

Time commenced - 6.00 pm
Time finished - 10.00 pm

COUNCIL MEETING 15 JULY 2008

Present: The Mayor (Councillor Jackson) (In the Chair)
Councillors Allen, Banwait, Baxter, Bayliss, Bolton, Care, Carr,
Chera, Dhindsa, Graves, Harwood, Hickson, Higginbottom, Hird,
Holmes, Hussain, Ingall, Jennings, Jones, F Khan, R Khan,
Latham, Lowe, Marshall, Naitta, Nath, Poulter, Rawson,
Redfern, Richards, Roberts, Shanker, Skelton, Troup, Tuplin,
Turner, Webb, Williamson, Willoughby, Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Ginns, Grimadell, Leeming, Mitchell, Repton and Williams.

Declarations of Interest

Councillors Banwait, Baxter, Bolton, Care, Carr, Harwood, Richards, Willoughby and Wood stated as a the point of information that, as members of the Planning Control Committee, they would not be involved in any debate or decision with regard to item 17 on the agenda (Notices of Motion - Motion 7).

Personal and prejudicial interests were recorded by Councillors Care, Willoughby, and Webb in item 17 on the agenda (Notices of Motion – Motion 7).

29/08 Minutes of the Previous Meeting

Resolved that the minutes of the Annual Meeting of the Council held on 21 May 2008 be approved as a correct record, confirmed and signed by the Mayor subject to the attendance list be amended substituting Councillor Dhamrait for Councillor Banwait.

30/08 Announcements from the Mayor

The Mayor reported with sadness two deaths, one of a former Mayoress and the other of a former Chief Officer in the Council. Loretta McGiven was Mayoress in 1995/96 and was widowed earlier this year when her husband John passed away. The Mayor said that she was able to represent the Council at her funeral service.

Norman Rushton passed away earlier this month in Hereford aged 89. He served the Council for many years, retiring as Baths and Entertainments Manager, a role that included responsibility for the Assembly Rooms that opened in 1977.

The Mayor referred to the recent centenary celebrations held by Rolls Royce and stated that she had attended an event with the Council's Chief Executive to commemorate this centenary. She stated that she wished to place on record the Council's congratulations to Rolls Royce and thanked the company for its valuable contribution to the City of Derby.

31/08 Public Questions

Questions from members of the public were asked as follows:

1. By Mrs J Blaney, regarding the Wilkins Drive sewer, answered by Councillor Troup, Council Cabinet Member for Public Protection and Housing.
2. By Mr Martin Sear, regarding reducing carbon emissions, answered by Councillor Troup, Council Cabinet Member for Public Protection and Housing.
3. By Mr A Dunn, regarding the future of the 'Hilton Memorial Gardens', answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
4. By Mr A Dunn, regarding the possible misuse of Council powers, answered by Councillor Jones, Leader of Council, and Council Cabinet Member for Corporate Policy and Economic Development.
5. By Colin Underhill, regarding development plans for the Cathedral Quarter/Lanes, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
6. By Colin Underhill, regarding mass on-street parking, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.

32/08 Written Questions about the Business or
 Functions of the Derbyshire Police Authority,
 Derbyshire Fire Authority or Derby Homes Limited.

Questions were asked as follows:

1. By Councillor Jennings to the Chair of the Police Authority, concerning the Police budget for 2008/09 answered by Carol Blister, Vice Chair of Derbyshire Policy Authority.
2. By Councillor Holmes to the Chair of the Police Authority, concerning liquor licensing, answered by Carol Blister, Vice Chair of Derbyshire Police Authority.

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

33/08 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 Graves, concerning capital expenditure for the Alvaston District Centre, answered by Councillor Care, Council Cabinet Member for Planning and Transportation.
2. By Councillor Williamson, concerning the Liberal Democrats campaign handbook, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
3. By Councillor Bayliss, concerning attendance at the Community Commission meeting on 21 July 2008, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
4. By Councillor Williamson, concerning the provisions relating to wasting Police time contained within Section 5(2) of the Criminal Law Act 1967, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Council Policy and Economic Development.
5. By Councillor Hussain, concerning the estimated cost of empty beds in Care Homes and current unoccupied beds, answered by Councillor Skelton, Council Cabinet Member for Adult Services and Health.
6. By Councillor Williamson, concerning confidence in the Council's Senior Officers, answered by Councillor Jones, Leader of the Council

and Council Cabinet Member for Corporate Policy and Economic Development.

