

**TO: AL MEMBERS OF DERBY CITY COUNCIL**

You are summoned to attend a meeting of the Derby City Council in the Council Chamber at the Council House, Derby on Wednesday 24 November 2004 at 6 pm.

**A G E N D A**

1. To receive apologies
2. To receive Declarations of Interest
3. To approve the minutes of the meeting of the Council held on 15 September 2004 **DOCUMENT 3**

***Motion - To approve the minutes of the meeting of the Council held on 15 September 2004 and to authorise the Mayor to sign the minutes as a correct record.***

4. To receive any announcements from The Mayor
5. To receive any Statements from Members of the Council Cabinet
6. To receive any questions from the public to members of the Council Cabinet and the answers to those questions

No questions have been received

7. To receive any written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority, and the answers to those questions

No questions have been received

8. To receive any written questions from non-Council Cabinet members to Members of the Council Cabinet and the answers to those questions

9. To consider the minutes and recommendations of the Council Cabinet dated 28 September, 19 October and 9 November 2004 requiring the approval of the Council **DOCUMENTS 9, 9B and 9D**

**141/04 Contact and Financial Procedure Matters**

**DOCUMENT 9A**

To recommend Council to approve provision for up to £1.5m of capital expenditure in 2004/05 under the approved Home Computing Initiative - HCI, to be funded from unsupported borrowing, and to approve the associated changes to the Council's prudential indicators when updated, noting that revenue financing and administrative costs would be fully met from employee contributions.

**162/04 A City Growth Strategy for Derby** **DOCUMENT 9C**

To recommend Council to nominate a Member to represent the Council on the City Growth Strategy Steering Group.

**174/04 Report of the Community Regeneration Commission on 'Paying the Price' a consultation paper on Prostitution** **DOCUMENT 9E**

To recommend Council to approve the comments of the Community Regeneration Commission as the Council response to the "Paying the Price" consultation paper on prostitution.

**178/04 Consumer Direct: National Call Centres for Consumer Advice** **DOCUMENT 9F**

To recommend Council to appoint Councillor Carr as a director of the limited company, which will run the Call Centre.

**184/04 Revisions of Prudential Indicators and Treasury Management Progress Report 2004/05** **DOCUMENT 9G**

To recommend Council to approve a revised set of 2004/05 prudential indicators as set out in Appendix 2 of the report

**189/04 Pupil Referral Unit Ofsted Inspection** **DOCUMENT 9H**

To recommend to Council to approve the joint Derby City Education Service and PRU Action Plan for submission to Ofsted.

***Motion - To approve the minutes and recommendations of the Council Cabinet dated 28 September, 19 October and 9 November 2004.***

10. To consider the minutes and recommendations of the Licensing and Appeals Committee dated 23 November 2004 requiring the approval of the Council. The meeting on 23 November is to consider making recommendations to the Council on the adoption of a Licensing Policy under the Licensing Act 2003. **DOCUMENT 10 (TO FOLLOW)**

***Motion - To approve the minutes and recommendations of the Licensing and Appeals Committee dated 23 November 2004.***

11. To consider the following Notices of Motion:

- (1) Councillor Bayliss to move, Councillor Tittley to second:

"This Council instructs that the free distribution of paper agendas and the full supporting paper work to the citizens of Derby who requested them be restored with immediate effect for Area Panels."

- (2) Councillor Burgess to move, Councillor Hickson to second:

“That this Council welcomes the decision to name part of the A52 in the city as ‘Brian Clough Way’ in recognition of Brian Clough’s outstanding contribution to our national game Association Football, for a period of over forty years and particularly his part in the success of Derby County Football Club in the period 1967 to 1973.”

- (3) Councillor Hussain to move, Councillor Williamson to second:

“Council believes the Cabinet’s decision to impose a massive increase in home care charges for elderly and disabled people in Derby was ill conceived and should be reversed. Council therefore calls on the Liberal Democrat and Tory Alliance members of the Cabinet to scrap the charging scheme, making the service free to **all** users before the end of 2004.”

- (4) Councillor Jackman to move, Councillor Troup to second:

“Council supports the RSPCA’s ‘Quiet Please’ campaign and calls on the Secretary of State for Trade and Industry to amend the Firework Regulations 2004, to allow local authorities the discretion to set the maximum noise level for fireworks that can be legally sold at 95 decibels, if that authority believes it is in the interests of its local community.”

- (5) Councillor Hickson to move, Councillor Smalley to second:

“Recent announcements indicate that some benefits will rise next year by only 55 pence a week. Council calls on Government to look again at the rises planned for benefit beneficiaries to make sure that those who are poorest and most vulnerable in our communities are not unfairly discriminated against and forced further into poverty.”

- (6) Councillor Smalley to move, Councillor Hickson to second:

“This Council calls upon Government to amend current Planning Policy to allow Derby City Council and other local planning authorities the option of considering the suggested potential health risks to the local population from the erection of mobile telephone masts. This Council also calls for the suspension of mobile phone mast erections within areas of dense domestic dwellings until such time as the potential impact on the health of the population is proved beyond doubt to be nil.”

- (7) Councillor Smalley to move, Councillor Hickson to second:

“Council condemns the Government’s tacit support and approval of the programme of Post Office closures that have recently occurred in Derby and calls upon them to act to prevent further closures within the City.”

12. To consider a report of the Director of Corporate Services on Appointments to Outside Bodies and Charities

**DOCUMENT 12**

***Motion -***

- (1) ***To nominate a representative to the Local Government Association - LGA - Tourism Forum.***

- (2) ***To appoint Councillor Higginbottom as a trustee on the Annie Sutton Memorial Houses Charity until 12 January 2006.***

13. To consider of report of the Director of Corporate Services concerning the Review of Proposals to Close Post Offices in Derby

**DOCUMENT 13**

***Motion - To note the report.***

Director of Corporate Services  
and Deputy Chief Executive

**COUNCIL MEETING  
15 SEPTEMBER 2004**

Present: The Mayor (Councillor Skelton)  
Councillors Ahern, Allen, Baxter, Bayliss, E Berry, P Berry, Blanksby, Bolton, Brown, Burgess, Care, Carr, Chera, Dhamrait, Dhindsa, Gerrard, Graves, Gupta, Hickson, Higginbottom, Hird, Hussain, Jackman, Jackson, Jones, Khan, Latham, Leeming, Liversedge, Lowe, MacDonald, Marshall, Nath, Redfern, Rehman, Repton, Richards, Roberts, Samra, Smalley, Tittley, Travis, Troup, Turner, Webb, West, Williamson, Willitts, Winter, Wynn

### Apologies for Absence

There were no apologies for absence.

