

Time commenced - 6.00 pm  
Time finished - 10.00 pm

## **COUNCIL MEETING 21 JANUARY 2009**

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

### **Apologies for Absence**

Apologies for absence were received from Councillors Berry, Troup and Williams.

### **Declarations of Interest**

All Members declared personal interests in the matters referred to in Minute No.73/08 Members Allowances – Recommendations of the Independent Remuneration Panel for 2009/10. Councillor Jones withdrew from the meeting during the consideration of this item.

Councillor Holmes declared a personal interest in Motion 3 – Annual Collection of Toys.

Councillor Graves declared a personal interest in Item 14 – Membership of the Fostering Panel.

### **Announcements from the Mayor**

The Mayor reported the death of Joe Godward who had given distinguished service in the city over many years to the trade union movement, St Patrick's Day Festivities Group, the Liversedge Trust, other charities and consumer groups. Mr Godward was also a Civic Award winner.

The Mayor commended to all members and the public of Derby, the wide ranging activities that would be taking place in the city the following week, to mark Holocaust Memorial Day.

The Mayor referred to the launch of the Community Champions Awards 2009 and to the fact that she had asked for the awards to feature in the next editions of Council Life and Your Derby magazines.

The Mayor congratulated all involved in achieving the award of a plaque to mark the first three years of the Cycling Demonstration Towns Initiative and the successes achieved by Cycle Derby.

## 67/08 Minutes of the Previous Meetings

**Resolved that the minutes of the Meeting of the Council held on 19 November 2008 and the Extraordinary Meeting of the Council held on 16 December 2008 be approved as correct records, confirmed and signed by the Mayor.**

## 68/08 Statements by Members of the Council Cabinet

There were no Statements by Members of the Council Cabinet.

## 69/08 Public Questions

**Resolved, in accordance with Rule CP11, that, in view of the exceptional circumstances, the maximum period of time for questions by the public be extended beyond 30 minutes.**

Questions from members of the public were asked as follows:

1. By Keith Burchell, concerning CO2 emission targets, answered by Councillor Jones, Leader of the Council in the absence of Councillor Troup, Council Cabinet Member for Housing and Public Protection.
2. By Keith Burchell, concerning the cost of measuring instruments, answered by Councillor Jones, Leader of the Council in the absence of Councillor Troup, Council Cabinet Member for Housing and Public Protection.
3. By Linda Winter, concerning Alvaston Park, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
4. By Lorraine Radford, concerning members of the Darley Neighbourhood Board and Darley Neighbourhood Forum, answered by

Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.

5. By Tony Dunn, concerning improvement schemes, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
6. By Tony Dunn, concerning the Street Lighting PFI Contract, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
7. By Colin Underhill, concerning cable upgrades within the Cathedral Green Scheme, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
8. By Peter Steer, concerning the Hippodrome site, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
9. By Dorothy Skrytek, concerning the proposed waste treatment plant in Sinfen, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
10. By Penny De Abreu, concerning the removal of trees opposite the Silk Mill, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
11. By Penny De Abreu, concerning the Westfield 'Grey Box', answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.

A question had been received from Shirley Wessels concerning CO2 emissions of the Big Screen. In the absence of the questioner, the Mayor stated that Ms Wessels would receive a written answer.

## 70/08 Derbyshire Police Authority Budget for 2009/10

The Council received a presentation by Janet Birkin, Chair, and Mick Creedon, Chief Constable, on the Derbyshire Police Authority Budget for 2009/10. A document entitled 'Policing for the Future: Preventing Harm in our Communities' was circulated to Members at the meeting. Members asked questions of Janet Birkin and Mick Creedon and expressed their appreciation for their attendance and presentation.

71/08          Written Questions about the Business or  
Functions of the Derbyshire Police Authority,  
Derbyshire Fire Authority or Derby Homes Limited.

Written questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Limited were asked as follows:

**Derbyshire Police Authority**

1. By Councillor Ingall, concerning the number of crimes or incidents investigated, answered by Janet Birkin, Chair of the Derbyshire Police Authority.

**Derbyshire Fire Authority**

2. By Councillor Grimadell, concerning Fire Safety Regulations, answered by Councillor Williamson, Vice Chair of Derbyshire Fire Authority.

**Derby Homes Limited**

3. By Councillor Jennings, concerning the disposal of the Park Homes Mobile Site, answered by Phil Davies, Chief Executive of Derby Homes Limited.
4. By Councillor Jennings, concerning rising rent arrears, answered by Phil Davies, Chief Executive of Derby Homes Limited.
5. By Councillor Jennings, concerning repairs at Derby Homes properties, answered by Phil Davies, Chief Executive of Derby Homes Limited.

