

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 24 May 2006 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 Roy Michael Webb 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 Dennis Wardle be appointed Pinder and Tenter for the ensuing year.

6. Presentation of the Derby Civic Awards for 2005/06 to:

Edward Allsop	June Reedman
Derek Limer	Mohammed Yaqoob
Rose Meeson	

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 2006. **DOCUMENT 10**

Motion - That the minutes of the meeting of the Council held on 1 March 2006 be approved as a correct record, 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 and the answers to those questions.
 - a. Mr T Dunn - Financial Appraisal of Riverlights
 - b. Mr T Dunn - Riverlights and Associated Road Works
 - c. Ms Penny De Abreu - Bids for CityScape Prize Money
 - d. Ms Penny De Abrey - Judging Panel for CityScape Prize Money
 - e. Ms Joan D’Arcy - Railway Conservation Area Draft Appraisal
 - f. Ms Joan D’Arcy - Local Studies Library
 - g. Mr Colin Underhill - Planning Application – St Helen’s Street Development
 - h. Mrs Anne Underhill - Cathedral Green
 - i. Ms Pat Woolley - Funding for the New Bus Station
 - j. Ms Pat Woolley - Location of New Bus Station

14. 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.

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

16. To elect the Leader and Council Cabinet for the next municipal year.

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

Motion - To follow

17. To approve proposed amendments to the Constitution. **TO FOLLOW**

Motion - To approve the amendments to the Constitution now submitted.

18. To approve proposed constitutional changes to Area Panels **DOCUMENT 18**

- Motion -**
- 1. To remove the Area Panel Good Practice Guide from the Council's Constitution apart from protocol 13 – 'Councillors and officers attending area panel meetings as residents'.**
 - 2. To allow each Area Panel to elect a standing chair for the municipal year, if they so wish.**
 - 3. To allow each Area Panel to nominate a vice chair on a rotating basis to support the standing chair, if they so wish.**
 - 4. To have, in each municipal year, up to five formal meetings of each Area Panel.**
 - 5. To approve a new petition procedure for Area Panels as follows:**
 - a) Petitions on local issues will be formally received and acknowledged by the Director of Corporate and Adult Social Services**
 - b) The Director of Corporate and Adult Social Services will pass copies of the petition to the relevant Council Cabinet Member and Corporate Director.**
 - c) The relevant Council Cabinet Member will determine the appropriate response that will be provided at a future Area Panel meeting.**
 - d) The lead petitioner will be allowed to address the Area Panel for up to five minutes.**
 - e) If the Area Panel is dissatisfied with the formal response to the petition, they may formally resolve to refer the petition back to the Council Cabinet Member for reconsideration.**
 - f) Reconsideration will take place at a Part 1 meeting of the Council Cabinet Member to which the chair of the relevant overview and scrutiny commission will have been invited.**
 - g) The Council Cabinet Member, in consultation with the chair of the overview and scrutiny commission, will decide on the response which may either confirm the original response or involve a review of**

**policy or resource allocation by the Council
Cabinet Member or the overview and
scrutiny commission.**

**6 To approve the consequential amendments to the
Constitution set out in Appendix 2.**

19. To consider the minutes and recommendations of the Scrutiny Management Commission dated 20 April 2006 that require the approval of the Council. **DOCUMENT 19**
- 115/05 Proposal to change the structure of Overview and Scrutiny Commissions** **DOCUMENT 19A**
- To recommend that Council:
1. Accept the five Commission structure set out in paragraphs 2.4 and 2.5 of the report, but to include a Corporate Parenting Sub Commission in the structure
 2. Increase the membership of each Commission to 10 members
 3. Accept the principle that the Overview and Scrutiny structure should align to Council Cabinet portfolios and should change as necessary to reflect any changes to the structure of the Council Cabinet
 4. Write to the Government minister to seek clarification of the position of the statutory co-optees on the Commission dealing with education matters in the light of integrated services for children and young people.
20. To approve constitutional appointments. **TO FOLLOW**
- Motion - (1) To approve the constitutional appointments for the next municipal year now submitted.**
- (2) To agree that the General Licensing Committee and Taxi Licensing and Appeals Committee be treated as one committee for the purpose of the payment of Special Responsibility Allowances.**
21. To approve the Schedule of Meetings. **TO FOLLOW**
- Motion - To approve the Schedule of Meetings for June 2006 to July 2007 now submitted.**
22. To approve appointments to outside bodies and charities. **TO FOLLOW**
- 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. **TO FOLLOW**

