

TO: ALL MEMBERS OF THE 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 8 September 2010 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 7 July 2010 and the extraordinary meeting of the Council on 28 July 2010. **DOCUMENT 3, 3A**

Motion - That the minutes of the meeting of the Council held on 7 July 2010 and the extraordinary meeting of the Council held on 28 July 2010 be approved as correct records, confirmed and signed by the Mayor.

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.
 - a) Tom Fulep - Big Screen
 - b) Dorothy Skrytek - Planning Application in relation to Sinfin Waste Treatment
 - c) Patrick Molson - Refurbishment of Council House
 - d) Martin Sear - 10:10 Pledge
 - e) Peter Robinson - Work of the Climate Change Commission

(Note – unless the Council decides otherwise, the maximum period of time for questions by the public is thirty minutes. Any questions not answered at the end of thirty minutes will be answered in writing).

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

There are no questions.

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 following minutes and recommendations of the Council Cabinet dated 27 July and 7 September 2010 requiring the approval of the Council. **DOCUMENT 9, 9C**
- 44/10 Capital Outturn Report** **DOCUMENT 9A**
- To recommend Council to approve £74k additional service financed unsupported borrowing to finance the 2009/10 Capital Outturn.
- 48/10 Contract and Financial Procedure Matters Report** **DOCUMENT 9B**
- To recommend Council to approve the changes detailed in Appendix 2 and 2a of the report and to amend the 2010/11 – 2012/13 Capital Programme.
- 64/10 Contract and Financial Procedure Matters Report** **DOCUMENT 9D**
1. To recommend Council to approve the changes to the 2010/11 – 2012/13 capital programme as set out in appendix 2 of the report.
 2. To approve scheme commencements for the schemes detailed in Appendix 3 of the report and recommend to Council the additional borrowing of £1.3m for the new Primary phase enhanced resources unit for autistic spectrum disorder pupils.
- Motion – To approve the above minutes and recommendations of the Council Cabinet dated 27 July and 7 September 2010.**
10. To consider the following minutes and recommendations of the Taxi Licensing and Appeals Committee dated 14 July 2010 requiring the approval of the Council. **DOCUMENT 10**
- 48/09 Clarification on the Licensing of Rickshaws** **DOCUMENT 10A**
- To recommend to Council that the decision to allow Rickshaws to be licensed as private hire vehicles be rescinded.
- Motion – To approve the above minutes and recommendations of the Taxi Licensing and Appeals Committee dated 14 July 2010.**
11. To consider the following minute and recommendations of the Governance Committee dated 28 July 2010. **DOCUMENT 11**
- 04/10 New Executive Arrangements Consultation** **DOCUMENT 11A**
- Recommend that Council consider the results of the consultation and take a final decision at the scheduled Council meeting on 17 November 2010 rather than a special meeting on 15 December;
- Motion – To approve the above minute and recommendations of the Governance Committee dated 28 July 2010.**

12. To consider a report of the Director of Legal and Democratic Services as Monitoring Officer concerning Proposed Amendments to the Constitution. **DOCUMENT 12**

Motion - To approve the amendments to the Constitution set out in Appendix 2 of the report.

13. To consider a report of the Strategic Director of Resources concerning Urgent Non-Executive Decisions made by the Chief Executive. **DOCUMENT 13**

Motion – To note the report

14. Notice of Motion

Councillor Bolton to move, Councillor Bayliss to second:

This Council agrees to write to the Secretary of State urging him to visit Lees Brook Community Sports College in the near future in order to acquaint himself with the condition of the buildings. When he is aware of the state of the premises, Council strongly urges him to reverse his decision to stop the Building Schools for the Future programme for the Lees Brook Community Sports College.

This Council firmly opposes the coalition government's actions in stopping the programme thereby putting at risk the renewal of school buildings already identified as being well beyond their useful life.



Stuart Leslie
Director of Legal and Democratic Services

**COUNCIL MEETING
7 JULY 2010**

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Chera, Davis, Dhindsa, Graves, Grimadell, Harwood, Hickson, Higginbottom, Holmes, Hussain, Ingall, Jackson, Jennings, F Khan, S Khan, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Tuplin, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Hird, Jones and Leeming.

Declarations of Interest

Councillor Williams declared a personal and prejudicial interest in Item 9 – Council Cabinet minutes of the 8 June and 6 July 2010 – on the basis that a close family member had applied for a post with the Council.

