

Time commenced - 6:00pm

Time finished - 7.50pm

COUNCIL

19 July 2023

The Mayor, Councillor Alan Graves and Councillors Amin, Ashby, Bolton, Bonser, Care, Chambers, Dhindsa, Eyre, Fowke, Hassall, Hezelgrave, A Holmes, M Holmes, Hudson, C Ingall, P Ingall, Kaur, J Khan, S Khan, Kozlowski, Kus, Lakin, Lindsey, Martin, Mulhall, Nawaz, Onuoha, Pandey, Pattison, Pearce, Peatfield, Potter, Prosser, Rawson, Repton, Roulstone, Sandhu, Shanker, Smale, Swan, Trehwella, Whitby, Wilson, C Wright and J Wright.

22/23 Apologies

Apologies for absence were received from Councillors Atwal, Evans, Lonsdale, Morgan-McGeehan and Poulter.

23/23 Declarations of Interest

There were none.

24/23 Minutes of the Previous Meeting

The minutes of the meeting of the Council held on 24 May 2023 were moved by Councillor Pearce and seconded by Councillor Rawson.

Resolved that the minutes of the meeting of the Council held on 24 May 2023 be approved as a correct record, confirmed and signed by the Mayor.

25/23 Announcements from the Mayor

The Mayor dealt with several housekeeping matters before thanking those residents who had wished him well since his election. Highlights of the municipal year to date had included meeting Her Royal Highness Princess Anne at a visit to Rolls-Royce; attending the presentation of British Empire Medals to Derbyshire residents by the Lord Lieutenant; participating in a Ukrainian Remembrance Service with members of the Derby branch of the Association of Ukrainians in Great Britain; and, meeting the runners and presenting winners medals for the annual Derby Ramathon.

The Mayor reported the passing of two notable individuals to Council. Former Councillor Eric Ashburner died on 14 July 2023, having served as a councillor for Littleover Ward between 2010 and 2021. The death of Mr Gordon Thornhill MBE was also reported; Mr Thornhill had served as a member of Derby City Council's Independent School Admission Appeals Panel after a long career in education.

Councillors Graves, Care, Shanker, Hezelgrave and Hassall paid tribute to both individuals, recognising their kindness and dedication to public service. A minute's silence was then observed out of respect.

26/23 Statements from members of the Council Cabinet

The Cabinet Member for Integrated Adult Care and Health delivered a statement in relation to Adult Social Care. As per the requirement of Council Procedure Rule CP35, notice had been provided to opposition spokespeople and a copy of the statement circulated in advance of the meeting.

A response to the statement was received from Councillor Prosser on behalf of the Reform Derby Group.

27/23 Questions from the public

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Tony Mott	Councillor Swan	A6 cycle path
Brendan Connelly	Councillor Swan	Road repair schedule
Margaret Palmer	Councillor S Khan	Houses in Multiple Occupation
Vanessa Boon (x 2) Brendan Connelly Julie Brandon	Councillor Hezelgrave	Questions relating to equality, diversity and community cohesion.
Alice McMichael	Councillor Hezelgrave	Support for refugee integration
Adrian Howlett Pauline Inwood Ruth Coates Clare Wood	Councillor Swan	Questions relating to Climate Change engagement and consultation.
Derek Gould	Councillor Shanker	Normanton ward candidate meeting
Mair Bain	Councillor S Khan	Home insulation
Vanessa Cory Adrian Howlett	Councillor Swan	Questions relating to sustainable transport
Simon Bacon	Councillor Dhindsa	Fly tipping
Simon Beavis	Councillor Swan	Carbon literacy training
Clare Wood	Councillor Swan	Active Travel
Tony Mott	Councillor Peatfield	Queens Street Baths options
Margaret Palmer	Councillor S Khan	Article 4 Direction
Pauline Inwood	Councillor Swan	Climate change strategy
Derek Gould	Councillor Shanker	Electoral fraud

Simon Bacon	Councillor Shanker	Sinfin Waste Treatment Facility – fly infestation
Ruth Coates	Councillor S Khan	Royal Hill housing development
Paul Tice	Councillor Swan	Allestree Park green credentials

28/23 Questions relating to Derbyshire Fire Authority or Derby Homes

There were none.

