

Time commenced	6.00 pm
Time finished	8.32 pm

COUNCIL MEETING 29 JANUARY 2014

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

Apologies for Absence

Apologies for absence were received from Councillors Keith and Williams

59/13 Declarations of Interest

There were no Declarations of Interest

60/13 Minutes of the previous meeting

Resolved that the Minutes of the meeting of the Council, held on 18 December 2013, be approved as a correct record, confirmed and signed by the Mayor.

61/13 Announcements by the Mayor

The Mayor announced that, for item 9 on the agenda, he proposed that minutes of the Council Cabinet were taken together for the purpose of the budget debate. In accordance with normal practice, he also intended to allow Councillors Bayliss, Hickson and Jones to speak for more than five minutes in their response to Councillor Russell's budget speech.

The Mayor proposed to deal with the budget debate in the following manner:

Firstly, Councillor Russell would make her budget speech, followed by Councillors Hickson and Jones. Thereafter amendments would be taken and debated.

After the final amendment Councillor Russell would be the final speaker before each of the four Cabinet Minutes (as amended) was put to the vote.

The Mayor also announced that a report of the Strategic Director of Resources concerning Robustness of Estimates and Adequacy of Reserves 2014-15, which had been considered by Council Cabinet on 22 January 2014, also needed the approval of Council, though it had not been published with the supplementary budget papers.

The Mayor reminded Members that as part of their decision making, in respect of the budget setting, they must have due regard to their duties under section 149 of the Equalities Act 2010. They must

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

62/13 Statements by Members of the Council Cabinet

There were no statements

63/13 Public Questions

A full list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions from members of the public were put as follows:

1. By Dorothy Skrytek – concerning Land Pollution, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
2. By Simon Bacon – concerning Brown Bin additional collection costs, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
3. By Dorothy Skrytek – concerning the Isle of Wight Incinerator, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
4. By Simon Bacon – concerning Environmental liabilities budget, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.

64/13 Written Questions about the Business or Functions of Derbyshire Fire and Rescue Authority and Derby Homes Ltd

A list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions were put as follows:

1. By Councillor Holmes – concerning ‘Fit to Respond to 2022’ statistics, answered by Councillor Bayliss, in his capacity as Vice Chair of the Derbyshire Fire and Rescue Authority.
2. By Councillor Holmes – concerning ‘Fit to Respond to 2022’ response times, answered by Councillor Bayliss, in his capacity as Vice Chair of the Derbyshire Fire and Rescue Authority.

65/13 Written Questions from Non Council Cabinet Members

A full list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions from non Council Cabinet Members were put as follows:

1. By Councillor Poulter – concerning Cleansing Services, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
2. By Councillor Holmes – concerning the CCTV Enforcement Vehicle, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
3. By Councillor Holmes – concerning the CCTV Enforcement Vehicle costs, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
4. By Councillor Poulter – concerning the Garden Waste Collection Service, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.
5. By Councillor Poulter, concerning Concessions for Garden Waste Collection Service, answered by Councillor Banwait, Council Cabinet Member for Neighbourhoods and Streetpride.

66/13 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendations of the Council Cabinet of 22 January 2014, requiring approval of the Council, namely.

- 143/13** Council Tax Base 2014/15
- 144/13** Capital Budget 2014/15
- 145/13** Robustness of Estimates and Adequacy of Reserves
2014/15
- 146/13** General Fund Revenue Budget 2014/15
- 147/13** Treasury Management Strategy and Prudential Code
Indicators 2014/15
- 149/13** Council Plan 2014/15
- 151/13** Contract and Financial Procedure Matters
(contract for the delivery of the Victory Road Scheme)

It was proposed by Councillor Russell and seconded that Council

1 Council Tax Base

- a) approve the Council Tax Base for the year 2014/15 as 62,419.06 band D equivalent properties in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012/2914).
- b) approve the calculation in accordance with the methodology and estimates shown at Appendix 2 of the report