34/08 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 Jones, to approve the minutes and recommendations of the Council Cabinet dated 8 July 2008.

35/08 Minutes and Recommendations of the Personnel Committee

The Council considered the minutes and recommendations of the Personnel Committee, requiring the approval of the Council, set out in Appendix B to these minutes.

Resolved, on the motion of Councillor Rawson, to approve the minutes and recommendations of the Personnel Committee, subject to Councillor Hird replacing Councillor Carr to serve on the Disputes Sub Committee for the remainder of the current municipal year.

36/08 Minutes and Recommendations of the Taxi Licensing and Appeals Committee

The Council considered the minutes and recommendations of the Taxi Licensing and Appeals Committee, requiring the approval of the Council, set out in Appendix C to these minutes.

Resolved, on the motion of Councillor Redfern, to approve Minute 06/08 of the Taxi Licensing and Appeals Committee “The Proposed Licensing of Tuk-Tuks and Rickshaws in Derby” and to defer Minute 07/08 of the committee “Request for Relaxation of ‘Contract Hire’ Exemption Regime” to the next meeting of Council.

37/08 Minutes and Recommendations of the Standards Committee

It was moved by Councillor Care, and seconded, that the Council meeting adjourn for a period of ten minutes and the motion was put to the meeting and carried.

Resolved that the meeting adjourn for a period of ten minutes from 6:20pm

The meeting reconvened at 6.30pm .

Resolved, on the motion of Councillor Jones, to approve the minutes and recommendations of the Standards Committee dated 14 July 2008.

38/08 Urgent Non-Executive Decisions made by the Chief Executive

The Council considered a report of the Director of Corporate and Adult Services concerning Urgent Non-Executive Decisions made by the Chief Executive since the previous meeting.

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

39/08 Appointments to Outside Bodies and Amendments to Cabinet Portfolios and Champions

The Council considered a report of the Director of Corporate and Adult Services concerning Appointments to Outside Bodies and Amendments to Cabinet Portfolios and Champions.

During the debate on this report, the Mayor asked that the following be minuted:

- a) That Councillor Care had reluctantly accepted the nomination to Derby Rape Crisis but had stated that, in view of her Cabinet Member commitments, she may not be able to attend meetings of this group.
- b) That nominations of Councillors Hird and Skelton to Derby Women's Centre Steering Committee had been proposed, seconded and carried by the Council, but that Councillors Hird and Skelton had declined the nominations.

Resolved

1. To approve the following appointments to Outside Bodies, as amended, for the remainder of the current municipal year:

- **Community Legal Advice Centre (CLAC) Liaison Board:**
Councillor Nath
- **Compact Forum: Councillor Troup**
- **Derby City Partnership (DCP) Groups – State of the City Forum:**
Councillor Hird

- **DCP Groups – External Funding Management Group:**
Councillor Jones
- **Derby Homes Limited – Board:** Councillor Batey
- **English Churches Housing Group Midland Customer Focus Group:**
Lisa Callow - Housing Options Manager
- **Local Authorities World Heritage Forum:** One officer to be nominated by the Corporate Director, Regeneration and Community.
- **Derby Women's Centre / Steering Committee:** Councillors Ginns and Mitchell
- **Derbyshire Rape Crisis:** Councillors Care and Winter

The appointments to the State of the City Forum, Compact Forum and Derby Homes Limited are in addition to those approved at the Full Council meeting of 21 May 2008.