29/23 Questions from non-Council Cabinet members

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Councillor M Holmes	Councillor Swan	S106 transport mitigations in Mickleover ward
Councillor Smale	Councillor Shanker	Cabinet selection
Councillor Potter	Councillor Dhindsa	Public Protection Officers
Councillor Pearce	Councillor Dhindsa	Clean up costs
Councillor Pandey	Councillor Dhindsa	Clean streets
Councillor Hassall	Councillor Hezelgrave	Racism and equality
Councillor J Wright	Councillor Shanker	Libraries review
Councillor Eyre	Councillor Shanker	Future operators – Libraries review
Councillor Lonsdale	Councillor Whitby	Nutrition for children in temporary accommodation
Councillor Care	Councillor Martin	Plant based eating
Councillor Smale	Councillor Shanker	Sinfin Waste Treatment Plant
Councillor Hassall	Councillor Shanker	Fiscal responsibility
Councillor Eyre	Councillor Shanker	Libraries review – volunteer input
Councillor Lonsdale	Councillor S Khan	Temporary accommodation waiting times
Councillor Care	Councillor Dhindsa	Vape sales
Councillor Smale	Councillor Whitby	Ashgate School budget deficit mitigation
Councillor Lonsdale	Councillor Dhindsa	Anti-social behaviour linked to alcohol misuse

Councillor Care	Councillor Swan	Use of herbicides on Council land
Councillor Smale	Councillor Whitby	Ashgate School – DFE budget deficit limit
Councillor Lonsdale	Councillor Whitby	School meal costs
Councillor Care	Councillor Swan	Preparation for extreme heat

30/23 Minute extracts 75/22 and 08/23 of the meeting of the Audit and Governance Committee

Council received two minute extracts from meetings of the Audit and Governance Committee held on 22 March and 14 June 2023 respectively.

Minute extract 75/22 proposed minor alterations to the committee's terms of reference, to ensure consistency with guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). The proposed alterations were considered by a working group of councillors, officers and an independent member, before being recommended by the committee to Council for approval.

Minute extract 08/23 recommended the Audit and Governance Committee's annual report to Council for approval, providing a summary of the committee's activity over the previous municipal year and a statement on the efficacy of its role in providing assurance on the Council's governance framework, risk management arrangements and internal control environment.

The minutes were moved by Councillor Care and seconded by Councillor J Wright, put to the vote and carried.

Resolved to approve minutes 75/22 and 08/23 of the Audit and Governance Committee.

31/23 Returning Officer fees for Local Elections

Council received a report of the Chief Executive relating to the fees received by the Returning Officer (RO) for the administration of local elections. The Monitoring Officer left the meeting at this point as they were currently designated as the Council's RO.

It was reported that the RO currently received £340 for each local election and that the fee level was significantly out of line with those received by ROs in other local authorities of similar size and composition. The report proposed the adoption of a fee structure utilised in eight other local authorities in Derbyshire, which equated to a payment of £8,297.10 for the local elections held on 4 May 2023, calculated based on the number of wards contested and the number of electors within each ward.

The report provided benchmarking data on the fee structures adopted by other local authority areas and emphasised the significant level of personal responsibility and accountability associated with the role. It was noted that the RO was directly accountable to the courts as an independent statutory office holder and that the role was in addition to the postholder's substantive duties as an employee of the council.

The recommendations in the report were moved by Councillor Shanker and seconded by Councillor Peatfield, put to the vote and carried.

Resolved:

- a) To use the scale of fees adopted by local authorities in the eight other Derbyshire districts to determine the remuneration for the role of RO as shown at Appendix 1.**
- b) Using the fee structure as detailed at Appendix 1 for local elections, to approve the payment of the fee of £8,297.10 to the RO for the elections held on 4 May 2023. This is based on the eligible electorate size for the authority of 179,372.**
- c) To recognise that the next payment due to the RO for local elections would be for local elections held on 6 May 2027. If there is a by election during the intervening period, it is proposed that the RO receives a fee based on the ward electorate size and the fee scale contained at Appendix 1.**
- d) To delegate authority to the Chief Executive to review the RO fee annually on 1 April and apply the relevant national pay award percentage to ensure the fee is maintained in line with inflation.**

The Monitoring Officer returned to the Council Chamber before the Mayor proceeded with the next item of business.

