

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend the Annual Meeting of the Derby City Council in the Great Hall, Assembly Rooms, Derby on Wednesday 26 May 2010 at 11.00 am.

A G E N D A

1. To elect the Mayor of the City for the next municipal year.
2. To appoint the Deputy Mayor of the City for the next municipal year.
3. To thank the retiring Mayor.

Motion - That the thanks of this Council be given to Councillor Sean William Marshall for the zeal, impartiality and ability with which he has discharged the duties of the Office of Mayor of the City for the past year.

4. To receive apologies.
5. To appoint the Pinder and Tenter for the ensuing year.

Motion - That the Markets Officer be appointed Pinder and Tenter for the ensuing year.

6. Presentation of the Derby Civic Award for 2009/10 and recognition of Derby Community Champions.
7. To adjourn the Council meeting.

Motion - That the Council now adjourn until 6.00 pm today in the Council Chamber, Council House, Derby.

8. To receive apologies.
9. To receive Declarations of Interest.

10. To approve the minutes of the meeting of the Council held on 1 March 2010 and the Extraordinary Meeting of the Council on 17 March 2010

**DOCUMENT 10,
10A**

Motion - That the minutes of the meeting of the Council held on 1 March 2010 and the Extraordinary Meeting of the Council held on 17 March 2010 be approved as correct records, confirmed and signed by the Mayor

11. To receive any announcements from The Mayor.
12. To receive any Statements from Members of the Council Cabinet.
13. To receive any questions from the public to Members of the Council Cabinet, Chairs of Commissions or Chairs of Committees, and the answers to those questions.
 - a) Tony Dunn - Leisure provision within Derby
 - b) Tony Dunn - Liquor licensing
 - c) Anthony Withers - Use of Council reserves
 - d) Thelma Bradshaw - Driver training for staff and members
 - e) Simon Bacon - Land allocations in Blagreaves Ward
 - f) Simon Bacon - Renewable Obligation Certificates
 - g) Dorothy Skrytek - Waste contract
 - h) Colin Underhill - Public walkway to Handyside Bridge
 - i) Colin Underhill - Streetpride staffing
 - j) Penny De Abreu - Repairs to St Marys Footbridge
 - k) Penny De Abreu - Removal of trees

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

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

No questions have been received.

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

16.
 - a) To elect the Leader of the Council for the next municipal year.
 - b) To appoint the Council Cabinet for the next municipal year.

Motion(s) will be circulated at the meeting

(Note – In accordance with paragraph 7.2 of Article 7 of the Constitution, the Council Cabinet must consist of the Leader of the Council together with no fewer than two

and no more than nine Councillors.)

17. To consider a report of the Deputy Chief Executive as Monitoring Officer on Proposed Amendments to the Constitution and any changes to the committee structure. **DOCUMENT 17**

Motion – To approve the amendments to the Constitution set out in Appendix 2.

18. To consider a report of the Deputy Chief Executive on the Duty to Respond to Petitions – Approval of Scheme. **DOCUMENT 18**

Motion:

- 1. To agree that the threshold for a petition triggering a full Council debate shall be 8,500 signatures**
- 2. To agree that the threshold for a petition triggering a requirement for a senior officer to give evidence to an overview and scrutiny commission shall be 8,500 signatures**
- 3. To approve and adopt the Petitions Scheme.**

19. To approve constitutional appointments including considering a recommendation from the Minority Communities Diversity Forum. **DOCUMENT 19**

Motion – To approve the constitutional appointments for the next municipal year now submitted.

20. To appoint the following Chairs of Neighbourhoods Boards and Ward Committees for the next municipal year and to agree that the other two ward councillors act as vice chairs:

Neighbourhood (Ward)	Chair
Abbey	Councillor
Allestree	Councillor
Alvaston	Councillor
Arboretum	Councillor
Blagreaves	Councillor
Boulton	Councillor
Chaddesden	Councillor
Chellaston	Councillor
Darley	Councillor
Derwent	Councillor

Littleover	Councillor
Mackworth	Councillor
Mickleover	Councillor
Normanton	Councillor
Oakwood	Councillor
Sinfin	Councillor
Spondon	Councillor

- 21 To approve the Schedule of Meetings. **DOCUMENT 21 (REVISED)**

Motion - To approve the Schedule of Meetings for May 2010 to July 2011 now submitted, and to note the schedule of meetings of neighbourhood boards and forums.

22. To approve appointments to outside bodies and charities. **DOCUMENT 22**

Motion - To approve appointments of representatives to serve on outside bodies and charities for the next municipal year, now submitted.

23. To approve attendances at annual conferences. **DOCUMENT 23**

Motion - To approve the list of representatives authorised to attend annual conferences for the next municipal year, now submitted.