2. To remove the following bodies from the Outside Bodies list:

- **Derby Community Legal Service Partnership Board**
- **Derbyshire Learning Partnership**
- **Early Years Development and Childcare Partnership**
- **Local Government Association – Tourism Forum**
- **Derby Playhouse**

3. Appointments to Charities

To approve the re-appointment of Councillor Bolton for a four-year term as the Council representative on the Wilmot, Gilbert and Berrysford charity. The term is to run from 3 September 2008 to 2 September 2012.

4. Amendments to Cabinet Portfolios and Champions

- **To transfer 'Community Legal Services' from Housing and Public Protection to Direct and Internal Services .**
- **To transfer 'External Regeneration Funding' from Corporate Policy and Economic Development to Direct and Internal Services.**
- **To designate Councillor Naitta as the Play Champion in place of Councillor Allen.**

40/08 Appointment of Co-optees to the Climate Change Commission

The Council considered a report of the Director of Corporate and Adult Services concerning the Appointment of Co-optees to the Climate Change Commission.

Resolved to approve the co-option of Peter Robinson and Bob Hewins (from the Derby Climate Change Campaign) and Jeremy Fisk to the Climate Change Commission for the 2008/09 municipal year.

41/08 Establishment of Joint East Midlands Health Overview and Scrutiny Committee

The Council considered a report of the Director of Corporate and Adult Services on the establishment of a Joint East Midlands Health Overview and Scrutiny Committee.

Resolved:

- 1. To approve the appointment of a Joint East Midlands Health Overview and Scrutiny Committee.**
- 2. To appoint the chair and vice chair of the Adult Services and Health Commission to the Joint East Midlands Health Overview and Scrutiny Committee.**
- 3. To authorise the Adult Services and Health Commission to approve the protocols governing the workings of the Joint Committee.**

42/08 Notices of Motion

1. *Licensing Statement to Policy*

It was moved by Councillor Hickson, and seconded, that the current problems being generated by binge drinking and extended licensing hours are causing a major problem to the streets of the City of Derby and to local residents.

Police resources are stretched to the limit by the need to police the problems of anti social behaviour and crime caused by excess use of alcohol and the increase in late license applications outside the city centre is also adding to police staffing difficulties.

Council are also concerned about the ability of young people to gain access to alcohol when they should not be entitled to do so, the poor management of some licensed premises and considers that enforcement of the regulations relating to underage selling could be more stringent.

It seems clear that the Licensing Policy is currently too weak to deal with these issues satisfactorily and needs to now be reviewed so that it is far more robust and so that it gives the Licensing Committee stronger and more easily defined powers.

Council therefore calls on the Licensing Committee to launch an urgent and major review of the Licensing Policy of this Council, to involve the relevant Overview and Scrutiny Commission in that review and to come back to Council within six months with tighter, more responsive and more robust Licensing Policy for approval.

It was moved by Councillor Roberts, and seconded, that the motion be amended at paragraph 5 by the deletion of the words “and to come back to Council within six months with tighter, more responsive and more robust Licensing Policy for approval”.

(The effect of the amendment, if approved, was that the motion at paragraph 5 would read as follows:

“Council therefore calls on the Licensing Committee to launch an urgent and major review of the Licensing Policy of this Council, to involve the relevant Overview and Scrutiny Commission in that review.”)

The amendment was put to the meeting and carried.

Resolved, that the current problems being generated by binge drinking and extended licensing hours are causing a major problem to the streets of the City of Derby and to local residents.

Police resources are stretched to the limit by the need to police the problems of anti social behaviour and crime caused by excess use of alcohol and the increase in late license applications outside the city centre is also adding to police staffing difficulties.

Council are also concerned about the ability of young people to gain access to alcohol when they should not be entitled to do so, the poor management of some licensed premises and considers that enforcement of the regulations relating to underage selling could be more stringent.

It seems clear that the Licensing Policy is currently too weak to deal with these issues satisfactorily and needs to now be reviewed so that it is far more robust and so that it gives the Licensing Committee stronger and more easily defined powers.

Council therefore calls on the Licensing Committee to launch an urgent and major review of the Licensing Policy of this Council, to involve the relevant Overview and Scrutiny Commission in that review.