2 Capital Budget 2014/15

- a) approve the capital programme for 2014/15 and the indicative capital programme for 2015/16 and 2016/17 as set out in the report. A summary was shown at Appendix 2 of the report.
- b) approve the commencement of the capital scheme presented in the 2014/15 capital programme detailed in Appendix 2 of the report.
- c) approve the allocation of S106 funding, as detailed in paragraph 5.5 table 2 of the report
- d) note assumptions made for government funding allocations, detailed in paragraph 5.2 of the report.
- e) note the process review undertaken on the current capital programme and the process for assessing new bids described in section 4 of the report.
- f) note the revenue budget implications of the proposed programme described in sections 6 and 6 of the report.
- g) approve the continued principle of over programming to a level of 10%.

- h) approve the additional borrowing required to fund the 2014/15 – 2016/17 capital programme.
- i) note the results of the consultation process and approve the Council Cabinet response shown at Appendix 5 of the report.

3 Robustness of Estimates and Adequacy of Reserves - 2014/15

- a) note the Strategic Director of Resources' opinion that the estimates used in the production of the budget proposal for 2014/15 were adequately robust.
- b) note the Strategic Director of Resources' opinion that, based on the assessment of the Council's reserves and contingencies, the key financial risks identified, and the thorough process used for developing the Medium Term Financial Plan, the level of reserves and balances for 2014/15 was adequate.
- c) approve the transfers between reserves as detailed in Section 7 of the report.

4 General Fund Revenue Budget 2014/15

- a) approve a budget requirement for Derby City Council for 2014/15 of £217,929,416, subject to confirmation of the final Local Government Settlement expected in February 2014 and finalisation of the Council's Council Tax for 2014/15, which would be presented to Council in March 2014 for approval.
- b) approve for 2014/15 the directorate revenue budget estimates and the net use of reserves of £1.835m (0.84% of the budget) in 2014/15 summarised in Appendix 4a of the report.
- c) approve the measures proposed to manage budget risks in 2014/15 and in future years, including the deliverability of identified cuts, levels of service and inflation forecasts as set out in Section 12 of the report.
- d) approve the commencement of appropriate procurement procedures to support the specific budget proposals listed in appendices 5 and 6 of the report.
- e) approve the immediate implementation of detailed cuts proposals for 2014/15 and 2015/16 subject to completion and consideration, where relevant, of any further consultation exercises, equality impact assessments and assessments under Section 17 of the Crime and Disorder Act 1998.
- f) note changes made to the budget cuts proposals as a result of feedback from the consultation process as detailed in paragraph 11.4 of the report.
- g) approve within this total of £217,929,416

Net service estimates of	
Adults, Health and Housing	73,285,000
Chief Executives	3,199,000
Children and Young People	38,199,000
Neighbourhoods	48,926,000
Resources	23,006,000
Corporate and Contingency Budgets	32,149,416
Net adjustment for one-off corporate redundancy costs	1,000,000

219,764,416

Appropriations to/from reserves (figures in brackets are appropriations from reserves)

Service reserves	(155,000)
Corporate reserves	(1,680,000)

217,929,416

- h) note the calculation of the Council's Tax Base for the year 2014/15 as 62,419.06 equivalent band D properties, in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 2003/3012).
- i) note the calculation of the following amounts for the year 2014/15 in accordance with Sections 33 (1) of the Local Government Finance Act 1992, as revised under Schedule 5 of the Localism Act 2011, and these figures to be taken forward and confirmed at Council in March 2014 as part of the Council Tax Setting report.
- i. £570,138,519 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e).
 - ii. (£352,209,103) being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (c) of the act.
 - iii. £217,929,416 as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated the Council in accordance with Section 32(4) by of the Act.
 - iv. £145,159,403 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of the redistributed non-domestic rates, business rates top-up grant, revenue support grant and additional corporate government grants.

