine Lister

Diversity Award – Jayshree Thaker

Cultural Champion Award – Andrew Manning

Extra Mile Award – Keith Brampton

Great Neighbour Award – Delia El- Hosayny

Be Inspiring Award – Jenny Birrane

Unsung Sporting Hero Award – Gordon Taylor

#### **7/12        Adjournment of Meeting**

**Resolved, on the motion of the Right Worshipful the Mayor (Councillor Higginbottom), that the Council now adjourn until 6.00 pm today in the Darwin Suite, Assembly Rooms, Derby.**

The Council adjourned at 12.15pm and reconvened in the Darwin Suite, Assembly Rooms, Derby at 6.00 pm on 23 May 2012.

Present: The Mayor (Councillor Higginbottom)  
Councillors Afzal, Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Campbell, Carr, Davis, Dhindsa, Harwood, Hickson, Hillier, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, 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, Williams, F Winter, L Winter, Wood.

## Apologies

An apology for absence was received from Councillor Bailey.

## 8/12 Declarations of Interest

There were no declarations of interest

## 9/12 Announcements from the Mayor

The Council stood in silence, as a tribute to the memory of former Councillor Fred Brocklehurst.

The Mayor introduced Miss Amber Banks to the meeting. During her acceptance speech, earlier that day The Mayor had announced that it was her intention to ask a schoolchild to tell a joke to Council at the start of each meeting and Miss Banks was the first to do so.

## 10/12 Minutes of the Previous Meeting

**Resolved that the minutes of the meeting of the Council held on 5 March 2012 be approved as a correct record, confirmed and signed by the Mayor.**

## 11/12 Election of the Leader of the Council

**Resolved on the motion of Councillor Banwait and seconded that Councillor Bayliss be elected as Leader of the Council.**

## 12/12 Appointment of Council Cabinet

In accordance with the 'Strong Leader' arrangements, the Leader announced that he was appointing the following Council Cabinet:

<b>Area of Responsibility</b>	<b>Councillor</b>
Leader of the Council	Bayliss
Neighbourhoods and Streetpride (Deputy Leader of the Council)	Banwait
Planning, Environment and Public Protection	Dhindsa
Adults and Health	Hussain
Children and Young People	Rawson
Leisure and Culture	Repton
Business, Finance and Democracy	Russell
Housing and Advice	Shanker

## **Areas of Responsibility**

<p><b>Leader of the Council</b></p> <ul style="list-style-type: none"> <li>• Overall strategic leadership</li> <li>• Economic regeneration</li> <li>• Regeneration projects</li> <li>• Performance and improvement</li> <li>• Policy and research</li> <li>• Engagement and consultation</li> <li>• Transformation</li> <li>• Communications</li> <li>• Property and estates</li> </ul>
<p><b>Neighbourhoods and Streetpride (Deputy Leader of the Council)</b></p> <ul style="list-style-type: none"> <li>• Traffic and transportation</li> <li>• Grounds maintenance and cleansing</li> <li>• Highways and engineering</li> </ul>

- Waste management and disposal
- Communities
- Neighbourhood partnerships

### **Planning, Environment and Public Protection**

- Environmental health and licensing
- Trading standards
- Crematorium and cemeteries
- Corporate health and safety
- Climate change
- Development control
- Spatial planning
- Maintenance and energy
- Facilities management

### **Adults and Health**

- Older people's commissioning
- Assessment and support planning
- Enablement services
- Access and direct services
- Safeguarding adults
- Public health
- Care and support
- Sector development

### **Children and Young People**

- School organisation and provision
- Quality, standards and performance
- Inclusion and intervention
- Early intervention
- Safeguarding children
- Disabled children's services
- Children in care
- Adult learning
- Children and young people's commissioning

### **Leisure and Culture**

- Leisure and culture development
- Derby LIVE
- Museums and libraries
- Leisure facilities
- Museums transformation

### **Business, Finance and Democracy**

- Finance and procurement
- Internal audit and risk management
- Customer services
- Benefits
- Legal services
- Democracy
- Human resources and business support
- ICT and business systems

### **Housing and Advice**

- Housing Options service
- Housing strategy
- Housing development
- Empty homes
- Derby Homes

## **13/12      Review of the role of Member Champions**

The Council considered a report of the Strategic Director of Resources on a review of the role of Member Champions, prior to their appointment for the next Municipal Year.