2. Bramblebrook Residential Care Home

With the consent of the Council, Councillor Holmes withdrew this motion.

3. *Play Areas*

It was moved by Councillor Willoughby, and seconded, that before the local elections it was revealed that up to ten play areas would be closed as part of a package of budget cuts to be instigated. The play areas were not identified.

Council therefore calls on Council Cabinet to identify the ten play areas that are at risk and to bring forward immediate proposals that will stop the closure of these play areas.

It was moved by Councillor Carr, and seconded, that the second paragraph of the motion be amended by the deletion of the words "ten" and "immediate" and "that will stop the closure of these play areas" with the insertion of the words "to review the need to close" after the deleted word "proposals".

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

Council therefore calls on Council Cabinet to identify play areas that are at risk and to bring forward proposals to review the need to close any.")

The amendment was put to the meeting and lost.

It was moved by Councillor Care, and seconded, that the second paragraph of the motion be amended by the deletion of the word "immediate".

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

"Council therefore calls on Council Cabinet to identify the ten play areas that are at risk and to bring forward proposals that will stop the closure of these play areas.")

The amendment was put to the meeting and lost.

It was moved by Councillor Roberts and seconded, that the words "unless a local replacement is being provided" be inserted after the final word in the motion.

The amendment was put to the meeting and carried.

Resolved that before the local elections it was revealed that up to ten play areas would be closed as part of a package of budget cuts to be instigated. The play areas were not identified. Council therefore calls on Council Cabinet to identify the ten play areas that are at risk and to bring forward immediate proposals that will stop the closure of these play areas, unless a local replacement is being provided.

4. *Duffield Road Bus Lane*

It was moved by Councillor Willoughby, and seconded, that the Duffield Road bus lane has been the source of major complaints from local residents in Darley and Allestree Wards.

The narrowness of the lanes has meant that residents trying to get cars into their properties remains fraught with danger and it also remains extremely dangerous for cyclists due to the narrowness of the incoming and outgoing lanes. Congestion has not been eased and overtaking stationary vehicles or buses on the outgoing lane is very hazardous indeed. Nor is there any justification for the bus lane to be in force 24 hours a day when congestion is limited to little more than an hour at the beginning and end of the rush hour on Mondays to Fridays.

The intention to improve bus journey times has not had the required result and when balanced against the health and safety of pedestrians, cyclists, residents and car users and the increase in pollution from stationary cars and the increase in journey times for motorists entering and leaving the City it means that the bus lane has been an unmitigated failure.

Council therefore calls on the Council Cabinet to bring a report to its next meeting to end this experiment and to return Duffield Road to the way it was before the bus lanes were introduced.

It was moved by Councillor Care, and seconded, that paragraph 3 of the motion be amended with the deletion of the word “not” and the replacement of the words “and when” with “but” and the insertion of the word “possible” before the word “increase” and the deletion of the words “has been unmitigated failure” and the insertion of the words “need careful consideration”.

Additionally further amendment be made to paragraph 4 of the motion with the deletion of the words “end this experiment to return Duffield Road to the way it was before the bus lanes were introduced” and the insertion of the words “evaluate the operation of the bus lane and decide if the experiment should continue, be amended or be abandoned”.

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

“The Duffield Road bus lane has been the source of major complaints from local residents in Darley and Allestree Wards.

The narrowness of the lanes has meant that residents trying to get cars into their properties remains fraught with danger and it also remains extremely dangerous for cyclists due to the narrowness of the incoming and outgoing lanes. Congestion has not been eased and overtaking stationary vehicles or buses on the outgoing lane is very hazardous indeed. Nor is there any justification for the bus lane to be in force 24 hours a day when congestion is

limited to little more than an hour at the beginning and end of the rush hour on Mondays to Fridays.

The intention to improve bus journey times has had the required result but when balanced against the health and safety of pedestrians, cyclists, residents and car users and the possible increase in pollution from stationary cars and the increase in journey times for motorists entering and leaving the City it means that the bus lane needs careful consideration.