24. To consider the following minutes and recommendations of the Council Cabinet dated 16 March and 20 April 2010 requiring the approval of the Council. **DOCUMENT 24**

199/09 Outcome of Regeneration Review DOCUMENT 24A

To recommend Council to nominate the Leader of the Council (or appropriate Cabinet Portfolio Holder) to be a Director of Marketing Derby Ltd.

207/09 Contract and Financial Procedure Matters DOCUMENT 24B

To recommend Council to approve and note the following changes in relation to the capital programme:

- To approve the changes in the capital programme as shown in Appendix 2 of the report and to amend the 2009/10 to 2012/13 capital programme as set out in paragraph 3 of the report
- To note the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report

- To approve the £100,000 contribution to 'Umbrella' from the aiming higher for disabled children grant as set out in paragraph 3.11 of the report
- To approve entering into the funding agreement with EMDA for the Derby Railway Station interchange as set out in paragraph 3.12 of the report
- To approve scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.13 of the report
- To note the proposed use of section 106 funding as set out in table 2 in paragraph 3.15 of the report.

227/09 Contract and Financial Procedure Matters

DOCUMENT 24C

To recommend Council to approve and note the following changes in relation to the capital programme:

- the changes in the capital programme as shown in Appendix 2 and to amend the 2010/11 to 2012/13 capital programme as set out in paragraph 3 of the report
- the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
- the addition of Brackensdale Junior school final phase of replacement windows, doors and concrete repairs as set out in paragraph 3.4 of the report
- scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.6 of the report.

Motion – To approve the above minutes and recommendations of the Council Cabinet dated 16 March and 20 April 2010.

25. To consider the following minutes and recommendations of the General Licensing Committee dated 21 April 2010 requiring the approval of the Council.

DOCUMENT 25

34/08 Personal Licence Holder training

DOCUMENT 25A

Resolved to ask Council to forward a representation to the Department of Culture, Media and Sport (DCMS) with regard to the requirements to obtain a Personal Licence and be appointed as a Designated Premises Supervisor (DSP) under the Licensing Act 2003.

Motion – To approve the above minutes and recommendations of the General Licensing Committee dated 21 April 2010.

26. To consider a report of the Scrutiny Management Commission on the 2009/10 Annual Report of the Overview and Scrutiny Commissions

DOCUMENT 26

Motion – To receive the 2009/10 Annual Report of the Overview and Scrutiny Commissions.

27. To consider a report of the Strategic Director of

DOCUMENT 27

Resources concerning Standing Advisory Council for Religious Education – SACRE – New Representatives.

Motion:

- 1. To approve the appointment of Maryam Djauid as the Bahai Community representative for a four year term.**
- 2. To approve the appointment of Jane Ollerenshaw as the ATL Union representative for a four year term.**

28. To consider a report of the Deputy Chief Executive on the Appointment of Independent Members of the Standards Committee.

DOCUMENT 28

Motion:

- 1. To confirm the appointment of Peter Purnell and Peter McCrea as Independent Members of the Standards Committee for the period ending at the Annual Meeting in May 2013.**
- 2. To not fill the vacancy created by Cynthia McDowall's retirement in 2011 dependent on the level of workload being processed by the Committee at that time.**

(In accordance with the Relevant Authorities (Standards Committees) Regulations 2001, the above motion must be approved by a majority of Members of the Council, i.e. at least 26 Members).

29. To consider the following Notices of Motion:

- (1) Councillor Jones to move, Councillor Allen to second:

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.

- (2) Councillor Bayliss to move, Councillor Jennings to second:

Recognising the long established reputation of Derby, as a welcoming city for migrant communities and particularly for those fleeing persecution, and in response to the request of a number of respected partnership groups, this Council resolves to designate Derby as a 'City of Sanctuary'.

Council calls on the groups making the request to promote the aims of 'City of Sanctuary' widely and to encourage other organisations and individuals to embrace its principles. This will build a culture of hospitality for people seeking sanctuary in the UK, as we become one of a network of towns and cities which are proud to be places of safety and which include people seeking sanctuary fully in the life of their communities.

M A Jooke

Deputy Chief Executive

**COUNCIL MEETING
1 MARCH 2010**

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

Apologies for Absence

An apology for absence was received from Councillor Graves.

Declarations of Interest

All members declared personal interests in the matters referred to in Item 12 of the agenda - Members Allowances – Recommendations of the Independent Remuneration Panel for 2010/11.

Councillors Batey, Bayliss, Davis, Redfern and Webb declared personal interests in Minutes Nod. 186/09 and 187/09 of the Council Cabinet as members of Derby Homes Board.

Councillor Latham declared a personal and prejudicial interest in Item 10 of the agenda – Minute Nos. 184/09 and 185/09 of the Council Cabinet and the Budget and Council Tax motion – and withdrew from the meeting during consideration of those items.