**Resolved on the motion of Councillor Bayliss and seconded, to adopt the proposed governance arrangements, person specification and job description for Member Champions.**

## **14/12      New Standards Regime**

The Council considered a report of the Monitoring Officer, on the implementation of a new Standards Regime, to be introduced from 1 July 2012.

**Resolved on the motion of Councillor Bayliss, that Council**

**1 from 1 July 2012,**

- **adopts the Model Code of Practice**
- **establishes a Standards Committee with five elected members, two Independent Persons and two co-opted members**
- **adopts the proposed procedure for processing and considering complaints for breaches of the Code of Conduct**
- **gives the Monitoring Officer and the Standards Committee delegated authority to deal with complaints about breaches of the Code as set out in the new procedure**

**2 gives the Monitoring Officer authority to advertise for the appointment to the two Independent Persons posts**

**3 gives the Chair of the Standards Committee and two other members, authority to short list and interview candidates for the two Independent Persons posts and to make recommendations to the Council for their appointment and the appointment of the two co-opted independent members**

**4 asks the Monitoring Officer to bring a further report on the registration and disclosure of Members' interests once the new statutory Regulations have been published**

## **15/12 Notices of Motion**

The Council considered a number of Motions, prior to consideration of the Constitutional Appointments for 2012/13.

### **1) Establishment of a Personnel Committee**

**Resolved on the motion of Councillor Russell and seconded that**

**Council establishes a Personnel Committee with the following delegated powers:**

- **To approve corporate personnel and health and safety policies, other than minor or technical changes to existing policies which do not affect the underlying principles of the policies**
- **To approve changes to staffing levels or organisational structures that have a cost of £100,000 a year or more, or where there is no budget**

**provision, unless the change is incidental to a key decision taken by the Council Cabinet**

- **To take key policy decisions in relation to equal pay, single status and job evaluation**
- **To consider disputes over terms and conditions of employment through the formation of a Disputes Resolution Sub-Committee, to consist of three members of the Personnel Committee.**

**And that the Council Constitution and relevant HR policies and procedures are amended accordingly.**

## **2) Establishment of an Employee Appeals Sub Committee**

**Resolved on the motion of Councillor Russell and seconded that**

**Council establishes an Employee Appeals Sub-Committee, to consist of any three members of the General Licensing Committee including at least one Chair or Vice Chair, with responsibility for dealing with:**

- **Regrading appeals by all employees of the council.**
- **Appeals from employees except the Chief Executive against dismissal**
- **The final stages of the grievance and harassment procedures**

**And that the Council Constitution and relevant HR policies and procedures are amended accordingly.**

## **3) Chairing of Overview and Scrutiny**

**Resolved on the motion of Councillor Bayliss and seconded that**

**Council Minute number 77/11 is revoked such that the chairing of Overview and Scrutiny Commissions is not reserved for members of any particular political party, and that the Council Constitution is amended accordingly.**

(Note – In accordance with CP66 this Motion had been signed by at least one third of the members of the Council as it rescinded a decision made at a meeting of Council within the past six months)

## **4) Dis-establishment of the Governance Committee**

**Resolved on the motion of Councillor Bayliss and seconded that**

**Council recognises the work of the Governance Committee over the last two years to assist Members in the move to the Strong Leader model of governance from May 2011.**



**Following the completion of the tasks for which it was established, Council agrees that the Governance Committee is now disestablished.**

## **16/12 Constitutional Appointments for 2012/13**

The Council considered a schedule of Constitutional Appointments for 2012/13.

Amendments were made to the previously circulated schedule, with nominations being received for vacant roles and decisions taken on roles for which there was more than one nomination.