Announcements from the Mayor – Urgent Items

The Mayor stated that, in accordance with Rule CP39(r), he proposed to add the following urgent items to the agenda:

- (1) Item 9 – Additional minutes of the Council Cabinet relating to:
 - Accommodation Strategy
 - Revenue Budget – Establishment and Vacancy Control.

These reports had been circulated to all Members with the Council Cabinet papers. The Mayor stated that the reason for the urgency was that these matters required Council approval but had only been considered by the Council Cabinet the previous evening.

- (2) Item 9 (a) – Appointment of Council Cabinet Member for Adult Social Care and Health.

The Mayor stated that the reason for the urgency was that Councillor Hickson had recently been appointed Chair of the Derbyshire Police Authority and had decided to relinquish his Cabinet post. The appointment of a replacement could not wait until the next Council meeting.

The Mayor congratulated Councillor Hickson on being appointed Chair of the Derbyshire Police Authority.

28/10 Order of Business

Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), to vary the order of business so that Item 13 was taken after Item 14(1), as it would be superseded if the motion at Item 14(1) was passed.

29/10 Minutes of the Previous Meetings

Resolved that the minutes of the Annual Meeting of the Council held on 26 May 2010 be approved as a correct record, confirmed and signed by the Mayor.

30/10 Statements by Members of the Council Cabinet

The following statements were made by members of the Council Cabinet:

1. By Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment concerning the abolition of regional planned housing targets. Councillors Dhindsa and Troup responded.
2. By Councillor Grimadell, Council Cabinet Member for Leisure and Culture, concerning a new library in Chaddesden ward. Councillors Bolton and Naitta responded.
3. By Councillor Poulter, Council Cabinet Member for Neighbourhoods concerning Morledge improvements. Councillor Carr responded.

31/10 Public Questions

Questions from members of the public were asked as follows:

1. By Simon Bacon, concerning Sinfin Lane Biodiversity Review, answered by Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment.
2. By Dorothy Skrytek, concerning the use of barristers in relation to the Planning Appeal for the Sinfin Waste Treatment Plant, answered by Councillor Wood, Chair of the Planning Control Committee.
3. By Colin Underhill, concerning institutional graffiti, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
4. By Colin Underhill, concerning London Plane trees, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.

Dorothy Skrytek withdrew a question relating to the public open day for the Sinfin Waste Treatment Plant Planning Appeal.

32/10 Written Questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Ltd

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

33/10 Written Questions from Non-Council Cabinet Members

Written questions from Non-Council Cabinet Members to Members of Council Cabinet or Committee Chairs were asked as follows:

1. By Councillor Whitby, concerning the refurbishment of Prince Charles Avenue District Centre, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
2. By Councillor L Winter, concerning the Ring Road bus service to the Royal Hospital, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Councillor Bayliss, concerning the Phase 3 works on Alvaston District Centre, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
4. By Councillor Bolton, concerning the Building Schools for the Future Programme, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
5. By Councillor Bolton, concerning Surestart Children's Centre Projects in Derby, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
6. By Councillor Allen, concerning Academy School Status applications, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
7. By Councillor Rawson, concerning insurance, MOT certificates and driving licence checks for employees claiming business mileage, answered by Councillor Marshall, Council Cabinet Member for Resources.
8. By Councillor Rawson, concerning the Single Status Pay Review and Job Evaluation, answered by Councillor Marshall, Council Cabinet Member for Resources.
9. By Councillor Bolton, concerning Chaddesden Library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
10. By Councillor Redfern, concerning Exeter House, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
11. By Councillor Banwait, concerning toilet facilities for frontline workers, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.

12. By Councillor Banwait, concerning discussions between frontline workers and Cabinet Members, answered by Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment.
13. By Councillor Naitta, concerning Moorways Swimming Pool, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
14. By Councillor Graves, concerning Derby Big Screen, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
15. By Councillor Shanker, concerning permanent travellers' sites, answered by Ingall, Council Cabinet Member for Housing and Advice.
16. By Councillor Turner, concerning the Waste Management Contract, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
17. By Councillor Shanker, concerning Sinfin Lane Waste Treatment Plant, answered by Councillor Jennings, Leader of the Council.

34/10 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.