Councillor Care declared a personal interest in Motion 2 under Item 14 of the agenda.

Announcements from the Mayor

The Mayor thanked all who contributed to the recent Mayor's Ball which raised £15,000 - £20,000 for the Heart Appeal.

The Mayor referred to the fact that this would be the last meeting of the Council attended by Councillors Baxter, Care, Ginns, Keane and Latham who

would not be standing for election at the forthcoming Council Elections. Tributes to these councillors were paid by various members of the Council and the Council recorded its thanks to them for their service.

Tributes were also paid to Andrew Flack, Corporate Director for Children and Young People, who was retiring from the Council.

80/09 Minutes of the Previous Meeting

Resolved that the minutes of the meeting of the Council held on 20 January 2010 be approved as a correct record, confirmed and signed by the Mayor.

81/09 Statements by Members of the Council Cabinet

There were no statements from members of the Council Cabinet.

82/09 Public Questions

Questions from members of the public were asked as follows:

1. By Dorothy Skrytek, concerning a conflict of interest relating to waste management, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
2. By Simon Bacon, concerning the Brown Bin Waste Contract, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
3. By Simon Bacon, concerning the Blue Bin Waste Contract, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
4. By Colin Underhill, concerning the evening car parking policy, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
5. By Colin Underhill, concerning car parks on the sites of demolished buildings, answered by Councillor Wood, Chair of the Planning Control Committee.

83/09 Written Questions about the Business or Functions of the Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Limited

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

84/09 Written Questions from Non-Council Cabinet Members

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

1. By Councillor Leeming, concerning the Tree Policy, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
2. By Councillor Rawson, concerning changes to refuse rounds, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
3. By Councillor Bayliss, concerning Phase 3 of the Alvaston District Centre improvements, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
4. By Councillor Bayliss, concerning potholes on the A52, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
5. By Councillor Bayliss, concerning the ring road bus route, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
6. By Councillor Roberts, concerning road and footpath maintenance, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
7. By Councillor Bolton, concerning roads and pavements in Chaddesden Ward, answered by Councillor Care, Council Cabinet for Planning and Transport.
8. By Councillor Bolton, concerning Chaddesden Park Library, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
9. By Councillor Shanker, concerning Sinfyn Moor Social Club, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
10. By Councillor Turner, concerning the traveller site in Osmaston, answered by Councillor Troup, Council Cabinet Member for Housing and Environment.

11. By Councillor Shanker, concerning the waste contract, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
12. By Councillor Jennings, concerning the waste treatment site, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
13. By Councillor Holmes, concerning street cleaning, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
14. By Councillor Wood, concerning twinning arrangements, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Policy, Partnerships and Economic Development.
15. By Councillor Ingall, concerning refuse collections, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
16. By Councillor Jennings, concerning capital schemes, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Policy, Partnerships and Economic Development.
17. By Councillor Davis, concerning the Housing Waiting List, answered by Councillor Troup, Council Cabinet Member for Housing and Environment.
18. By Councillor Berry, concerning temporary bus stops, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
19. By Councillor Holmes, concerning reactive maintenance log, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
20. By Councillor Grimadell, concerning Chaddesden Library, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
21. By Councillor Hickson, concerning Derby Theatre, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
22. By Councillor Nath, concerning the capital programme, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Policy, Partnerships and Economic Development.

85/09 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 Jones, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 16 February 2010.

It was moved by Councillor Hickson, and seconded, that paragraph 2. of the resolution in Minute No. 174/09 be amended by the deletion of the words "Leader of the Council" and the insertion in their place of the words "all three Group leaders".

(The effect of the amendment, if approved, was that paragraph 2. of the resolution in Minute No. 174/09 would read as follows:

"To recommend Council that delegated authority is given to the Chief Executive to sign off the LAA targets, in consultation with all three Group leaders, by 12 March 2010.")

The amendment was put to the meeting and carried.

It was moved by Councillor Williamson, and seconded, that the motion be amended by the addition of the following words to the resolution in Minute No. 187/09:

"subject to photo voltaic solar cells being fitted to 300 Council houses by utilising prudential borrowing to cover most, if not all, of the cost."

(The effect of the amendment, if approved, was that the resolution in Minute No. 187/09 would read as follows:

"To recommend Council to approve the budget set out as part of the HRA Business Plan at Appendix 2 and detailed in Appendix 3 of the report, subject to photo voltaic solar cells being fitted to 300 Council houses by utilising prudential borrowing to cover most, if not all, of the cost".)

The amendment was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 16 February 2010, set out in Appendix A to these minutes, as amended.

86/09 Further Minutes and Recommendations of the Council Cabinet

The Council considered further minutes and recommendations of the Council Cabinet, requiring the approval of the Council, set out in Appendix B to these minutes.