### Declarations of Interest

Councillor Roberts declared a personal interests in the Notice of Motion relating to Post Office closures because he was a Director of the Midlands Co-operative Society and one of the Post Offices proposed for closure was located in a Co-op store.

All members present at the meeting declared personal interest in the matters referred to in Minute 43/04 – Members Allowances – Recommendations of the Independent Remuneration Panel.

### Announcements from the Mayor

There were no announcements from the Mayor.

### 35/04 Statements by Members of the Council Cabinet

Councillor West, Council Cabinet Member for Leisure and Cultural Services, made a statement about Derby's successes in the East Midlands Britain in Bloom competition.

### 36/04 Public Questions

There were no questions from members of the public.

## 37/04 Written Questions about the Business or Functions of the Derbyshire Police Authority or Derbyshire Fire Authority

There were no written questions about the business or functions of the Derbyshire Police Authority or Derbyshire Fire Authority.

## 38/04 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

There were no written questions from Non-Council Cabinet Members to Members of the Council Cabinet.

## 39/04 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 the Appendix to these minutes.

***Resolved, on the motion of Councillor Burgess, to approve the minutes and recommendations of the Council Cabinet dated 10 August and 7 September 2004.***

## 40/04 Notices of Motion

### 1. *Post Office Closures*

It was moved by Councillor Repton, and seconded, that Council is concerned by the proposed closures of Post Offices throughout the city, which would remove essential services from Derby's disadvantaged groups and damage local communities.

Council therefore:

1. Calls on Post Office Ltd to rethink its closure proposals
2. Instructs the Director of Corporate Services to write to the city's MPs inviting them to join the City Council in opposing the closure programme.

In accordance with Rule CP50, the Council consented to the alteration of the motion to read as follows:

***"Council is concerned by the proposed closures of post offices throughout the city, which would remove essential services from Derby's disadvantaged groups and damage local communities.***

Council therefore:

1. Calls on Post Office Ltd to withdraw its closure plans and instructs the Scrutiny Management Commission to conduct an urgent and rapid impact study of the possible implications of such proposals on local communities.
2. Instructs the Director of Corporate Services to write to the city's MPs inviting them to join the City Council in opposing the closure programme.
3. Council calls on the Post Office to engage in proper meaningful consultation with the City Council and relevant stakeholders on the basis of maintaining a viable, accessible and comprehensive Post Office network."

The motion was put to the meeting and carried.

***Resolved that:***

***"Council is concerned by the proposed closures of post offices throughout the city, which would remove essential services from Derby's disadvantaged groups and damage local communities.***

Council therefore:

1. **Calls on Post Office Ltd to withdraw its closure plans and instructs the Scrutiny Management Commission to conduct an urgent and rapid impact study of the possible implications of such proposals on local communities.**
2. **Instructs the Director of Corporate Services to write to the city's MPs inviting them to join the City Council in opposing the closure programme.**
3. **Council calls on the Post Office to engage in proper meaningful consultation with the City Council and relevant stakeholders on the basis of maintaining a viable, accessible and comprehensive Post Office network."**

2. *Social Services Adoption Panel*

**Resolved, on the motion of Councillor Smalley, to appoint Councillor Webb as a member of the Social Services Adoption Panel, in place of Councillor P S Berry, for the remainder of the current municipal year.**

### 3. *Change in Political Control of the Council*

It was moved by Councillor Williamson, and seconded, that:

In acknowledgement of the change in political control of the Council:

1. To rescind Council Minutes 14/04, 16/04 and 17/04.
2. To establish a Council Cabinet of ten members with the areas of responsibility shown in the list below.
3. To elect Councillor Williamson as the Leader of the Council (Area of Responsibility – Corporate Policy) for the remainder of the current municipal year.
4. To elect the following members to the Council Cabinet, in addition to the Leader, for the remainder of the current municipal year, with the areas of responsibility shown below:

| <b>Area of Responsibility</b>   | <b>Councillor</b> |
|---|-------------------|
| Regeneration, Performance Management and Economic Development (Deputy Leader) | Roberts           |
| Environment and Direct Services   | Bolton            |
| Housing and Social Inclusion  | Nath              |
| Leisure and Cultural Services   | Dhindsa           |
| Lifelong Learning   | Bayliss           |
| Personnel, Equalities and E-Government  | Gerrard           |
| Planning and Transportation   | Wynn              |
| Social Care   | Hussain           |
| Youth and Community   | Repton            |

### **Council Cabinet Members Areas of Responsibility**

#### **1. Corporate Policy**

Corporate Council Policies and Strategies  
Corporate Finance and Financial Services including Taxation  
Corporate Legal and Administrative Services  
Corporate Communications  
European Policy  
Local Strategic Partnership  
Sub Regional Strategic Partnership  
External Affairs – European, National, Regional and Local  
Mayoral Office/Electoral Issues/Registrars  
Emergency Planning  
Members Services/Allowances