The Council consented to a proposal by Councillor Jennings, Leader of the Council, that paragraph 1 of the recommendation in Minute No. 27/10 of the Council Cabinet (Revenue Budget – Establishment and Vacancy Control) be amended by the deletion of the words “below tier three”.

Resolved, on the motion of Councillor Jennings, to approve the minutes and recommendations of the Council Cabinet dated 8 June and 6 July 2010, as amended.

35/10 Appointment of Council Cabinet Member for Adult Social Care and Health

Resolved, on the motion of Councillor Jennings, that Councillor Webb be appointed Council Cabinet Member for Adult Social Care and Health in place of Councillor Hickson for the remainder of the current municipal year.

36/10 Minutes and Recommendations of the Audit and Accounts Committee

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

Resolved, on the motion of Councillor Ashburner, to approve the minutes and recommendations of the Audit and Accounts Committee dated 24 June 2010.

37/10 Governance

The Council considered a report of the Strategic Director of Resources on Governance.

It was moved by Councillor Jennings, and seconded:

1. That Council determines, in principle, whether it wishes to adopt either:
 - a leader and cabinet, or
 - a directly elected mayor and cabinetmodel of executive arrangements and authorises appropriate consultation with the public and stakeholders.
2. That Council decides whether it wishes to consult appropriate persons over a move to whole Council elections from May 2011.
3. That a special Governance Committee, comprising the Leaders and Deputy Leaders of each political group, and chaired by the Leader of the Council, be established to agree consultation arrangements and oversee the process leading to final decisions.
4. That a special meeting of the Council be held on 15 December 2010 to take final decisions on the matters referred to in paragraphs 1. and 2.
5. That Council determines that, in the light of the outcomes of the review of neighbourhood management, approved by the Council Cabinet on 16 March 2010, there is no need for a Community Governance Review.

The Council consented to a proposal by Councillor Jennings to alter the motion as follows:

- by the deletion of the words :
 - paragraph 1 – 'whether', 'either', 'or', 'a directly elected mayor and cabinet'
 - paragraph 2 – 'decides whether it wishes to consult appropriate persons over'
 - paragraph 3 – 'final decisions'
 - paragraph 4 – 'final decisions on the matters referred to in paragraphs 1. and 2.'
- and by the insertion of the words :
 - paragraph 1 – 'that'
 - paragraph 2 – 'will not'
 - paragraph 3 – 'the final decision on the Council's future executive arrangements'
 - paragraph 4 - 'the final decision on the Council's future executive arrangements'

Resolved:

- 1. That Council determines, in principle, that it wishes to adopt a leader and cabinet model of executive arrangements and authorises appropriate consultation with the public and stakeholders.**
- 2. That Council will not move to whole Council elections from May 2011.**
- 3. That a special Governance Committee, comprising the Leaders and Deputy Leaders of each political group, and chaired by the Leader of the Council, be established to agree consultation arrangements and oversee the process leading to the final decision on the Council's future executive arrangements.**
- 4. That a special meeting of the Council be held on 15 December 2010 to take the final decision on the Council's future executive arrangements.**
- 5. That Council determines that, in the light of the outcomes of the review of neighbourhood management, approved by the Council Cabinet on 16 March 2010, there is no need for a Community Governance Review.**

38/10 Annual Report of the Standards Committee 2009/10

The Council considered the Annual Report of the Standards Committee for 2009/10. Mr Philip Sunderland, Chair of the Standards Committee, presented the report.

Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), to receive the Annual Report of the Standards Committee for the 2009/10 municipal year.

39/10 Notice of Motion Deferred from the May 2010 Meeting

Overview and Scrutiny Commission Structure

It was moved by Councillor Carr, and seconded, that Council recognises the need for its overview and scrutiny function to be able to scrutinise service delivery effectively. To this end Council resolves that the overview and scrutiny commission structure be amended to reflect the new departmental structure by providing for five commissions in total, with one commission per strategic directorate (with the Scrutiny Management Commission taking responsibility for the Chief Executive's Office), and that the Monitoring Officer be instructed to amend the Council's Constitution and committee appointment list accordingly.

It was moved by Councillor Shanker, and seconded, that the motion be amended by the substitution of the word "six" for the word "five" in the second sentence and the insertion of the words "and the retention of the Climate Change Commission to maintain focus on this vitally important issue" between the words "Chief Executive's Office)" and "and".

The amendment was put to the meeting and lost.