The Mayor stated that he proposed to allow Councillors Holmes, Jones and Williamson to speak for more than five minutes in the Budget debate.

It was moved by Councillor Jones, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 16 February 2010, set out in Appendix B to these minutes, and:

1. To approve a budget requirement for Derby City Council for 2010/11 of £214,823,336.
2. To approve for 2010/11 the departmental revenue budget estimates and use of corporate reserves of £2.472m (1.15% of the budget) in 2010/11, and 3.129m in 2011/12, net of a £0.4m transfer to the General Reserve in each year, and a £0.4m transfer to the General Reserve in 2012/13, as summarised in Appendices 4a, 5a and 6a of the report.
3. To approve the proposed treatment of Housing and Planning Delivery Grant – HPDG – within revenue and capital budgets, as set out in paragraph 5.13 of the report.
4. To note the latest 2009/2010 revenue budget monitoring position and treatment of variances as set out in paragraph 8.4 of this report.
5. To approve the treatment of one-off VAT and National Insurance amounts that have occurred during 2009/10 as set out in paragraph 9.6 of the report.
6. To approve the measures proposed to manage budget risks in 2010/11 and in future years, including the deliverability of identified savings, levels of service and inflation forecasts as set out in Section 11 of the report.
7. To approve within this total of £214,823,336 net service estimates of:

Children and Young People	43,356,000
Environmental Services	23,678,000
Regeneration and Community Resources	26,292,000
Corporate and Adult Services	11,113,000
Corporate and Contingency Budgets	78,918,000
	34,127,336
	217,484,336

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

Corporate reserves	(2,472,000)
Service reserves	(239,000)
Revenue Financing Capital	50,000
	214,823,336

8. To note that the service estimates would be re-profiled into the new Department structure for the published budget book for 2010/11, together with support service recharges.

9. To note that, at its meeting on 12 January 2010, the Council Cabinet calculated the amount of 71,114.57 equivalent band D properties as the Council's Tax Base for the year 2010/11 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as amended by The Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.
10. To calculate the following amounts for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).
- a. £637,300,336 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e).
 - b. £422,477,000 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.
 - c. £214,823,336 as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in Accordance with Section 32(4) of the Act.
 - d. £134,662,237 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant and area based grant.
 - e. £1127.21 as the basic amount of its Council Tax for the year, being the amount at (c) above, less the amount at (d) above, all divided by the amount at 9. above, calculated by the Council, in accordance with Section 33 of the Act.
 - f. for the following Valuation Bands:

	£			£
A	751.47		E	1377.70
B	876.72		F	1628.19
C	1001.96		G	1878.68
D	1127.21		H	2254.42

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 (e) above by the number which, in the proportion set out in Section 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.

11. To note that for the year 2010/11, Derbyshire Police Authority has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	109.16		E	200.13
B	127.35		F	236.51
C	145.55		G	272.90
D	163.74		H	327.48

12. To note that for the year 2010/11, Derbyshire Fire Authority has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	44.78		E	82.10
B	52.24		F	97.02
C	59.71		G	111.95
D	67.17		H	134.34

13. Having calculated the aggregate in each case of the amount in 10, 11 and 12 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, to set the following amounts as the amounts of Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	905.41		E	1659.93
B	1056.31		F	1961.72
C	1207.22		G	2263.53
D	1358.12		H	2716.24

14. To note the revenue budget plans for 2011/12 and 2012/13 set out in section 6 of the report.

15. To note the feedback from the budget consultation at Appendices 7 to 9, and approve the Council Cabinet response to the Scrutiny Commissions recommendations at Appendix 7 of the report.
16. To note that the Schools Forum agreed at their meeting on 27 January 2010 to contribute a further £100,000 to combined budgets towards the non statutory provision of the education psychology service.
17. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

Amendment 1 - Lost

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

To approve a budget requirement for Derby City Council 2010/11 of £214,823,336, subject to:

	2010/11 £000
From July 1, 2010, the retention of the car user allowance for employees at grade SO2 and below plus those above this grade who travel 4,000 or more work miles per year.	-340
The reduction in the cost of school meals by 25 pence.	350
The undertaking of a feasibility with the aim of reducing the cost of schools meals to 60p for secondary schools and 50p for primary schools.	Nil
From 1 October 2010, the introduction of school breakfast clubs to all primary schools at a cost of £1.50 per breakfast.	310
The provision of an after care service to ensure that the Warm Fronts Grants system is as effective as possible.	50
From 1 October 2010, the bringing forward of the replacement of street lights that are temporarily deemed to comply.	60
From 1 July 2010, the creation of 300 new apprenticeships over the next three years.	400
The retention of the home to school transport service to faith schools and from 1 January 2011, the development of an equivalent transport service for every other school in the city by the third year of this budget cycle.	200
The provision of an additional £600,000 in 2012/13 for the regeneration fund to generate a further £10m of capital projects.	Nil