## **2. Regeneration, Performance Management and Economic Development**

Performance Management

Best Value functions

Best Value Performance Plan and Derby Pointer

Estates/Property Services and Repair and Maintenance

External Employment Initiatives

Economic Development

New Deal for Communities

Special Programmes Management, including all Single Regeneration

Budget Schemes, Neighbourhood Renewal Fund and European Objective 2 and URBAN

## **3. Environment and Direct Services**

Local Agenda 21 Strategy, Environment Co-ordination and Initiatives

Environmental Health and Trading Standards

Grounds Maintenance

Client – Street Cleaning/Waste Collection and Disposal/Public Conveniences

Recycling

Land Drainage

Energy Conservation

City Centre and Neighbourhood Horticultural Features

All Direct Services

Non-Highway Engineering

Cemeteries and Crematorium

Building Design Services

## **4. Housing and Social Inclusion**

Housing Management Client

Housing Strategy and Development

Private Sector Housing

Homelessness

Supporting People

Social Inclusion

Housing and Council Tax Benefits

Unified Advice Service

Community Legal Services including Law Centre and Citizens Advice Bureau

## **5. Leisure and Cultural Services**

Arts and Libraries

Assembly Rooms/Guildhall

Museums/Art Gallery

Festivities

Outdoor Events

Parks and Allotments, including Client Grounds Maintenance

Sports and Play including Grants

Leisure Centres and Coaching

Health and Fitness

**6. Lifelong Learning**

Schools, including Repairs and Maintenance  
Centrally funded Schools Services, including Special Needs  
Adult Education  
Mandatory and Discretionary Awards  
Access Support, including Ethnic Minority Achievement Grant

**7. Personnel, Equalities and E-Government**

Corporate Personnel, Recruitment and Training functions and Issues  
Employment Training  
Health and Safety  
Corporate Equalities Functions and Issues, including Equalities Grants  
Community Cohesion  
E-Government  
Computer Services/Development  
Telecommunications

**8. Planning and Transportation**

Strategic Planning and Transportation  
Planning and Building Control  
Tourism and TIC  
Footpaths, Highways and Maintenance, Car Parks  
Roads – Engineering and Design Services  
Car Parking  
Highways Property Administration  
City Centre Management  
Markets

**9. Social Care**

Children and Family Services  
Adult Services  
Assessment and Care Planning  
Social Services Support Services  
Health Improvement Planning  
Health Services Partnerships

**10. Youth and Community**

Youth Service  
Community Centres  
Community Grants  
Community Governance and Consultation  
Community Regeneration and Development, including Community  
Planning  
Area and Neighbourhood Working, including Area Panels  
Community Safety Partnership  
Community Strategy and Neighbourhood Renewal Strategy  
Derby Pointer Panel



5. Planning and Environment Commission (Con 2, UKIP 1, Lab 4, Lib Dem 2)

Chair - Councillor Ahern

Vice Chair - Councillor P S Berry

Councillors Baxter, Jackman, Leeming, Rehman, Troup, Willitts + 1 Labour Member

6. Social Care and Health Commission (Con 2, UKIP 1, Lab 4, Lib Dem 2)

Chair - Liberal Democrat/Conservative Member

Vice Chair - Councillor Dhamrait

Councillors Hird, Jones, Leeming, Turner, Webb, Willitts + 2 Labour Members

Co-opted Members - Amir Qurban, Zbigniew Wojcek, Pat Hill, Elaine Jackson, Christine Pearn – for the duration of the Health Inequalities topic review.

- 6a Representatives on the Corporate Parenting Joint Sub Commission (4)

Councillors Jones, Turner, Webb + 1 Labour Member

7. Licensing and Appeals Committee (Con 3, Lab 7, Lib Dem 4)

Chair - Councillor Redfern

Vice Chair – Liberal Democrat/Conservative Member

Councillors P S Berry, Brown, Dhamrait, Hird, Jackman, Jackson, Jones, Liversedge, MacDonald, Rehman, Richards + 2 Labour Members

- 7a Licensing Sub Committee A (Taxis) (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor Redfern

Vice Chair - Jones

Councillors P S Berry, Brown, Jackman, Rehman + 2 Labour Members

- 7b Licensing Sub Committee B (Entertainments etc) (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor Redfern

Vice Chair - Councillor Brown

Councillors Jackson, Jones, Liversedge, MacDonald, Richards + 1 Labour Member

- 7c Employee Appeals Sub Committee

Any three members of the Licensing and Appeals Committee, including one member from each political group.

- 7d Disciplinary Sub Committee  
To be constituted when necessary
- 7e Disputes Resolution Sub Committee  
Any three members of the Licensing and Appeals Committee including one member from each political group.
- 7f Education (Awards and Transport) Appeals Sub Committee (Con 2, Lab 4, Lib Dem 2)  
Chair – Labour Member  
Vice Chair - Councillor Brown  
Councillors P S Berry, Dhamrait, Hird, Jackson, MacDonald, Rehman, Richards
- 7g Housing Appeals Sub Committee  
Any three members of the Licensing and Appeals Committee including one member from each political group.
- 7h Discretionary Housing Payments Appeals Sub Committee  
Any three members of the Licensing and Appeals Committee including one member from each political group.
- 7i Social Services Secure Accommodation Panel (Con 1, Lab 3, Lib Dem 2)  
Councillors Jones, Redfern, Webb, Winter + 2 Labour Members  
  
(Note: One member is selected for each meeting from the above panel of six)
8. Planning Control Committee (Con 3, Lab 7, Lib Dem 4)  
Chair - Councillor Baxter  
Vice Chair - Liberal Democrat/Conservative Member  
Councillors Ahern, Care, Chera, Khan, Liversedge, Marshall, Rehman, Richards, Smalley, Travis, Willitts, Wynn + 1 Labour Member
9. Special Purposes Committee (Con 2, Lab 4, Lib Dem 2)  
Chair - Councillor Williamson  
Vice Chair - Councillor Roberts  
Councillors Burgess, Care, Graves, Hickson, Redfern, Smalley