Resolved that Council recognises the need for its overview and scrutiny function to be able to scrutinise service delivery effectively. To this end Council resolves that the overview and scrutiny commission structure be amended to reflect the new departmental structure by providing for five commissions in total, with one commission per strategic directorate (with the Scrutiny Management Commission taking responsibility for the Chief Executive’s Office), and that the Monitoring Officer be instructed to amend the Council’s Constitution and committee appointment list accordingly.

As a consequence of the Council passing the above resolution the Council made fresh appointments to Scrutiny Commissions.

Resolved to make the following appointments to Scrutiny Commissions for the remainder of the current municipal year:

	Conservative	Labour	Liberal Democrat	Independent
Scrutiny Management	Barker Davis Harwood		Carr * F Khan	
Children and Young People	Berry Davis Radford		F Winter * Tuplin	
Adults, Health and Housing	Chera Leeming Radford		Skelton * Lowe	
Neighbourhoods	Barker Berry Harwood		Batey * Troup	Graves
Resources	Chera Davis Leeming		Naitta * Atwal	

* Chair

Note: Councillor Bayliss stated that the Labour Group nominations would be submitted to the Director of Legal and Democratic Services the following week.

40/10 Notices of Motion Submitted for this Meeting

1. *Dog Fouling*

Resolved, on the motion of Councillor Banwait, that dog fouling incidents and complaints are on the increase across Derby. Since dog fouling is a form of Anti-Social Behaviour, as it is an environmental and health hazard, Council therefore calls upon the Cabinet member to organise a city wide campaign to remind dog owners of their responsibilities and provide additional resources to the dog wardens to carry out enforcement in problem areas of the city.

2. *Private Sector Consultants*

It was moved by Councillor Banwait, and seconded, that in May a Con-Dem government was formed committed to making significant cuts in public spending that will impact on front line services and jobs. The council has also historically been a well-run authority providing high quality services with the lowest Council Tax in the region. Council is therefore concerned about the Conservative Group's proposals of spending £1.2 million of tax payers money to pay private sector consultants to help the council save money when senior council officers are paid a considerable salary to manage the council's finances. Council therefore calls upon Cabinet to scrap this proposal and instead instruct council officers to implement the savings themselves in order to save the Tax Payers money and avoid financial mismanagement.

The motion was put to the meeting and lost.

3. *Big Screen*

It was moved by Councillor Shanker, and seconded, that Council acknowledges the public support for the recent petition calling on the Council to show England's current World Cup matches on the "Big Screen" in the Market Place. Council therefore calls on the Conservative Cabinet to guarantee future screenings of England's International tournaments on the Big Screen especially the forthcoming European Championships.

It was moved by Councillor Carr, and seconded, that the motion be amended by the deletion of the words "Council therefore calls on the Conservative Cabinet to guarantee future screening of England's International tournaments on the Big Screen especially the forthcoming European Championships" and the insertion of the words "Council also acknowledges the very real concerns that the Police have voiced about the cost and difficulties of policing such an event. Council therefore calls on the Cabinet to liaise with the Police to devise a strategy that will allow future major sporting occasions to be safely screened in the Market Place at reasonable cost".

The amendment was put to the meeting and carried.

Resolved that Council acknowledges the public support for the recent petition calling on the Council to show England's current world cup matches on the "Big Screen" in the Market Place.

Council also acknowledges the very real concerns that the Police have voiced about the cost and difficulties of controlling such an event. Council therefore calls on the Cabinet to liaise with the Police to devise a strategy that will allow future major sporting occasions to be safely screened in the Market Place at reasonable cost.

MAYOR

**EXTRAORDINARY COUNCIL MEETING
28 JULY 2010**

The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Berry, Bolton, Carr, Davis, Dhindsa, Graves, Harwood, Hickson, Higginbottom, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, S Khan, Marshall, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Tuplin, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Batey, Chera, Grimadell, Hird, F Khan, Leeming, Lowe and Naitta.

Declarations of Interest

There were no declarations of interest.

Adjournment of Meeting

As a result of a disturbance in the Public Gallery the Mayor adjourned the meeting from 6.05pm to 6.15pm in accordance with Rule CP80, and ordered that part of the Public Gallery be cleared in accordance with Rule CP82.

41/10 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.

It was moved by Councillor Jennings, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 27 July 2010.