The confirmation of funding for delivery of the Leisure Strategy.	Nil
The introduction of a Council Mortgage Scheme for potential home owners.	-50
The introduction of a Derby City Council Business Loan Banking Facility	-50
The reintroduction of free home care to all levels of adult social care client groups.	Nil
From October 1, 2010, the introduction of new bus routes to the Royal Derby Hospital, Mickleover.	150
The devolution of £2m of Highways maintenance to Neighbourhood Boards.	Nil
The reintroduction of free collection of bulky items and removal of fly tipping and graffiti within 24 hours as part of the Streetpride initiative.	400
From 1 October 2010, the introduction of an out of hours Noise Nuisance Team.	25
From 1 July 2010, provision to improve, extend and reopen public conveniences in the city centre, parks and district centres including provision for two full-time attendants for the city centre facilities	200
The initiation of a feasibility study to develop and implement sustainable energy systems including CHP, wind, hydro and solar by the end of the three-year budget cycle, with the strategy being a condition of any planning application for new build housing and for the Leisure Strategy.	Nil
From 1 October 2010, the enhancement of the Concessionary Fares Scheme to enable free travel prior to 9.30am for medical appointments and free usage until midnight.	325
From 1 October 2010, the development of a £5m Neighbourhood Capital Investment Fund.	75
The creation of a fund to engage young people with positive activities.	50
TOTAL	2,155

to

be funded by savings achieved and income as follows:

	2010/11 £000
Optimising the use of IT systems in the transformational programme for service delivery.	1,955
By seeking more partner contributions towards joint schemes and initiatives	100
The utilisation of trading powers.	100
TOTAL	2,155

and subject to

	2010/11 £000
From 1 October 2010, to offer 4,000 households grants of £100 towards the cost of cavity wall and loft insulation.	400
The provision of energy efficiency grants to at least 1,000 owner occupiers in each of the next three years.	1,000

to be funded from General Reserves.

It was moved by Councillor Jennings, and seconded, that in accordance with Rule CP56(f) the debate on the amendment be adjourned and the meeting itself be adjourned to establish whether the political groups could support any parts of the amendment. The motion was put to the meeting and carried.

The meeting adjourned at 8.50pm and reconvened at 9.10pm.

In accordance with Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on Councillor Williamson's amendment.

The following members voted for the amendment:

Councillors Banwait, Baxter, Bayliss, Bolton, Dhindsa, Higginbottom, Hussain, Jackson, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Williamson (15).

The following members voted against the amendment:

Councillors Allen, Batey, Care, Carr, Ginns, Harwood, Hird, Jones, Keane, F Khan, R Khan, Lowe, Naitta, Richards, Skelton, Troup, Tuplin, Winter (18).

The following members abstained:

The Mayor (Councillor Marshall), Councillors Berry, Chera, Davis, Grimadell, Hickson, Holmes, Ingall, Jennings, Leeming, Nath, Poulter, Webb, Williams, Wood (15).

The amendment was declared lost.

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

“To approve a budget requirement for Derby City Council 2010/11 of £214,823,336, subject to provision to improve, extend and reopen public conveniences in the city centre, parks and district centres from 1 July 2010, including provision for two full-time attendants for the city centre facilities at a total cost of £200,000 in 2010/11, funded by optimising the use of IT systems in the transformational programme for service delivery”.

The amendment was put to the meeting and lost.

It was moved by Councillor Jones, seconded and carried, that in accordance with Rule CP10, the meeting be extended beyond four hours for the purpose of the budget debate only.

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

“To approve a budget requirement for Derby City Council 2010/11 of £214,823,336, subject to the introduction of new bus routes to the Royal Derby Hospital, Mickleover, from October 1, 2010, at a cost of £150,000 in 2010/11, funded by optimising the use of IT systems in the transformational programme for service delivery”.

In accordance with Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment.

The following members voted for the amendment:

Councillors Banwait, Baxter, Bayliss, Bolton, Dhindsa, Higginbottom, Hussain, Jackson, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Williamson (15).

The following members voted against the amendment:

Councillors Allen, Batey, Care, Carr, Ginns, Harwood, Hird, Jones, Keane, F Khan, R Khan, Lowe, Naitta, Richards, Skelton, Troup, Tuplin, Winter (18).

The following members abstained:

The Mayor (Councillor Marshall), Councillors Berry, Davis, Grimadell, Hickson, Holmes, Jennings, Leeming, Nath, Poulter, Webb, Williams, Wood (13).

Councillors Chera and Ingall were not in the Chamber when the recorded vote was taken.

The amendment was declared lost.