Council therefore calls on the Council Cabinet to bring a report to its next meeting to evaluate the operation of the bus lane and decide if the experiment should continue, be amended or abandoned.”)

The amendment was put to the meeting and lost.

The substantive motion was put to the meeting and lost.

Duration of Meeting

In accordance with Rule CP10 it was moved by Councillor Turner, and seconded, that the meeting continue beyond four hours. The motion was put to the meeting and lost.

5. Gayton Pool

Resolved, on the motion of Councillor Marshall, that in view of the Liberal Democrats’ promise to save Gayton Pool both before and during the local elections, it is now time for them to deliver on that promise.

Council therefore calls on the Council Cabinet to bring forward proposals to repair and re-open the pool and calls upon the Leader of the Council to make a definitive statement about when the pool will be repaired and when it will be brought back into use.

Duration of Meeting

In accordance with Rule CP10, it was moved by Councillor Bayliss, and seconded, that the meeting continue until all business had been considered. The motion was put to the meeting and lost.

6. Council Mortgages

It was moved by Councillor Williamson, and seconded, that Council acknowledges that the previous administration created a climate that had insulated the city from the effects of the credit crunch.

The policies the previous administration pursued brought inward investment to regenerate the city, which in turn created jobs and prosperity for growing numbers of Derby’s residents.

Council agrees that the housing market is important to the city's booming economy but is currently very fragile.

Council believes the authority should intervene in a failing mortgage market to ensure the city's economy continues to grow.

Council therefore calls on the council cabinet to investigate using the authority's access to prudential borrowing to provide mortgages to first time buyers and people under threat of repossession.

Council further agrees to write to the secretary of state to amend section 438 and schedule 16 of the 1985 Housing Act to allow local authorities to set their own interest rates.

In accordance with Rule CP10 the meeting finished at 10:00pm and the remaining business would be considered at a time and date to be fixed by the Mayor or, if she did not fix a date, at the next ordinary meeting of the Council.

Mayor

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 8 JULY 2008

Present: Councillor Jones (Chair)
Councillors Allen, Care, Carr, Naitta, Skelton and
Troup

In attendance: Councillors Hickson and Williamson

This record of decisions was published on 10 July 2008. 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

33/08 Application to Secretary of State to Save Policies of the City of Derby Local Plan Review

The Council Cabinet considered a report on an application to the Secretary of State to, Save Policies of the City of Derby Local Plan Review. The City of Derby Local Plan Review (CDLPR) was adopted on 25 January 2006. Under transitional arrangements for the new planning system set out in the Planning and Compulsory Purchase Act 2004, its policies remained in force only until January 2009. After this time these policies would expire. In order to prevent a policy vacuum until the Local Development Framework was in place, Local Authorities can seek to retain policies beyond their expiration date by applying to the Secretary of State. This was achieved by providing the Government Office with a schedule of policies, setting out the Council's recommendations and justification, in respect of whether each policy should be 'saved'.

The schedule must be submitted at least 6 months prior to the expiration date. The Secretary of State would then issue a direction confirming which policies could be 'saved'. Appendices 2 and 3 identified all policies within the CDLPR and assess them against the criteria set out in the Government's protocol on how to save Local Plan policies. Appendix 2 identified those policies which were recommended to be saved. Appendix 3 identified those which were not. Most policies were recommended to be saved. Generally, those which were not were because they have now expired (such as housing proposals which have been built) or where they simply repeat national policy guidance (such as the telecommunications policy).

Options Considered

There were no other options considered.

Decision

To recommend to Council that the schedule of policies in Appendix 2 is submitted to the Government Office for the East Midlands (GOEM) for the Secretary of State's consideration as the City Council's application to save policies of the City of Derby Local Plan Review.

Budget and Policy Framework

35/08 Post Inspection Action Plan of the Joint Area Review of Children and Young People's Services

The Council Cabinet considered a report on the Post-Inspection Action Plan of the Joint Area Review of Children and Young People's Services.