It was moved by Councillor Repton, and seconded, that the motion be amended by the addition of the words "subject to the amendment of the resolution in Minute No. 46/10 by the addition of the words 'subject to the Council scrapping its plans to spend up to £40 million on renovating the Council's offices and the monies saved being earmarked to reinvest in our schools and protect frontline services.'"

(The effect of the amendment, if approved, was that the resolution in Minute No. 46/10 would read as follows:

“To recommend Council to approve the Revenue and Capital Budget Strategy subject to the Council scrapping its plans to spend up to £40 million on renovating the Council’s offices and the monies saved being earmarked to reinvest in our schools and protect frontline services.”)

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

The following members voted for the amendment:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Graves, Higginbottom, Hussain, Jackson, S Khan, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (18).

The following members voted against the amendment:

The Mayor (Councillor Nath); Councillors Allen, Ashburner, Atwal, Barker, Berry, Carr, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Marshall, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (25).

The amendment was declared lost.

It was moved by Councillor Repton, and seconded, that the motion be amended by the addition of the words “subject to the amendment of the resolution in Minute No. 46/10 by the addition of the words ‘but to actively lobby against the Government’s proposed 25-30% cuts in grant.’”

(The effect of the amendment, if carried, was that the resolution in Minute No. 46/10 would read as follows:

“To recommend Council to approve the Revenue and Capital Budget Strategy but to actively lobby against the Government’s proposed 25-30% cuts in grant.”)

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

The following members voted for the amendment:

Councillors Banwait, Bayliss, Bolton, Dhindsa, Graves, Higginbottom, Hussain, Jackson, S Khan, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Whitby, Williamson, L Winter (18).

The following members voted against the amendment:

The Mayor (Councillor Nath); Councillors Barker, Berry, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Marshall, Poulter, Radford, Webb, Williams, Wood (15).

The following members abstained:

Councillors Allen, Ashburner, Atwal, Carr, Jones, Richards, Skelton, Troup, Tuplin, F Winter (10).

The amendment was declared carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 27 July 2010, as amended.

Mayor

MINUTES OF COUNCIL CABINET REQUIRING THE
APPROVAL OF COUNCIL

**COUNCIL CABINET
27 JULY 2010**

Present: Councillor Jennings (Chair)
Councillors Holmes, Marshall, Poulter Webb and Williams

In attendance Councillor Bayliss, Carr and Jones

This record of decisions was published on 29 July 2010. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Budget and Policy Framework

44/10 Capital Outturn Report

The Council Cabinet considered the Capital Outturn Report. The report dealt with the following capital programme matters that required reporting to and approval by Council Cabinet ...

- Details of the capital outturn 2009/10 totalling £71.1m for work completed by 31 March 2010, and the associated capital financing. The programme had delivered new and improved facilities and infrastructure for Derby including ...
 - Major investments in school facilities including school modernisation projects, classroom extensions, improved disabled access and physical education and sports schemes. Also the opening a new autistic centre (Shine) and development of three more children's centres at Chellaston, Oakwood and Chaddesden.
 - Continuation of programmes of replacing kitchens and bathrooms and installing new windows and heating systems
 - continuing with the Estates Pride estate improvement programme to make estates safer and greener
 - Completion of 6 group repair schemes as part of the Block Improvement Programme within the Rose Hill Market Renewal Area.
 - Grant aid given to vulnerable homeowners to bring their properties up to the decent homes standard

- Completion of Castleward Boulevard Phase 1 – total refurbishment of Midland Place, Wellington Street and the creation of a new public space at Midland Green. This was the first phase in the construction of a new pedestrian and cycle link Boulevard between the Railway Station and City Centre at Traffic Street.
- Grant aid given to shop owners within the Friar Gate conservation and Cathedral Quarter area along with an area south of the City Centre, including Green Lane and Macklin Street to aid authentic restoration and high quality repair of historic buildings.
- The commencement of the ASPECT development, a day services facility specifically for autistic adults in Derby
- Improvements to a number of playgrounds, parks and play areas including three "Adi-Zones" games areas. Work commenced on the refurbishment of Gayton pool.
- Completion of major unplanned resurfacing of A52 carriageway
- Completion of the link between Burton Road and Osmaston Road for the Connecting Derby scheme.
- Details of the variance of £15m against the final approved capital programme. The variance was made up of different elements these include:
 - £16.8m Slippage to be completed in 2010/11 *add*
 - £1.2m Net cost under spends *less*
 - £1.3m Spend Brought Forward from 2010/11 *less*
 - £1.7m Additional Spend Backed by Funding to be added to the programme.
- The inclusion of additional expenditure and funding for schemes listed in paragraph 3.7, 3.8 and 3.21 of the main body of the report.
- The revised indicative 2010/11 capital programme shown in Appendix 4 of the report.
- Details of the capital determination were shown at Appendix 7 of the report.