In accordance with Rule CP56(d) it was moved by Councillor Jones, seconded and carried that the question be now put.

The original motion was put to the meeting and carried.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 16 February 2010 set out in Appendix B to these minutes, and:

- 1. To approve a budget requirement for Derby City Council for 2010/11 of £214,823,336.**

2. To approve for 2010/11 the departmental revenue budget estimates and use of corporate reserves of £2.472m (1.15% of the budget) in 2010/11, and 3.129m in 2011/12, net of a £0.4m transfer to the General Reserve in each year, and a £0.4m transfer to the General Reserve in 2012/13, as summarised in Appendices 4a, 5a and 6a of the report.
3. To approve the proposed treatment of Housing and Planning Delivery Grant – HPDG – within revenue and capital budgets, as set out in paragraph 5.13 of the report.
4. To note the latest 2009/2010 revenue budget monitoring position and treatment of variances as set out in paragraph 8.4 of this report.
5. To approve the treatment of one-off VAT and National Insurance amounts that have occurred during 2009/10 as set out in paragraph 9.6 of the report.
6. To approve the measures proposed to manage budget risks in 2010/11 and in future years, including the deliverability of identified savings, levels of service and inflation forecasts as set out in Section 11 of the report.
7. To approve within this total of £214,823,336 net service estimates of:

Children and Young People	43,356,000
Environmental Services	23,678,000
Regeneration and Community Resources	26,292,000
Corporate and Adult Services	11,113,000
Corporate and Contingency Budgets	78,918,000
	34,127,336
	217,484,336

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

Corporate reserves	(2,472,000)
Service reserves	(239,000)
Revenue Financing Capital	50,000
	214,823,336

8. To note that the service estimates would be re-profiled into the new Department structure for the published budget book for 2010/11, together with support service recharges.
9. To note that, at its meeting on 12 January 2010, the Council Cabinet calculated the amount of 71,114.57 equivalent band D properties as the Council's Tax Base for the year 2010/11 in

accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as amended by The Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003, made under Section 33(5) of the Local Government Finance Act 1992.

10. To calculate the following amounts for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).
- a. £637,300,336 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e).
 - b. £422,477,000 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.
 - c. £214,823,336 as its budget requirement for the year, being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in Accordance with Section 32(4) of the Act.
 - d. £134,662,237 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant and area based grant.
 - e. £1127.21 as the basic amount of its Council Tax for the year, being the amount at (c) above, less the amount at (d) above, all divided by the amount at 9. above, calculated by the Council, in accordance with Section 33 of the Act.
 - f. for the following Valuation Bands:

	£			£
A	751.47		E	1377.70
B	876.72		F	1628.19
C	1001.96		G	1878.68
D	1127.21		H	2254.42

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 (e) above by the number which, in the proportion set out in Section 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.

11. To note that for the year 2010/11, Derbyshire Police Authority has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	109.16		E	200.13
B	127.35		F	236.51
C	145.55		G	272.90
D	163.74		H	327.48

12. To note that for the year 2010/11, Derbyshire Fire Authority has stated the following in a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	44.78		E	82.10
B	52.24		F	97.02
C	59.71		G	111.95
D	67.17		H	134.34

13. Having calculated the aggregate in each case of the amount in 10, 11 and 12 above, in accordance with Section 30(2) of the Local Government Finance Act 1992, to set the following amounts as the amounts of Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£			£
A	905.41		E	1659.93
B	1056.31		F	1961.72
C	1207.22		G	2263.53
D	1358.12		H	2716.24

14. To note the revenue budget plans for 2011/12 and 2012/13 set out in section 6 of the report.
15. To note the feedback from the budget consultation at Appendices 7 to 9, and approve the Council Cabinet response to the Scrutiny Commissions recommendations at Appendix 7 of the report.

- 16. To note that the Schools Forum agreed at their meeting on 27 January 2010 to contribute a further £100,000 to combined budgets towards the non statutory provision of the education psychology service.**
- 17. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.**

In accordance with Rule CP10, the meeting finished at 10.22pm and remaining business would be considered at a time and place to be fixed by the Mayor or, if he did not fix a date, at the next ordinary meeting of the Council. The Mayor indicated that he would arrange an extraordinary meeting of the Council to conclude the business.

Mayor

**EXTRAORDINARY COUNCIL MEETING
17 MARCH 2010**

Present: The Mayor (Councillor Marshall) (In the Chair)
Councillors Allen, Berry, Bolton, Ginns, Graves, Grimadell,
Harwood, Holmes, Hussain, Ingall, Jackson, Jennings, Keane,
F Khan, R Khan, Latham, Leeming, Nath, Poulter, Rawson,
Redfern, Repton, Richards, Roberts, Skelton, Troup, Webb,
Williams, Williamson, Wood.