Decision

1. To note the positive outcome of the Joint Area Review - JAR - and the supporting action plan to implement inspection recommendations.
2. To request Council to give retrospective approval for the JAR post-inspection action plan. Due to submission deadlines required by Ofsted that were not coterminous with recent political processes, the JAR action plan had already been submitted to the DCSF.

MINUTES OF PERSONNEL COMMITTEE REQUIRING THE APPROVAL OF COUNCIL

PERSONNEL COMMITTEE 7 JULY 2008

Present: Councillor Rawson (Chair)

Councillors Berry, Carr, Grimadell, Hird and Redfern

05/08 Procedure for Settling Disputes

The Committee considered a report of the Director of Corporate and Adult Services outlining the procedure for settling disputes. The report stated that at its annual meeting on 21 May 2008, Council had established a Personnel Committee with part of its delegated powers being to make key decisions in respect of equal pay, single status, job evaluation and consider disputes over terms and conditions of employment.

The report indicated that at present the Council had a Disputes Resolution sub-committee as approved by Council at its meeting of 21 May 2008 and therefore, in order to avoid duplication, it was proposed to dissolve this sub committee and establish a new Disputes Sub Committee comprising of three members of the Personnel Committee. This model provided a more appropriate method for dealing with disputes which involved terms and conditions of employment rather than referral to the full Personnel Committee.

The report sought the nomination of three members from the Personnel Committee to the Dispute Sub Committee in order that full council, at its next meeting, could formally establish the Sub Committee and dissolve the previous Disputes Resolution Sub Committee. The Committee raised concerns as to whether 3 members would allow enough flexibility to draw panels together at short notice, but it was agreed that this could be reviewed if it created difficulties in practice. It was also felt that the Disputes Procedure should be reviewed following the hearing by the sub committee of the current dispute being pursued by Unite in respect of the removal of bonus payments from refuse operatives.

Resolved:

- 1. To recommend to the Council to dissolve the Disputes Resolution Sub Committee of the Taxi Licensing and Appeals Committee and to establish a Disputes Sub Committee of the Personnel Committee with these terms of reference:**

“To hear disputes and where necessary make recommendations to the Personnel Committee or Council Cabinet as appropriate under the procedure for settling disputes”

- 2. To recommend Council to nominate Councillors Rawson, Grimadell and Carr from the Personnel Committee to serve on the Disputes Sub Committee for the remainder of the current municipal year.**

To review the Disputes Procedure and membership of the Sub Committee at a future meeting of the Committee

MINUTES OF TAXI LICENSING AND APPEALS COMMITTEE REQUIRING THE APPROVAL OF COUNCIL

TAXI LICENSING AND APPEALS COMMITTEE 9 JULY 2008

Present: Councillor Redfern (in the Chair)
Councillors Baxter, Hussain, Leeming, Lowe, Rawson, Richards,
Skelton, Williams and Winter

06/08 The Proposed Licensing of Tuk-Tuks and Rickshaws in Derby

The Committee considered a report from Director of Environmental Services on the proposed licensing of Tuk-Tuks and Rickshaws in Derby. At the Taxi Licensing and Appeals Committee on 23 April 2008, it was agreed that a Cross Party Working Group would examine the implications of licensing Tuk-Tuks and Rickshaws for use in Derby and report back to the Committee with their recommendations. The Cross Party Working Group met on 11 June 2008 to consider this issue.

The Working Group agreed to recommend that Tuk-Tuks and Rickshaws should be licensed, subject to compliance with the Council's standard conditions already in place for Hackney Carriages and Private Hire Vehicles and a set of vehicle specifications to be produced that have been influenced largely on the detail of the advice received from Council.

Members raised concerns that the vehicles would not meet the Disability Equality Duty. It was reported that Tuk-tuks and Rickshaws would be available for hire to all and that the construction and use of the vehicles would have to comply with the Disability Discrimination Act and/or the Disability Equality Duty. It was noted that the Council's Access Officer had been consulted on the issue.