10. Conservation Area Advisory Committee (Con 2, Lab 2, Lib Dem 2)  
Councillors Liversedge, Marshall, Roberts, Tittley, Travis, Willitts
11. Disabled People's Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
Chair - Councillor Chera  
Councillors Hird, Rehman, Troup, Turner, Webb
12. Minority Ethnic Communities Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
Chair - Councillor Williamson  
Vice Chair - Councillor Willitts  
Councillors Burgess, Gupta, Khan, Richards
13. Women's Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
Chair – Labour Member  
Councillors Gupta, Higginbottom, Jackman, Latham, MacDonald, Winter
14. Social Services Fostering Panel (1 Cabinet Member)  
Councillor Hussain
15. Social Services Adoption Panel (Con 1, Lab 1)  
Councillors P S Berry, Turner
16. Civic Awards Advisory Panel (Con 2, Lab 2, Lib Dem 2)  
Chair - Councillor Jackson  
Councillors P S Berry, Brown, Lowe, Rehman, Richards
17. Representatives on the following bodies:
  - 17a Derbyshire Fire Authority (Con 1, Lab 3, Lib Dem 1)  
Vice Chair - Councillor Gerrard  
Councillors P S Berry, Bolton, Carr, Williamson
  - 17b Joint Committee with Derbyshire County Council for Local Authority Appointments to the Derbyshire Police Authority (Con 1, Lib Dem 1)  
Councillors Hickson, Winter

17c Derbyshire Development Plans Joint Advisory Committee (Con 1, Lab 3, Lib Dem 2)

Councillors Ahern, Baxter, Bolton, Brown, Care, Troup

17d Schools Organisation Committee (Con 1, Lab 3, Lib Dem 2)

Councillors Allen, Bayliss, Liversedge, MacDonald, Winter, Wynn

17e Standing Advisory Council on Religious Education (SACRE) (Con 1, Lab 3, Lib Dem 1)

Councillors Hird, Jackson, Smalley, Turner, Wynn

17f School Admissions Forum (Con 1, Lab 3, Lib Dem 1)

Councillors Khan, Liversedge, MacDonald, Winter, Wynn

18. Standards Committee (Con 1, Lab 1, Lib Dem 1)

Councillors Baxter, Brown, Skelton

Independent Members - Mr G Bagga, Canon R B Blowers, Mrs C McDowall

### **Informal Advisory Groups**

a. Plain English Panel (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor Bolton

Councillors Brown, Burgess, Carr, Roberts, Turner

b. Members Services Working Party (Con 1, Lab 2, Lib Dem 1)

Chair - Councillor Roberts

Councillors Hickson, Redfern, Troup

c. Bus Consultation Group (Con 1, Lab 3, Lib Dem 2)

Chair – Councillor Wynn

Councillors Ahern, Bolton, Care, Lowe, Webb,

d. Riverlights Group (Con 1, Lab 3, Lib Dem 2)

Chair - Councillor Williamson

Councillors Baxter, Bolton, Burgess, Hickson, Travis

7. To appoint Councillor Higginbottom as the Young People's Champion and Councillor Lowe as the Older People's Champion for the remainder of the current municipal year.

8. To approve the following amendments to Appointments to Outside Bodies for the remainder of the current municipal year:

| <b>Body</b>                                   | <b>Current Representative</b>                   | <b>New Representative</b>                       |
|---|---|---|
| Compact Forum                                 | Councillors Burgess, E Berry, Samra             | Councillors Hussain, Repton and Williamson      |
| <i>Derby City Partnership Groups</i>          |   |   |
| • Board                                       | Councillor Burgess                              | Councillor Williamson                           |
| • City of Learning Executive                  | Councillor Allen                                | Councillor Bayliss                              |
| • City of Opportunity Executive               | Councillor Allen and Samra                      | Councillor Bayliss and Hussain                  |
| • City of Opportunity Strategic Forum         | Councillors Allen, E Berry, Samra, Hickson      | Councillors Bayliss, Hussain, Repton and Nath   |
| • Cultural City Executive                     | Councillor West                                 | Councillor Dhindsa                              |
| • Environment City Executive                  | Councillor Care                                 | Councillor Bolton                               |
| • External Funding Management Group           | Councillor Samra                                | Councillor Repton                               |
| • Neighbourhood Renewal Fund Management Group | Councillor Samra                                | Councillor Roberts                              |
| • Prosperous City Executive                   | Councillor Hickson                              | Councillor Roberts                              |
| • Small Change Award Partners                 | Councillor E Berry                              | Councillor Hussain                              |
| Derby Homes Limited – Board                   | Councillors Bayliss, Gerrard, Lowe, Troup, Webb | Councillor Blanksby, Lowe, Redfern, Troup, Webb |
| Derbyshire Connexions Partnership             | Councillor Allen                                | Councillor Bayliss                              |

| <b>Body</b>   | <b>Current Representative</b>        | <b>New Representative</b>                                    |
|---|--------------------------------------|--|
| LGA Urban Commission  | Councillors Burgess, Hickson         | Councillors Williamson, Roberts                              |
| Derbyshire LGA  | Councillors Burgess, Latham, Roberts | Councillors Roberts, Williamson and one Lib Dem/Conservative |
| Derbyshire LGA Environmental Co-ordination Group            | Councillor Care                      | Councillor Bolton  |
| East Midlands Regional Assembly                             | Councillor Burgess                   | Councillor Williamson  |
| Special Interest Group of Metropolitan Authorities (SIGOMA) | Councillor Burgess                   | Councillor Williamson  |

In accordance with Council Procedural Rule CP50, the Council consented to the alteration of the motion to read as follows:

In acknowledgement of the change in political control of the Council:

1. To rescind Council Minutes 14/04, 16/04 and 17/04.
2. To establish a Council Cabinet of ten members with the areas of responsibility shown in the list below.
3. To elect Councillor Williamson as the Leader of the Council (Area of Responsibility – Corporate Policy) for the remainder of the current municipal year.
4. To elect the following members to the Council Cabinet, in addition to the Leader, for the remainder of the current municipal year, with the areas of responsibility shown below:

| <b>Area of Responsibility</b>   | <b>Councillor</b> |
|---|-------------------|
| Regeneration, Performance Management and Economic Development (Deputy Leader) | Roberts           |
| Environment and Direct Services   | Bolton            |
| Housing and Social Inclusion  | Nath              |
| Leisure and Cultural Services   | Dhindsa           |
| Lifelong Learning   | Bayliss           |
| Personnel, Equalities and   | Gerrard           |

|                             |         |
|-----------------------------|---------|
| E-Government                |         |
| Planning and Transportation | Wynn    |
| Social Care                 | Hussain |
| Youth and Community         | Repton  |