- v. £1,165.83 as the basic amount of its Council Tax for the year, being the amount at iii above, less the amount at iv above, all divided by the amount above, calculated by the Council, in accordance with Section 33 of the Act. at h

- vi for the following Valuation Bands:

	£		£
A	777.22	E	1,424.90
B	906.76	F	1,683.98
C	1,036.29	G	1,943.05
D	1,165.83	H	2,331.66

As the amounts to be taken into account for the year, under Section 30(2)(a) of the Act, in respect of categories of dwellings listed in different valuation bands, being the amounts given by multiplying the amount at (v) above by the number which in the proportion set out in Sections 5(1) of the Act, is applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.

- j) note the details of the precepts to the Council for Derbyshire Police Authority and Derbyshire Fire Authority, in accordance with Section 40 of the Local Government Finance Act 1992, will be presented to Council in March 2014.
- k) note that the Council Tax to be set for 2014/15, being the aggregate of the amount calculated the Council at Appendix 2 of the report and the precepting authorities, in accordance with Section 30 of the Act will be presented to Council in March 2014.
- l) note the revenue budget plans for 2015/16 and 2016/17 set out in Section 7 of the report.
- m) note the feedback from the budget consultation detailed in appendices 7 to 11 of the report and approve the Council Cabinet responses to consultation recommendations.
- n) note that the Council held a Schools Forum meeting on 23 January 2014, and this would directly inform the draft 2014/15 Schools Budget. A report will therefore be presented to Council Cabinet in February 2014 for review and comment.

- a) approve the Treasury Management Strategy for 2014/15
- b) approve the Prudential Indicators and limits for 2014/15 to 2016/17.

Councillor Redfern left the Council Chamber at 6.45pm

Amendment 1

It was proposed by Councillor Carr and seconded that:

‘the motion to approve the above minutes and recommendations of the Council Cabinet of 22 January 2014 be amended by the addition of words;

‘subject to the General Fund Revenue Budget 2014/15 being amended to include reinstatement of the full-year collection of brown bins, at no additional cost to the public, from 1 July 2014 for one year, at a cost of £2.157m, to be funded from the underspend of the budget in 2012/13, which was placed in the budget risk reserve’

The amendment was lost

Amendment 2

It was proposed by Councillor Skelton and seconded that:

‘the motion to approve the above minutes and recommendations of the Council Cabinet of 22 January 2014 be amended by the addition of words;

‘subject to the General Fund Revenue Budget 2014/15 being amended to delay for one year the implementation of cuts to voluntary sector organisations, at a cost of £460,000 to the Adult services budget and £112,000 to the Children and Young People budget, funded by the underspend of the budget for 2012/13, which was placed in the budget risk reserve’

The amendment was lost

6 Council Plan 2014/15

approve the Council Plan 2014/15

7 Contract and Financial Procedure Matters

approve the contract for the delivery of the Victory Road Scheme

Resolved to approve the minutes and recommendations of the Council Cabinet dated 22 January 2014

67/13 Designated Public Places Order

Council considered a report of the Strategic Director of Resources concerning the introduction of a Designated Public Places order for the Castleward area.

Resolved:

- 1. to approve the introduction of a DPPO in respect of the public places listed in Appendix 2 and shown on the plan at Appendix 3.**
- 2. to authorise the Director of Legal and Democratic Services to make the DPPO and make arrangements for it to be advertised in a local newspaper and for signs to be erected in the designated area.**

68/13 Amendments to the Council Constitution

Council considered a report of the Monitoring Officer, concerning amendments to the Council Constitution, arising

- from the appointment of a Deputy Chief Executive and
- changes to the Scheme of Delegations, in respect of the Regulation of Investigatory Powers Act 2000, following an inspection by the Office of Surveillance Commissioners

Resolved:

To approve amendments to the Council's Constitution, as detailed by the Monitoring Officer at paragraphs 4.1, 4.4 and 4.5 of the report.

69/13 Statutory Review of Polling Districts and Polling Places

Council considered a report of Acting Returning Officer, which summarised results of consultations and subsequent recommendations, on proposals for new polling arrangements in the city for Parliamentary and Local Elections.

Resolved:

To approve the Acting Returning Officer's proposals for new polling arrangements in the City for Parliamentary and Local Elections as outlined in Appendix 4.

Mayor