It was suggested, and agreed, that section 8b of the Vehicle Specification was too prescriptive and that it should be amended by the inclusion of the words highlighted at b) below to read as follows:

- b) a suitable first aid kit containing **at least** the following items:
 - (i) six individually wrapped adhesive dressings;
 - (ii) one medium sized un-medicated dressing approximately 100 mm by 80 mm (e.g. standard dressing No 8 or No 13 BPC);

- (iii) one triangular bandage (sterile);
- (iv) six safety pins, and
- (v) one pair of disposable gloves.

Resolved:

- 1. To note the report;**
- 2. To request Council to licence Tuk-Tuks and Rickshaws subject to each complying with the applicable Council Standard Conditions for Hackney Carriages and / or Private Hire Vehicles and the approval of a set of vehicle specifications for such vehicles.**

**07/08 Request for Relaxation of 'Contract Hire'
Exemption Regime**

The Committee considered a report from the Director of Environmental Services on a Request for Relaxation of 'Contract Hire' Exemption Regime. When this issue was initially considered at the Taxi Licensing and Appeals Committee on 23 April 2008, members agreed for officers to meet with trade representatives to seek their views and report views back to a Cross Party Working Group who would then make recommendations to Committee.

Resolved

- 1. To note the report;**
- 2. To request Council to approve the amendments to the Council's Private Hire Driver Conditions, Private Hire Vehicle Conditions, Private Hire Operator Conditions and Specification for Private Hire Vehicles.**

MINUTES OF STANDARDS COMMITTEE REQUIRING THE APPROVAL OF COUNCIL

STANDARDS COMMITTEE

14 JULY 2008

Present: Reverend Canon R B Blowers – Chair
Mrs C McDowall, Mr P Sunderland
Councillors Jackson, Jennings and Skelton

Officers in Attendance: Michael Foote - Corporate Director, Corporate and Adult Services
Steve Dunning – Assistant Director – Democratic Services
Andrew Thomas – Principal Solicitor – Legal Services

07/08 Local Assessment – Member Complaints

The Committee considered a report which stated that the Regulations and Guidance relating to the new Local Assessment Framework had now been received. The Committee was asked to consider the draft Procedure and approve it with or without amendment. Once approved the Procedure would be made publicly available through leaflets and the Council's website in a similar manner to the Council's Corporate Complaints Procedure.

At its meeting on 21 January 2008, the Committee considered the Government Consultation Paper on the proposed Local Assessment Framework and gave its general endorsement to a structure for the determination of complaints against Members. The Committee was asked to formally appoint the Sub Committees now required by the legislation. The Sub Committees had to be appointed to deal with assessments and reviews. There was a power, but no duty, to appoint a Sub Committee to conduct hearings. As the arrangements were vulnerable to conflicts of interest and holidays/sickness it was suggested that consideration be given to recommending that the Council appoint an additional Independent Member of the Standards Committee.

Resolved

- 1. To approve the Members Complaints Procedure at Appendix 2 to the report.**
- 2. To recommend Council to establish the following Sub Committees of the Standards Committee**

Assessment Sub Committee

Terms of reference and delegated powers:

Within policies and procedures approved by the Standards Committee to carry out initial assessments of complaints about alleged breaches of the Members' Code of Conduct.

Composition:

The Assessment Sub Committee shall comprise two independent members of the Standards Committee and one Councillor Member of the Committee determined by the Monitoring Officer. One of the Independent Members shall be appointed by the Sub Committee as Chair.

Review Sub Committee

Terms of reference and delegated powers: Within policies and procedures approved by the Standards Committee, to review a decision by the Assessment Sub Committee to take no action in relation to a complaint about an alleged breach of the Members' Code of Conduct.

Composition:

The Review Sub Committee shall comprise three members of the Standards Committee being at least one Independent Member and two members of the Committee, determined by the Monitoring Officer on the basis they should normally be Councillor Members and provided that:

- a) a member of the Standards Committee who has taken part in decision making on the initial assessment of a complaint must not take part in the review of that decision, and**
 - b) an Independent Member must chair the sub committee**
- 3. To recommend Council to appoint an additional Independent Member of the Standards Committee.**