**Resolved on the motion of Councillor Bayliss, to approve the constitutional appointments for 2012/13, as amended**

(The list of Constitutional Appointments as approved by Council is set out in Appendix A to these Minutes)

## **17/12 Appointment of Chairs of Neighbourhood Boards and Ward Committees for the next Municipal Year**

The Council considered the appointment of Chairs of Neighbourhood Boards and Ward Committees for 2012/13. Nominations for the Chairs were invited and appointments were made as follows:

<b>Neighbourhood (Ward)</b>	<b>Appointed</b>
Abbey	Councillor Afzal
Allestree	Councillor Hickson
Alvaston	Councillor L Winter
Arboretum	Councillor S Khan
Blagreaves	Councillor Naitta
Boulton	Councillor Banwait
Chaddesden	Councillor Campbell
Chellaston	Councillor Bailey
Darley	Councillor Repton
Derwent	Councillor Redfern
Littleover	Councillor Ashburner
Mackworth	Councillor Whitby
Mickleover	Councillor Jones
Normanton	Councillor Dhindsa
Oakwood	Councillor Harwood
Sinfin	Councillor Shanker
Spondon	Councillor Jennings

**Resolved to approve the above appointments and to agree that the other two ward Councillors act as Vice Chairs.**

## **18/12 Schedule of Meetings May 2012 to May 2013**

**Resolved, on the motion of Councillor Bayliss and seconded, to approve the Schedule of Meetings for May 2012 to May 2013 now submitted, and as set out in Appendix B to these minutes.**

## 19/12 Notice of Motion

The Council considered the following Motion, prior to consideration of the Appointments to Outside Bodies for 2012/13.

Resolved on the motion of Councillor Hickson and seconded that

**Council recognises that at this time of unprecedented change in local government, it is logical that councils seize opportunities for information sharing and collaboration to ensure they are best placed to deal with the challenges ahead.**

**Council further recognises that the Derbyshire LGA is no longer an active organisation. Council therefore endorses the disbandment of the Derbyshire LGA and the formation in its place of a new group, the Derby and Derbyshire Strategic Leadership Forum, which will be focused on working collaboratively to share information in the interests of all member authorities.**

**Council hereby appoints the following representatives to the Derby and Derbyshire Strategic Leadership Forum:**

- **Leader of the Council, as a voting representative**
- **Adam Wilkinson, Chief Executive, as a non-voting co-opted representative**

## 20/12 Appointments to Outside Bodies and Charities 2011/12

The Council considered a report of the Strategic Director of Resources on appointments to outside bodies and charities. The report highlighted outside bodies where more nominations than places available had been received from the political groups and decisions were taken in those instances.

**Resolved, on the motion of Councillor Bayliss, to approve appointments of representatives to serve on outside bodies and charities for the next municipal year, as amended**

(The list of appointments to Outside Bodies and Charities, as approved by the Council is set out in Appendix C to these minutes).

## 21/12 Attendances at Annual Conferences

The Council considered a previously circulated schedule of representatives to attend Annual Conferences.

**Resolved, on the motion of Councillor Bayliss, to approve the list of representatives authorised to attend annual conferences for the next municipal year, now submitted, set out in Appendix D to these minutes.**

## **22/12       Minutes and Recommendations of the Council Cabinet**

The Council considered the minutes and recommendations of the Council Cabinet dated 17 April 2012 requiring the approval of the Council, being;

212/11 Health and Social Care Act 2012 – Health and Wellbeing Reforms

It was moved by Councillor Bayliss, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 17 April 2012.

**Resolved to approve the minutes and recommendations of the Council Cabinet dated 17 April 2012.**

## **23/12       Minutes and Recommendations of the Audit and Accounts Committee**

The Council considered the minutes and recommendations of the Audit and Accounts Committee dated 29 March 2012 requiring the approval of the Council, being;

69/11 Local Authority Scheme for Financing Schools  
and  
70/11 Financial Procedure Rules

It was moved by Councillor Bayliss, and seconded, to approve the minutes and recommendations of the Audit and Accounts committee dated 29 March 2012.

**Resolved to approve the minutes and recommendations of the Audit and Accounts Committee, dated 29 March 2012.**

MAYOR