## **Council Cabinet Members Areas of Responsibility**

### **1. Corporate Policy**

Corporate Council Policies and Strategies  
 Corporate Finance and Financial Services including Taxation  
 Corporate Legal and Administrative Services  
 Corporate Communications  
 European Policy  
 Local Strategic Partnership  
 Sub Regional Strategic Partnership  
 External Affairs – European, National, Regional and Local  
 Mayoral Office/Electoral Issues/Registrars  
 Emergency Planning  
 Members Services/Allowances

### **2. Regeneration, Performance Management and Economic Development**

Performance Management  
 Best Value functions  
 Best Value Performance Plan and Derby Pointer  
 Estates/Property Services and Repair and Maintenance  
 External Employment Initiatives  
 Economic Development  
 New Deal for Communities  
 Special Programmes Management, including all Single Regeneration Budget Schemes, Neighbourhood Renewal Fund and European Objective 2 and URBAN

### **3. Environment and Direct Services**

Local Agenda 21 Strategy, Environment Co-ordination and Initiatives  
 Environmental Health and Trading Standards  
 Grounds Maintenance  
 Client – Street Cleaning/Waste Collection and Disposal/Public Conveniences  
 Recycling  
 Land Drainage  
 Energy Conservation  
 City Centre and Neighbourhood Horticultural Features  
 All Direct Services  
 Non-Highway Engineering  
 Cemeteries and Crematorium  
 Building Design Services

### **4. Housing and Social Inclusion**

Housing Management Client  
 Housing Strategy and Development  
 Private Sector Housing

Homelessness  
Supporting People  
Social Inclusion  
Housing and Council Tax Benefits  
Unified Advice Service  
Community Legal Services including Law Centre and Citizens Advice Bureau

**5. Leisure and Cultural Services**

Arts and Libraries  
Assembly Rooms/Guildhall  
Museums/Art Gallery  
Festivities  
Outdoor Events  
Parks and Allotments, including Client Grounds Maintenance  
Sports and Play including Grants  
Leisure Centres and Coaching  
Health and Fitness

**6. Lifelong Learning**

Schools, including Repairs and Maintenance  
Centrally funded Schools Services, including Special Needs  
Adult Education  
Mandatory and Discretionary Awards  
Access Support, including Ethnic Minority Achievement Grant

**7. Personnel, Equalities and E-Government**

Corporate Personnel, Recruitment and Training functions and Issues  
Employment Training  
Health and Safety  
Corporate Equalities Functions and Issues, including Equalities Grants  
Community Cohesion  
E-Government  
Computer Services/Development  
Telecommunications

**8. Planning and Transportation**

Strategic Planning and Transportation  
Planning and Building Control  
Tourism and TIC  
Footpaths, Highways and Maintenance, Car Parks  
Roads – Engineering and Design Services  
Car Parking  
Highways Property Administration  
City Centre Management  
Markets

**9. Social Care**

Children and Family Services  
Adult Services  
Assessment and Care Planning  
Social Services Support Services

Health Improvement Planning  
Health Services Partnerships

## 10. Youth and Community

Youth Service  
Community Centres  
Community Grants  
Community Governance and Consultation  
Community Regeneration and Development, including Community Planning  
Area and Neighbourhood Working, including Area Panels  
Community Safety Partnership  
Community Strategy and Neighbourhood Renewal Strategy  
Derby Pointer Panel

5. To amend the second sentence of Rule EP14 of the Council Cabinet Procedure Rules to read: **“If they are not members of the Council Cabinet, the Leader or Deputy Leader of each political group, and until the Council’s Annual Meeting in May 2005 Councillor Leeming, will be invited to attend the first part of meetings of the Council Cabinet, including the consideration of items containing exempt information, and to speak but not vote”**.
6. To approve the following constitutional appointments for the remainder of the current municipal year:
  1. Scrutiny Management Commission (Con 3, Lab 7, Lib Dem 4)  
  
Chair - Councillor Graves  
Vice Chairs – Councillors Redfern, Liberal Democrat/Conservative Member  
Chairs and Vice Chairs of Overview and Scrutiny Commissions  
+1 Liberal Democrat/Conservative Member
  2. Community Regeneration Commission (Con 2, Lab 4, Lib Dem 2)  
  
Chair - Liberal Democrat/Conservative Member  
Vice Chair – Councillor Blanksby  
Councillors Chera, Higginbottom, Turner + 3 Liberal Democrat/Conservative Members  
Co-opted Members - Canon D MacDonald, Mr Syed Kazmi
  3. Culture and Prosperity Commission (Con 2, Lab 4, Lib Dem 2)  
  
Chair - Councillor Jackson  
Vice Chair – Liberal Democrat/Conservative Member  
Councillors Gupta, Khan, Tittley + 3 Liberal Democrat/Conservative Members



- 7b Licensing Sub Committee B (Entertainments etc) (Con 2, Lab 4, Lib Dem 2)

Chair - Councillor Redfern  
Vice Chair - Councillor Brown  
Councillors Dhamrait, Jackson, Jones, Liversedge, MacDonald, Richards

- 7c Employee Appeals Sub Committee

Any three members of the Licensing and Appeals Committee, including one member from each political group.

- 7d Disciplinary Sub Committee

To be constituted when necessary

- 7e Disputes Resolution Sub Committee

Any three members of the Licensing and Appeals Committee including one member from each political group.

- 7f Education (Awards and Transport) Appeals Sub Committee (Con 2, Lab 4, Lib Dem 2)

Chair – Councillor Jackson  
Vice Chair - Councillor Brown  
Councillors P S Berry, Dhamrait, Hird, MacDonald, Rehman, Richards

- 7g Housing Appeals Sub Committee

Any three members of the Licensing and Appeals Committee including one member from each political group.