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

24. To consider the minutes and recommendations of the Council Cabinet dated 14 March 2006 requiring the approval of the Council.

DOCUMENT 24

(Please note there are no minutes of the Council Cabinet meetings on 18 and 25 April 2006 that require the approval of the Council)

297/05 Refreshing Derby's Local Area Agreement

DOCUMENT 24A

To recommend Council:

1. To approve the final draft Local Area Agreement as the basis for agreement with the Government.
2. To confirm the delegated authority to the Chief Executive, in consultation with the Leader of the council and the Director of Regeneration and Community, to conclude negotiations on behalf of the Council and its partners to this agreement.
3. To note the role of the Council as the accountable body for the agreement and the governance arrangements necessary to support this role.
4. To note the further work to be undertaken with Derby City Partnership to develop appropriate governance arrangements to enable partners to work towards agreed outcomes under a 'single pot' and that these arrangements will be subject to further Cabinet approval.
5. To approve, subject to the agreement of Derby City Partnership and the need for Cabinet agreement to any later changes, the initial conditions to apply to disbursements by the Council of pooled LAA funds in 2006-07, as set out in the attached report.

25. To consider the minutes and recommendations of the General Licensing Committee dated 19 April 2006 requiring the approval of the Council.

DOCUMENT 25

32/05 Proposal to the Casino Advisory Panel

DOCUMENT 25A and 25B

1. to note the Casino Advisory Panel's role in the establishment for new types of casinos and the procedure involved in selecting locations for their operation
2. to recommend to Council that it supports the application to locate a large casino in Derby.
3. to ask officers to include in the report to Council information on the negative aspects of gambling.

Motion - To approve the minutes and recommendations of the General Licensing Committee dated 19 April 2006.

26. To consider the following Notice of Motion:

Councillor Travis to move, Councillor Richards to second:

“This Council notes that in its 2020 vision document:

- 1) It claims to be proud of Derby’s history and achievements of its people, of its heritage, including historic buildings.
- 2) It has created Derby Marketing to raise the profile of the city, and hopes to attract top calibre professionals to come to work in Derby, and local and international visitors as tourists, to bring prosperity to the city.

Other cities, from Bilbao to Rotherham and Walsall, have used a famous artist or heritage as a unique selling point, and succeeded in achieving the above objectives.

Derby is blessed with more than one unique selling point, but needs to see the big picture and put them to the fore.

In pursuance of these objectives, Council requests Cabinet to:

1. Recognise the importance of St Helen’s House in relation to not only the World Heritage Site, but also as being one of the few remaining buildings where the lives and works of famous members of the 18th century Enlightenment Movement can be celebrated.
2. Seize the opportunity now to promote the jewel in the crown – the works and achievements of the great artist and thinkers of 18th century Derby who associated with the pioneers of the Industrial Revolution – through the complete refurbishment and re-launch of St Helen’s House with such historic associations, and make it the iconic centre and catalyst for study, display of heritage, conferences and cultural events, that will attract and promote the artists and thinkers of the present day.
3. Judge the bids that have been presented for future use of St Helen’s House on these criteria.”

27. To consider a report of the Scrutiny Management Commission on the 2005/06 Annual Report of the Overview and Scrutiny Commissions

DOCUMENT 27

Motion – To accept the 2005/06 Annual Report of the Overview and Scrutiny Commissions.

Director of Corporate Services
and Deputy Chief Executive

The Council House
Derby DE1 2ZL
16 May 2006

COUNCIL MEETING 1 MARCH 2006

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

Apologies for Absence

There were no apologies for absence.