72/08          Order of Business

**Resolved, on the motion of the Mayor (Councillor Jackson), that the order of business be varied in order to consider Item 11, Members Allowances – Recommendations of the Independent Remuneration Panel for 2009/10, at this point.**

73/08          Members Allowances – Recommendations of the  
Independent Remuneration Panel for 2009/10

The Council considered a report of the Director of Corporate and Adult Services concerning Members Allowances – Recommendations of the Independent Remuneration Panel for 2009/10. Ian Samways, Chair of the Panel, presented the Panel's report to the Council. Members expressed their appreciation to Mr Samways and other members of the Panel for their work on the fundamental review of allowances.

It was proposed by Councillor Care, and seconded:

1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2 and:
  - a) To raise the Basic Allowance to £10,000 a year with effect from 1 April 2009.
  - b) To make representations to the Department for Communities and Local Government, and the Local Government Association supporting the recommendations of the Councillors Commission for national guidelines with a range of allowance bands covering different types of local authority.
  - c) To raise the Leaders' Allowance to £38,989 a year with effect from 1 April 2009.
  - d) To maintain the Mayoral Special Responsibility Allowance at the current level.
  - e) To authorise the Director of Corporate and Adult Services to increase the Mayoral Purse, as appropriate, for Mayors not able to spend a year as Deputy Mayor.
  - f) To increase the Special Responsibility Allowance of the Chair of Planning Control Committee to 60% of the Cabinet Members' Allowance with effect from 1 April 2009.
  - g) To increase the Special Responsibility Allowance of the Vice Chair of Planning Control Committee to 30% of the Cabinet Members' Allowance with effect from 1 April 2009.
  - h) To maintain the allowance for a Chair of an Overview and Scrutiny Commission at the current level, with a review after the proposals set out in the White Paper "Communities in Control: Real People Real Power" are enacted.
  - i) To remove the allowance for a Vice-Chair of an Overview and Scrutiny Commission from 1 April 2009.
  - j) To maintain the Cabinet Members Allowances at the current monetary value.
  - k) To maintain the allowance for the Deputy Leader of the Council at the current monetary value.

- l) To make the Cabinet Member Allowance the 100% value in the new scheme of allowances.
  - m) Not to introduce a special responsibility allowance for the Chair or Vice Chair of the Personnel Committee at the current time and to review these positions in the next municipal year.
  - n) To index Basic and Special Responsibility Allowances by the average salary award for local government employees and to agree that the index be applied to the allowance levels recommended for 2009/10.
  - o) To support the principle of parachute payments and to consider introducing them in light of any subsequent legislation enabling such payments.
2. To amend the Members' Allowances Scheme from 1 April 2009 accordingly.

*Amendment 1 - Lost*

It was moved by Councillor Hickson, and seconded, that paragraph 1. of the motion be amended to read:

- "1a) To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2 but with the exception of the proposals relating to the Mayor, and to impose a 12 months moratorium on all other proposals.
- b) To amend the Special Responsibility Allowance for the Mayor to the level of Special Responsibility Allowance applicable to a Cabinet Member.
- c) To agree that all other recommendations, apart from that relating to the Mayor, be subject to a moratorium as above."

The amendment was put to the meeting and lost.

*Amendment 2 - Carried*

It was moved by Councillor Williamson, and seconded, that paragraph 1. of the motion be amended to read:

- "1a) To receive the report and recommendations of the Independent Remuneration Panel at Appendix 2.
- b) To agree that, in the current economic climate, a moratorium should be placed on the implementation of the report until the economic circumstances in the city improve.

- c) To therefore defer consideration of all of the Panel's recommendations, with the exception of paragraph n) which be implemented with reference to existing Basic and Special Responsibility Allowances from 1 April 2009."

The amendment was put to the meeting and carried.

**Resolved:**

- 1a) **To receive the report and recommendations of the Independent Remuneration Panel at Appendix 2.**
  - b) **To agree that, in the current economic climate, a moratorium should be placed on the implementation of the report until the economic circumstances in the city improve.**
  - c) **To therefore defer consideration of all of the Panels recommendations, with the exception of paragraph n) which be implemented with reference to existing Basic and Special Responsibility Allowances from 1 April 2009.**
2. **To amend the Members Allowances Scheme from 1 April 2009 accordingly.**