- 7h Discretionary Housing Payments Appeals Sub Committee

Any three members of the Licensing and Appeals Committee including one member from each political group.

- 7i Social Services Secure Accommodation Panel (Con 1, Lab 3, Lib Dem 2)

Councillors Jackson, Jones, MacDonald, Redfern, Webb, Winter

(Note: One member is selected for each meeting from the above panel of six)

8. Planning Control Committee (Con 3, Lab 7, Lib Dem 4)  
 Chair - Councillor Baxter  
 Vice Chair - Liberal Democrat/Conservative Member  
  
 Councillors Ahern, Chera, Khan, Rehman, Turner, Wynn + 6 Liberal Democrat/Conservative Members
9. Special Purposes Committee (Con 2, Lab 4, Lib Dem 2)  
 Chair - Councillor Williamson  
 Vice Chair - Councillor Roberts  
 Councillors Burgess, Care, Graves, Hickson, Redfern, Smalley
10. Conservation Area Advisory Committee (Con 2, Lab 2, Lib Dem 2)  
 Councillors Liversedge, Marshall, Roberts, Tittley, Travis, Willitts
11. Disabled People's Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
 Chair - Councillor Chera  
 Councillors Hird, Rehman, Troup, Turner, Webb
12. Minority Ethnic Communities Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
 Chair - Councillor Williamson  
 Vice Chair - Councillor Willitts  
 Councillors Burgess, Gupta, Khan, Richards
13. Women's Advisory Committee (Con 1, Lab 3, Lib Dem 2)  
 Chair – Councillor Higginbottom  
 Councillors Gupta, Jackman, Latham, MacDonald, Winter
14. Social Services Fostering Panel (1 Cabinet Member)  
 Councillor Hussain
15. Social Services Adoption Panel (Con 1, Lab 1)  
 Councillors P S Berry, Turner
16. Civic Awards Advisory Panel (Con 2, Lab 2, Lib Dem 2)  
 Chair - Councillor Jackson  
 Councillors P S Berry, Brown, Lowe, Rehman, Richards
17. Representatives on the following bodies:

- 17a Derbyshire Fire Authority (Con 1, Lab 3, Lib Dem 1)  
 Vice Chair - Councillor Gerrard  
 Councillors P S Berry, Bolton, Carr, Williamson
- 17b Joint Committee with Derbyshire County Council for Local Authority  
 Appointments to the Derbyshire Police Authority (Con 1, Lib Dem 1)  
 Councillors Hickson, Winter
- 17c Derbyshire Development Plans Joint Advisory Committee (Con 1,  
 Lab 3, Lib Dem 2)  
 Councillors Ahern, Baxter, Bolton, Brown, Care, Troup
- 17d Schools Organisation Committee (Con 1, Lab 3, Lib Dem 2)  
 Councillors Allen, Bayliss, Liversedge, MacDonald, Winter, Wynn
- 17e Standing Advisory Council on Religious Education (SACRE) (Con  
 1, Lab 3, Lib Dem 1)  
 Councillors Hird, Jackson, Smalley, Turner, Wynn
- 17f School Admissions Forum (Con 1, Lab 3, Lib Dem 1)  
 Councillors Khan, Liversedge, MacDonald, Winter, Wynn
18. Standards Committee (Con 1, Lab 1, Lib Dem 1)  
 Councillors Baxter, Brown, Skelton  
 Independent Members - Mr G Bagga, Canon R B Blowers, Mrs C  
 McDowall

### **Informal Advisory Groups**

- a. Plain English Panel (Con 1, Lab 3, Lib Dem 2)  
 Chair - Councillor Bolton  
 Councillors Brown, Burgess, Carr, Roberts, Turner
- b. Members Services Working Party (Con 1, Lab 2, Lib Dem 1)  
 Chair - Councillor Roberts  
 Councillors Hickson, Redfern, Troup
- c. Bus Consultation Group (Con 1, Lab 3, Lib Dem 2)  
 Chair – Councillor Wynn  
 Councillors Ahern, Bolton, Care, Lowe, Webb,

- d. Riverlights Group (Con 1, Lab 3, Lib Dem 2)  
 Chair - Councillor Williamson  
 Councillors Baxter, Bolton, Burgess, Hickson, Travis

7. To appoint Councillor Higginbottom as the Young People's Champion and Councillor Lowe as the Older People's Champion for the remainder of the current municipal year.
8. To approve the following amendments to Appointments to Outside Bodies for the remainder of the current municipal year:

| <b>Body</b>                                 | <b>Current Representative</b>              | <b>New Representative</b>                     |
|---|--|---|
| Compact Forum                               | Councillors Burgess, E Berry, Samra        | Councillors Hussain, Repton and Williamson    |
| <i>Derby City Partnership Groups</i>        |  |   |
| • Board                                     | Councillor Burgess                         | Councillor Williamson                         |
| • City of Learning Executive                | Councillor Allen                           | Councillor Bayliss                            |
| • City of Opportunity Executive             | Councillor Allen and Samra                 | Councillor Bayliss and Hussain                |
| • City of Opportunity Strategic Forum       | Councillors Allen, E Berry, Samra, Hickson | Councillors Bayliss, Hussain, Repton and Nath |
| • Cultural City Executive                   | Councillor West                            | Councillor Dhindsa                            |
| • Environment City Executive                | Councillor Care                            | Councillor Bolton                             |
| • External Funding Management Group         | Councillor Samra                           | Councillor Repton                             |
| Neighbourhood Renewal Fund Management Group | Councillor Samra                           | Councillor Roberts                            |

| <b>Body</b>  | <b>Current Representative</b>                   | <b>New Representative</b>                                    |
|--|---|--|
| • Prosperous City Executive                        | Councillor Hickson                              | Councillor Roberts   |
| • Small Change Award Partners                      | Councillor E Berry                              | Councillor Hussain   |
| Derby Homes Limited – Board                        | Councillors Bayliss, Gerrard, Lowe, Troup, Webb | Councillor Blanksby, Lowe, Redfern, Troup, Webb              |
| Derbyshire Connexions Partnership                  | Councillor Allen                                | Councillor Bayliss   |
| LGA Urban Commission                               | Councillors Burgess, Hickson                    | Councillors Williamson, Roberts                              |
| Derbyshire LGA                                     | Councillors Burgess, Latham, Roberts            | Councillors Roberts, Williamson and one Lib Dem/Conservative |
| Derbyshire LGA Environmental Co-ordination Group   | Councillor Care                                 | Councillor Bolton  |
| East Midlands Regional Assembly                    | Councillor Burgess                              | Councillor Williamson  |
| Special Interest Group of Metropolitan Authorities | Councillor Burgess                              | Councillor Williamson  |

In accordance with Rule CP68, it was demanded by at least ten members that a recorded vote be taken on the motion.