Apologies for Absence

Apologies for absence were received from Councillors Banwait, Batey, Baxter, Bayliss, Care, Carr, Chera, Davis, Dhindsa, Hickson, Higginbottom, Hird, Jones, Lowe, Naitta, Shanker, Tuplin, Turner, Winter.

Declarations of Interest

All members declared personal interests in the matters referred to in Item 4 of the agenda - Members Allowances – Recommendations of the Independent Remuneration Panel for 2010/11.

**87/09 Minutes and Recommendations of the General
Licensing Committee**

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

Resolved, on the motion of Councillor Redfern, to approve the minutes and recommendations of the General Licensing Committee dated 10 February 2010.

88/09 Members' Allowances – Recommendations of the
Independent Remuneration Panel for 2010/11

The Council considered a report of the Director of Corporate and Adult Services concerning Members' Allowances – Recommendations of the Independent Remuneration Panel for 2010/11.

Resolved on the motion of Councillor Allen to:

1. **To make representations to the Department for Communities and Local Government, and the Local Government Association, supporting the recommendations of the Councillors Commission for national guidelines with a range of allowance bands covering different types of local authority.**
2. **To agree that, in the current economic climate, the moratorium on the implementation of the recommendations in the Panel's Fifteenth Report should continue for a further twelve months.**
3. **To index Basic and Special Responsibility Allowances by the average salary award for local government employees for 2010/11.**
4. **To amend the Members Allowances Scheme from 1 April 2010 accordingly.**

89/09 Urgent Non-Executive Decisions made by the Chief
Executive

The Council considered a report of the Director of Corporate and Adult Services concerning Urgent Non-Executive Decisions made by the Chief Executive.

Resolved to note the report.

90/09 Notice of Motion Deferred from the January 2010
Meeting

Reintroduction of Collection of Side Waste

It was moved by Councillor Hussain, and seconded, that Council notes the three bin recycling system has reduced the amount of waste going to landfill.

But Council is concerned that the current policy prohibiting 'side waste' is causing a major problem in the city's high density neighbourhoods.

Council recognises that there are many larger households in these areas and the current policy had led to a massive increase in fly-tipping of household waste.

Council is alarmed that the introduction of the policy prohibiting side waste has had a negative impact on community relations and property prices in the areas affected.

Council believes that urgent action is required to address the fly-tipping epidemic that the no 'side waste' policy has generated.

Council therefore instructs the Chief Executive to draw up proposals for the next council cabinet meeting to ensure that 'side waste' is collected in future.

The motion was put to the meeting and not carried.

91/09 Notice of Motion Put to This Meeting

Parliamentary Candidates

Resolved, on the motion of Councillor Latham, that Council strongly recommends that from dissolution of Parliament until the date of the General Election, its political groups stand down any members who are also Parliamentary candidates from positions for which they receive a special responsibility allowance.

Mayor

**MINUTES OF COUNCIL CABINET COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL**

**COUNCIL CABINET
16 MARCH 2010**

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

In attendance: Councillors Bayliss, Ingall and Jennings

This record of decisions was published on 18 March 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.

Key Decisions

199/09 Outcome of Regeneration Review

The Council Cabinet considered a report on Outcome of Regeneration Review. There were two reports to this Council Cabinet meeting on the outcome of the regeneration review. This paper (Paper 1) described the background to the review and the proposals that resulted. Paper 2 was confidential, and contained the appendix with all the implications, and a detailed structure for the Regeneration Division in the Chief Executive's Office. Following a review of the Regeneration functions across the Council and Derby City Partnership, this paper presented proposals for the future delivery of regeneration. The proposals included:

- the composition and role of the Regeneration Division in the Chief Executive's Office, including current Derby Cityscape functions
- a stronger working relationship with, and role for, Marketing Derby
- the use of a small element of the new Regeneration Fund (approved by Cabinet on 16 February 2010) to contribute to some of the staffing, and some early projects
- a newly constituted, private sector led 'Derby Renaissance Board', to replace City Growth Executive in Derby City Partnership whilst also incorporating the strategic functions of City Growth Executive, Derby Cityscape Board and Marketing Derby Board.

Options Considered

1. The status quo option would involve all partners continuing as they were at present, but with reduced impact because of the current economic climate.
2. A 'do nothing' option could be similarly dismissed because it would entail the withdrawal of Council financial support for regeneration projects and partnership work, including Marketing Derby and the replacement for Derby Cityscape Ltd.
3. The private sector could not lead in regeneration in the current economic climate, although their input through the new Derby Renaissance Board and the private sector chairing of that Board would be essential.

Decision

1. ...
2. ...
3. ...
4. To recommend Council to nominate the Leader of the Council (or appropriate Cabinet Portfolio Holder) to be a Director of Marketing Derby Ltd.
5. ...