32/23 Appointments to Committees and Outside Bodies

A report of the Monitoring Officer was considered in relation to alterations to the appointments to committees and outside bodies made since the Council's Annual General Meeting on 24 May 2023. It was noted that the changes had been made under delegated powers reserved to either the Monitoring Officer or the Chief Executive.

It was reported that the following changes have been made to the appointments to the Council's boards and committees, as well as nominations to outside bodies:

- Councillor Amin has replaced Councillor Repton on the Executive Scrutiny Board
- Councillor Repton has replaced Councillor Amin on the Audit and Governance Committee
- Councillor Pattison has replaced Councillor Pearce on the Children and Young People Scrutiny Review Board
- Councillor Pearce has replaced Councillor Pattison on the Adults and Health Scrutiny Review Board
- Councillor Eyre has replaced Councillor J Wright as the substitute constituent member of the Derbyshire Police and Crime Panel.

It was also reported that the Chief Executive had made an urgent non-executive decision on behalf of the Council to appoint Councillor S Khan as the Council's representative to the Derby Housing Market Area Joint Advisory Board, after being informed that the terms of reference for the group required the Council's appointment to be a Cabinet Member.

The report also recommended alterations to the names of the Council's Overview and Scrutiny Review Boards, to better align with the cabinet portfolios announced by the Leader of the Council at the annual meeting.

The recommendations in the report were moved by Councillor Shanker and seconded by Councillor Peatfield, before being put to the vote and carried.

Resolved:

- a) To note the alterations to the constitutional appointments agreed under the Monitoring Officer's delegated authority since the Annual General Meeting on 24 May 2023.**
- b) To note the urgent decision of the Chief Executive, following consultation with political group leaders, to appoint Councillor Shiraz Khan to the Derby Housing Market Area Joint Advisory Board in place of Councillor Jerry Pearce.**
- c) To agree changes to the names of the Council's five Overview and Scrutiny Review Boards, as detailed at paragraph 4.7 of the report.**

33/23 Motion: Freedom of the City of Derby

The following motion was moved by Councillor Shanker, and seconded by Councillor Peatfield:

Council recognises the contribution of Dame Margaret Beckett to the City of Derby, having served as the Member of Parliament for the Derby South constituency for more than 40 years.

During that time Dame Margaret has served her constituents with diligence and tenacity, championing Derby's manufacturing industries on the national stage and steadfastly maintaining her commitment to hosting regular advice surgeries for the people of our city.

In her long and distinguished Parliamentary career, Dame Margaret has served as a Minister in four Labour Governments and in 1994 became the first woman to lead the Labour Party. In 2006, she was appointed as the first female Foreign Secretary and only the second woman to hold one of the Great Offices of State. Council thanks Dame Margaret for her service to the nation and is proud of her record as a trailblazer for women's representation.

Council notes Dame Margaret's intention to stand down from Parliament at the next General Election and wishes her a long and healthy retirement. In recognition of her contribution to Derby and to the United Kingdom, Council resolves to award Freedom of the City to the Rt Hon Dame Margaret Beckett MP at a specially convened meeting, to be arranged in due course.

It was moved by Councillor Shanker and seconded by at least 10 members that under Council Procedure Rule CP71a the votes of councillors on the motion were noted and recorded.

For the motion: Councillors Amin, Ashby, Bolton, Bonser, Chambers, Dhindsa, Hezelgrave, Kaur, J Khan, S Khan, Kozlowski, Martin, Nawaz, Onuoha, Peatfield, Rawson, Repton, Sandhu, Shanker, Swan, Whitby, Wilson and C Wright (23).

Against the motion: Councillors Care, Eyre, Fowke, Hassall, A Holmes, M Holmes, Hudson, Kus, Lindsey, Mulhall, Pandey, Pattison, Pearce, Potter, Prosser, Roulstone, Smale, Trehella and J Wright (19).

Abstentions: Councillors C Ingall, P Ingall, Lakin and Graves (4).

Resolved:

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MAYOR