The following members voted for the motion:

Councillors Ahern, Baxter, Bayliss, Blanksby, Bolton, Chera, Dhamrait, Dhindsa, Gerrard, Graves, Gupta, Higginbottom, Hussain, Jackson, Khan, MacDonald, Nath, Redfern, Rehman, Repton, Roberts, Tittley, Turner, Williamson, Wynn (25)

The following members voted against the motion:

The Mayor (Councillor Skelton), Councillors Allen, E Berry, P S Berry, Brown, Burgess, Care, Carr, Hickson, Hird, Jackman, Jones, Latham, Liversedge, Lowe, Marshall, Richards, Samra, Smalley, Travis, Troup, Webb, West, Willitts, Winter (25)

Councillor Leeming abstained.

The Mayor (Councillor Skelton) exercised her casting vote against the motion.

The motion was declared lost.

4. *Membership of the Scrutiny Management Commission and Other Bodies*

It was moved by Councillor Graves, and seconded, to increase the membership of the Scrutiny Management Commission to 14 (Conservative 3, Labour 7, Liberal Democrat 4) and to appoint Councillor Bayliss to the Commission for the remainder of the current municipal year.

In accordance with Rule CP50, the Council consented to the alteration of the motion to read as follows:

1. To increase the membership of the Scrutiny Management Commission to 14 (Conservative 3, Labour 7, Liberal Democrat 4) and to appoint Councillor Bayliss to the Commission for the remainder of the current municipal year.
2. To appoint Councillor Higginbottom to the Women's Advisory Committee for the remainder of the current municipal year.
3. To appoint Councillor Higginbottom in place of Councillor Redfern as the Council's representative on the Derby Furniture Project Management Committee for the remainder of the current municipal year."

The motion was put to the meeting and carried.

**Resolved:**

1. **To increase the membership of the Scrutiny Management Commission to 14 (Conservative 3, Labour 7, Liberal Democrat 4) and to appoint Councillor Bayliss to the Commission for the remainder of the current municipal year.**
2. **To appoint Councillor Higginbottom to the Women's Advisory Committee for the remainder of the current municipal year.**
3. **To appoint Councillor Higginbottom in place of Councillor Redfern as the Council's representative on the Derby Furniture Project Management Committee for the remainder of the current municipal year."**

## 41/04 Appointments to Charities

The Council considered a report of the Director of Corporate Services on appointments to charities.

***Resolved, on the motion of Councillor Burgess, to appoint Councillor Bolton as a nominative trustee on the Wilmot, Gilbert and Berrysford Charity until 2 September 2008.***

#### **42/04 Urgent Decisions of the Council Cabinet**

The Council consider a report of the Director of Corporate Services on Urgent Decisions of the Council Cabinet.

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

#### **43/04 Members Allowances – Recommendations of the Independent Remuneration Panel**

The Council considered a report of the Director of Corporate Services concerning the recommendations of the Independent Remuneration Panel on Members Allowances.

***Resolved, on the motion of Councillor Burgess:***

- 1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2.**
- 2. To agree that a Special Responsibility Allowance should not be paid to the Leader or Deputy Leader of a political group with less than five members.**
- 3. Not to include a Co-optees Allowance in the Members' Allowances Scheme at this stage, and to ask the Independent Remuneration Panel to review this allowance when considering its recommendations for 2005/06.**
- 4. To link increases in Basic and Special Responsibility Allowances in 2004/05 and 2005/06 to the average salary award for local authority employees as follows:**

**2.75% from 1 April 2004**

**2.95% from 1 April 2005**

**and that, in the case of 2004/05, the 2.75% increase be backdated to 1 April 2004.**

- 5. To continue the Special Responsibility Allowance payable to members of the Licensing and Appeals Committee, but to ask the Independent Remuneration Panel to review it again in December 2004 when the Council's proposals for dealing with its new licensing responsibilities are clearer, and in conducting that review to take into account the workload of Members serving on other constitutional bodies, for**

example the Planning Control Committee.

6. To approve a Special Responsibility Allowance for councillor members of the Adoption Panel equivalent to that paid to members of the Licensing and Appeals Committee, and for members of the Adoption Panel to receive this allowance in addition to one other Special Responsibility Allowance.
7. Subject to 2. above, not to make any change in the Special Responsibility Allowances paid to the Leader or Deputy Leader of an Opposition Group.
8. To approve the revised Members' Allowance Scheme at Appendix 3 and revoke the existing Scheme.

#### 44/04 Co-options to the Social Care and Health Overview and Scrutiny Commission

The Council considered a report of the Chair of the Social Care and Health Overview and Scrutiny Commission on Co-options to the Commission.

***Resolved, on the motion of Councillor Hussain, to co-opt the following people to the Social Care and Health Overview and Scrutiny Commission for the remainder of the current municipal year:***

***Elaine Jackson***

***Sir Michael Raymond, Patient and Public Involvement Forum member for Derby Hospitals NHS Foundation Trust***

***Phillip Johnson, Patient and Public Involvement Forum member for Greater Derby PCT.***

MAYOR



**COUNCIL CABINET  
28 SEPTEMBER 2004**

Present: Councillor Burgess – Chair  
Councillors Allen, E Berry, Care, Carr, Samra and West

Also present: Councillor Williamson

This record of decisions was published on 30 September 2004. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

## Key Decisions

### 141/04 Contract and Financial Procedure Matters.

The Council Cabinet considered a joint report from the Director of Finance and Corporate Services, setting out a number of finance and contract procedure matters.