Decision

1. ...
2. ...
3. ...
4. ...
5. ...
6. To recommend Council to approve £74k additional service financed unsupported borrowing to finance the 2009/10 Capital Outturn.

Contract and Financial Procedure Matters

48/10 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report which report dealt with the following items which required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- approval to proposed changes to the capital programme
- to approve in year S106 allocations
- to enter into a revised funding agreement for the East Midlands Development Agency - EMDA - following a revised European Regional Development Fund - ERDF - application.
- to approve a waiver of Contract Procedure Rules, Competition Requirements, for the supply of audio books and large print books to libraries
- to approve licensed deficits for schools
- to approve a contract extension for the Community Meals Service.

Decision

1. To recommend Council to approve the changes detailed in Appendix 2 and 2a of the report and to amend the 2010/11 – 2012/13 Capital Programme.
2. ...
3. ...
4. ...
5. ...
6. ...
7. ...

**COUNCIL CABINET
7 SEPTEMBER 2010**

Present: Councillor Jennings (Chair)
Councillors Grimadell, Holmes, Ingall, Marshall, Poulter, Webb
and Williams

In attendance Councillor Bayliss and Jones

This record of decisions was published on 9 September 2010. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Contract and Financial Procedure Matters

64/10 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report which report dealt with the following items which required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- To approve proposed changes to the capital programme and new capital scheme commencements
- To approve in year Section 106 allocations
- To note a potential funding agreement with East Midlands Development Agency
- To approve a revenue/capital funding switch
- To approve the use of a Homes and Communities Agency's Delivery Partner Panel Framework Agreement
- To approve a budget transfer between Directorates
- To approve use of the budget risk reserve to fund the costs on the former Hippodrome Theatre site.

Decision

1. To recommend Council to approve the changes to the 2010/11 – 2012/13 capital programme as set out in appendix 2 of the report.
2. ...
3. To approve scheme commencements for the schemes detailed in Appendix 3 of the report and recommend to Council the additional borrowing of £1.3m for the new Primary phase enhanced resources unit for autistic spectrum disorder pupils.
4. ...
5. ...
6. ...

7. ...

8. ...

9. ...

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

**TAXI LICENSING AND APPEALS COMMITTEE
14 JULY 2010**

Present: Councillor Hird (Chair)
Councillors Atwal, Barker, Chera, Harwood, Jackson, Leeming and
F Winter

48/09 Clarification on the Licensing of Rickshaws

The Committee considered a report on the Licensing of Rickshaws. It was reported that following the agreement of Committee on 22 July 2009 where Members were provided with legal information and advice that set out why it was not legally possible to licence Rickshaws as Private Hire Vehicles, in order for this matter to be dealt with properly, it would be necessary for this decision to be amended and approved by Council.

Resolved

1. ...
2. **To recommend to Council that the decision to allow Rickshaws to be licensed as private hire vehicles be rescinded.**

MINUTES OF GOVERNANCE COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL

**GOVERNANCE COMMITTEE
28 JULY 2010**

Present: Councillor Jennings (Chair)
Councillors Bayliss and Jones

04/10 New Executive Arrangements Consultation

At its meeting on 7 July 2010, Council resolved that, in principle, it wished to adopt a leader and cabinet model of executive arrangements and authorised appropriate consultation with the public and stakeholders. It was also resolved that the Governance Committee be established to agree consultation arrangements and that a final on future executive arrangements would be taken at a special meeting of the Council on 15 December 2010.

A report of the Strategic Director of Resources was considered. The report detailed proposed consultation in relation to the adoption of a new model of executive arrangements. It was explained that a letter had been received from the Minister for Housing and Local Government advising that low-level consultation should be undertaken. Representations were made by Councillor Bayliss that the level of consultation should be more extensive.

Resolved to:

- 1) ...
- 2) **Recommend that Council consider the results of the consultation and take a final decision at the scheduled Council meeting on 17 November 2010 rather than a special meeting on 15 December;**
- 3) ...