74/08      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 Willoughby, concerning recycling facilities, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
- 2. By Councillor Willoughby, concerning the Duffield Road bus lane, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development
- 3. By Councillor Jennings, concerning Council meetings on the internet, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development
- 4. By Councillor Graves, concerning reappointment of consultants to advise the Council on investment in leisure centres, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
- 5. By Councillor Hickson, concerning the copyright of the Council's web casting facility, answered by Councillor Jones, Leader of the Council

and Council Cabinet Member for Corporate Policy and Economic Development

6. By Councillor Hickson, concerning the YouTube publication, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development
7. By Councillor Hickson, concerning support for businesses in the city, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
8. By Councillor Hickson, concerning public consultation over toilet closures, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
9. By Councillor Bayliss, concerning work at Alvaston District Centre, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
10. By Councillor Bayliss, concerning the decision to start work at Alvaston District Centre, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
11. By Councillor Latham, concerning the opening of Oakwood Library, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
12. By Councillor Latham, concerning an Olympic size swimming pool, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
13. By Councillor Latham, concerning the library in Oakwood, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
14. By Councillor Grimadell, concerning money spent on publicity, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Corporate Policy and Economic Development.
15. By Councillor Poulter, concerning highway maintenance programmes, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
16. By Councillor Holmes, concerning the budget for highways, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
17. By Councillor Holmes, concerning the repair of highways footways and pavements, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.



18. By Councillor Willoughby, concerning the concessionary bus scheme, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
19. By Councillor Willoughby, concerning the bus shelter in Portreach Drive, answered by Councillor Care, Deputy Leader of the Council and Council Cabinet Member for Planning and Transportation.
20. By Councillor Banwait, concerning mortgage rescue schemes, answered by Councillor Jones, Leader of the Council in the absence of Councillor Troup, Council Cabinet Member for Housing and Public Protection.
21. By Councillor Rawson, concerning the Derwent Community Primary School, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.

## 75/08 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 13 January 2009.**

## 76/08 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.**

## 77/08 Appointment of Derby Homes Board Member

The Council considered a report of the Director of Corporate and Adult Services concerning the Appointment of a Derby Homes Independent Board Member.

**Resolved, on the motion of Councillor Jones, to approve the appointment of John Bloxsom as an independent member of the Derby Homes Limited Board for the period of office from 29 January 2009 until 27 October 2011.**

## 78/08      Membership of the Fostering Panel

Further to Minute No. 63/08 the Council considered a report of the Director of Corporate and Adult Services on the legal position with regard to the appointment of the elected member representative on the Fostering Panel.

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

## 79/08      Notices of Motion

### 1.      *Speeding Vehicles*

**Resolved, on the motion of Councillor Roberts, that Council recognises the concerns of many of our citizens about speeding vehicles in their areas.**

**There are renewed calls for support for action to deal not only with speed problems but problems of the perception of speed.**

**Council therefore requests the Council Cabinet to ensure that traffic management officers examine ways of addressing neighbourhood based perceptions and present a report on effective traffic management methods that will meet residents' aspirations.**

### 2.      *Mortgage Support*

**Resolved, on the motion of Councillor Banwait, that Council welcomes Government plans to increase the number of people eligible for Income Support Mortgage Interest (SMI) which will assist mortgagors through:**

- financial support
- deferring repayments by transferring capital repayment mortgages to interest only
- reducing the waiting period before the benefit can be paid from 39 to 13 weeks
- enabling pensioners to get assistance immediately
- increasing the maximum limit for assistance with mortgage costs from £100,000 to £200,000.

**Council therefore agrees to promote SMI through its advice services and literature to ensure that as many Derby homeowners as possible benefit from this scheme.**

3. *Annual Collection of Toys*

**Resolved, on the motion of Councillor Banwait, that Council acknowledges the cross-party effort in the collection of toys for the Derby Children's Hospital, with the support of Council staff.**

**Council agrees to an annual cross-party toys collection organised by coordinators from each of the three groups, accepting the donation of toys from Councillors, their constituents and Council staff, for the benefit of children who have to spend Christmas in the Derby Children's Hospital.**

Mayor



MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL
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### **COUNCIL CABINET 13 JANUARY 2009**

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

In attendance: Councillors Hickson and Hussain

## **Budget and Policy Framework**

### **193/08 Council Tax Base**

The Council Cabinet considered a report on Council Tax Base. The Council had to calculate the 'Council Tax Base' for 2009/10 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 was used to translate total council tax income requirements in a headline charge for Band D properties in the city. Charges for other bands were calculated as defined fractions of the headline charge. Due to the continued growth in the number of domestic properties over the past year, the Council Tax Base could be increased from 69854 to 70187.03 Band D equivalent properties.

### **Decision**

To recommend Council, pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 2003/3012), to approve the council tax base for the year 2009/10 as 70187.03 band D equivalent properties in accordance with the methodology and estimates shown at appendices 2 and 3 of the report.