An addendum to the report was circulated at the meeting.

#### Decision

- 1 To approve the addition of Mile Ash Lane Retaining Wall to the Local Transport Plan - LTP - capital programme pool, and note the budget reduction in the inner ring road parapet scheme.
- 2 To approve the amendment to the LTP bridges schemes identified in Table 1.
- 3 To waive contract procedure rule C.15 to purchase on-vehicle and depot equipment from INIT and on street display equipment from Poltech, in relation to the Real Time Information System extension.
- 4 To recommend Council to approve provision for up to £1.5m of capital expenditure in 2004/05 under the approved Home Computing Initiative - HCI, to be funded from unsupported borrowing, and to approve the associated changes to the Council's prudential indicators when updated, noting that revenue financing and administrative costs would be fully met from employee contributions.
- 5 To approve creation of a corporate HCI revenue budget, income from which would be vired to fund indirect administrative costs estimated at £33,000 over a full year.

- 6 To approve an amendment to the Social Services capital programme following the change in grant funding conditions, by transferring £49,000 from the Children's Intranet Service to initiate the Integrated Children's Service Scheme.
- 7 To note the developing partnership with Microsoft.
- 8 To confirm the approval to grant a loan to the Multi Faith Centre of. £50,000 interest free over 3 years without the organisation providing any legal guarantee.
- 9 To approve the renewal of the telecommunications FeatureNet Contract

**COUNCIL CABINET  
19 OCTOBER 2004**

Present: Councillor Burgess – Chair  
Councillors E Berry, Care, Carr, Hickson, Samra and West

Also present: Councillor Williamson

This record of decisions was published on 21 October. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

## Performance Monitoring

### 162/04 A City Growth Strategy for Derby

The Council Cabinet considered a report from the Director of Development and Cultural Services, setting out details of funding received for the preparation of a City Growth Strategy for Derby.

#### **Decision**

- 1 To note the approval of the recent submission for funding for the preparation of a City Growth Strategy for Derby.
- 2 To ask the Director of Development and Cultural Services to incorporate Leisure into the City Growth Strategy for Derby.
- 2 To waive Contract Procedures Rules 15.7 and 15.9 to allow Rudi Lowry and Associates be appointed to prepare the strategy by 31 March 2006.
- 3 To recommend Council to nominate a Member to represent the Council on the City Growth Strategy Steering Group.



**COUNCIL CABINET  
9 NOVEMBER 2004**

Present: Councillor Burgess – Chair  
Councillors E Berry, Care, Carr, Hickson, Samra and West

Also present: Councillor Roberts

This record of decisions was published on 11 November 2004. The key decisions set out in this record will come into force and may then be implemented on the expiry of five clear days unless a decision is called-in.

## **Matters Referred to Council Cabinet**

### **174/04 Report of the Community Regeneration Commission on 'Paying the Price' a consultation paper on Prostitution**

The Council Cabinet considered a report of the Community Regeneration Commission regarding 'Paying the Price' a consultation paper on Prostitution. The Commission had considered the 35 Questions included in the paper at a meeting held on 2 November 2004 and made recommendation on what should be included in the Council Response.

#### **Decision**

To recommend Council to approve the comments of the Community Regeneration Commission as the Council response to the "Paying the Price" consultation paper on prostitution.

## **Key Decisions**

### **178/04 Consumer Direct: National Call Centres For Consumer Advice**

The Council Cabinet considered a report of the Director of Corporate Services regarding Consumer Direct: National Call Centres For Consumer Advice. The Department of Trade and Industry – DTI was setting up seven regional Call Centres to give first tier customer advice. The service would be called Consumer Direct and would operate by means of an 0845 telephone number. The Call Centre would be fully funded by the DTI. Bids had been invited from Trading Standards Services to operate the Call Centres. It was reported that Lincolnshire County Council had been selected to provide the service in the region and were looking to set up a joint

Committee to manage.

### **Options Considered**

There were no other options considered.

### **Decision**

1. To support the Regional “Consumer Direct” Call Centre
2. To recommend Council to appoint Councillor Carr as a director of the limited company, which will run the Call Centre.
3. To delegate to the Director of Corporate Services, authority to set up a joint Commission to manage the service, if this is authorised by the Department for Trade and Industry - DTI

### **Reasons**

The “Consumer Direct” Call Centres are being established by the DTI, who are making initial funds available to Trading Standards Services to run the Centres.

## **Performance Monitoring**

### **184/04 Revisions of Prudential Indicators and Treasury Management Progress Report 2004/05**

The Council Cabinet consider a report from the Director of Finance regarding Revisions to Prudential Indicators and Treasury Management Progress Report 2004/05.

### **Decision**

1. To recommend Council to approve a revised set of 2004/05 prudential indicators as set out in Appendix 2 of the report
2. To note progress on Treasury Management in the context of the approved Treasury Management Strategy for 2004/05.

### **189/04 Pupil Referral Unit Ofsted Inspection**

The Council Cabinet considered a report of the Director of Education regarding the Pupil Referral Unit – PRU - Ofsted Inspection. Ofsted inspected the PRU between 5 and 8 July 2004. The overall evaluation of the inspection judged the unit to be ineffective and failing to provide an adequate standard of education. Ofsted therefore placed the provision in the Ofsted category of Special Measures. The Joint

Derby City Council Education Service and Pupil Referral Unit Action Plan had been drawn up using the key issues identified in the Ofsted report as the most important things that can be done to improve the PRU service and bring it out of special measures.

### **Decision**

1. To note the summary of the report relating to the Ofsted Inspection of Derby City Pupil Referral Unit.
2. To recommend to Council to approve the joint Derby City Education Service and PRU Action Plan for submission to Ofsted.
3. To note that as a result of the outcome on the consultation of the re-organisation of the Pupil Referral Unit, the proposal has been withdrawn.