Reasons

1. The national and local economy has got to a stage where the City Council needs to take a more direct role in making interventions for economic benefit. The approval of the Regeneration Fund at Cabinet on 16 February was the starting point for this 'shift change' in approach. The proposals in this paper would enable the Council and its partners to make best use of resources in intervening in the local economy to produce and retain investment, jobs and the economic, social and environmental wellbeing of our citizens.
2. This would build on the work of the Council, Derby Cityscape, Marketing Derby, and the City Growth Executive over the last five years. The Regeneration Division would enable the Council to take the lead in driving our ambitions to be a leading, vibrant and globally ambitious city.

In accordance with Procedure Rule A126, the Chair of the Scrutiny Management Commission had been advised that this item would be considered although not included in the Forward Plan.

Contract and Financial Procedure Matters

207/09 Contract and Financial Procedure Matters

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

- changes to the capital programme, including additional capital grants
- additional revenue grants allocation – Boarding Placements for Vulnerable Children, Youth Crime Action Plan and Ponds Management Programme
- Treatment of Trading reserves – Environmental Services
- CYP Formula Change
- Contract Waiver – Families Information Service - FIS
- Contract Extension – Employee Benefit Scheme
- Contract Waiver – Cultural Landscape
- Contract Extension - Community Equipment Contract.

Decision

1. To recommend Council to approve and note the following changes in relation to the capital programme:
 - To approve the changes in the capital programme as shown in Appendix 2 of the report and to amend the 2009/10 to 2012/13 capital programme as set out in paragraph 3 of the report
 - To note the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
 - To approve the £100,000 contribution to 'Umbrella' from the aiming higher for disabled children grant as set out in paragraph 3.11 of the report
 - To approve entering into the funding agreement with EMDA for the Derby Railway Station interchange as set out in paragraph 3.12 of the report
 - To approve scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.13 of the report
 - To note the proposed use of section 106 funding as set out in table 2 in paragraph 3.15 of the report.
2. ...
3. ...
4. ...
5. ...
6. ...
7. ...
8. ...

COUNCIL CABINET 20 APRIL 2010

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

In attendance Councillor Dhindsa, Jennings, Roberts and
Williamson

This record of decisions was published on 22 April 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

227/09 Contract and Financial Procedure Matters

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- changes to the capital programme, including additional capital grants
- additional revenue and capital grants allocations – Local Authority Business Growth Incentive - LABGI, Safer Stronger capital grant, Library UK Online grant, Highways Repair grant.
- temporary budget transfer across departments – Travel Plan
- EM Lawshare Consortium - Framework Contract
- extended school activity services – approved List
- extension of contracts - MITIE and Midland Counties Maintenance Contracts.

Decision

1. To recommend Council to approve and note the following changes in relation to the capital programme:
 - the changes in the capital programme as shown in Appendix 2 and to amend the 2010/11 to 2012/13 capital programme as set out in paragraph 3 of the report
 - the revised capital programme and associated funding for 2009/10 as set out in paragraph 3.1 of the report
 - the addition of Brackensdale Junior school final phase of replacement windows, doors and concrete repairs as set out in paragraph 3.4 of the report
 - scheme commencements for the schemes detailed in Appendix 3 and set out in paragraph 3.6 of the report.
2. ...

3. ...

4. ...

5. ...

6. ...

MINUTES OF GENERAL LICENSING COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL

**GENERAL LICENSING COMMITTEE
21 APRIL 2010**

Present: Councillor Redfern (Chair)
Councillors Baxter, Berry, Hird, Hussain, Jackson,
Leeming, Poulter, Rawson, Skelton, Tuplin, Williams and
Winter

34/08 Personal Licence Holder training

The Committee considered a report from the Director of Environmental Services on Personal Licence Holder training. It was reported at a recent Sub Committee Members had raised concerns about the lack of experience that the proposed DPS had of working in the licensed trade and their apparent lack of understanding of the requirements and responsibilities under the Licensing Act 2003, even though they held a Personal licence. Members noted that the requirements to obtain a Personal Licence under the Licensing Act 2003 were the attendance and successful completion of a recognised accredited course for Personal Licence Holders and the production of a current criminal records check. On production of the correct documentation to the Licensing Authority, a Personal Licence had to be issued. Once an individual holds a Personal Licence, they can be specified as a DPS for the purpose of authorising the sale of alcohol.

It was proposed by Councillor Williams, seconded by Councillor Redfern, that full Council make representations on reviewing the minimum competency standard for aspiring Personal licence holders, to the Department of Culture, Media and Sports

Resolved to ask Council to forward a representation to the Department of Culture, Media and Sport (DCMS) with regard to the requirements to obtain a Personal Licence and be appointed as a Designated Premises Supervisor (DSP) under the Licensing Act 2003.