Declarations of Interest

All Members declared personal interests in the matters referred to in Minute No. 90/05 – Member's Allowances - Recommendations of the Independent Remuneration Panel. Councillors Bayliss, P S Berry and Redfern declared personal interests in Minute No. 270/05 of the Council Cabinet as Councillor appointed Directors of Derby Homes. Councillor Dhindsa declared an interest in the Budget items as a Director of Derby Playhouse. Councillors Jackson and Travis declared personal interests in the Budget items as Directors of Viva. Councillor Care declared a personal interest in the Littleover Live at Home Scheme as she was on the fund raising committee of that Scheme.

Announcements from the Mayor

The Mayor referred to the successful 30th Anniversary celebrations for the twinning link with Osnabrück held on 24/25/26 February 2006.

The Mayor said that this would be the last meeting of the Council before the forthcoming Council elections on the 4 May 2006. Members paid tribute to Councillors Blanksby, Brown and Burgess, who were not seeking re-election, and thanked them for their services to the Council and the City.

83/05 Minutes of the Previous Meeting

Resolved that the minutes of the meeting of the Council held on 25 January 2006 be approved as a correct record, confirmed and signed by the Mayor.

84/05 Statements by Members of the Council Cabinet

There were no statements by members of the Council Cabinet.

85/05 Public Questions

Questions from members of the public were asked as follows:

1. By Mr K Whitehead, concerning the development of a site at Glossop Street, Elton Road and Cotton Lane, answered by Councillor Nath, Council Cabinet Member for Housing and Social Inclusion. In the absence of Mr Whitehead, the question was asked by the Mayor.
2. By Mr M Holmes, concerning a possible travellers site at Mickleover, answered by Councillor Nath, Council Cabinet Member for Housing and Social Inclusion.
3. By Mr C Poulter, concerning education and sport facilities in Spondon Ward, answered by Councillor Dhindsa, Council Cabinet Member for Leisure and Cultural Services.
4. By Mr A Hill, concerning the calculation of the inflation rate for the purpose of any Council Tax rise, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy. In the absence of Mr Hill, the question was asked by the Mayor.
5. By Mr A Williams, concerning Council spending in Mackworth Ward, answered by Councillor Bayliss, Council Cabinet Member for Community Services, Regeneration and E-Government.

86/05 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.

87/05 Written Questions from Non-Council Cabinet Members to Members of the Council Cabinet

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

1. By Councillor Smalley, asking what efficiencies had been made in the portfolio of the Leader of the Council and Council Cabinet Member for

Corporate Policy, to assist in making the 2006/07 budget balance, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.

2. By Councillor West, asking what efficiencies had been made in the Leisure and Cultural Services portfolio to assist in making the 2006/07 budget balance, answered by Councillor Dhindsa, Council Cabinet Member for Leisure and Cultural Services.
3. By Councillor Latham, asking what efficiencies had been made in the Children's and Education Services portfolio to assist in making the 2006/07 budget balance, answered by Councillor Wynn, Council Cabinet Member for Children's and Education Services.
4. By Councillor E Berry, asking what efficiencies had been made in the Adult Services portfolio to assist in making the 2006/07 budget balance, answered by Councillor Hussain, Council Cabinet Member for Adult Services.
5. By Councillor Samra, asking what efficiencies had been made in the Housing and Social Inclusion portfolio to assist in making the 2006/07 budget balance, answered by Councillor Nath, Council Cabinet Member for Housing and Social Inclusion.
6. By Councillor Samra, asking what efficiencies had been made in the Community Services, Regeneration, Equalities and E-Government portfolio to assist in making the 2006/07 budget balance, answered by Councillor Bayliss, Council Cabinet Member for Community Services, Regeneration, Equalities and E-Government.
7. By Councillor P Berry, asking what efficiencies had been made in the Planning and Transportation portfolio to assist in making the 2006/07 budget balance, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.
8. By Councillor Hickson, asking what efficiencies had been made in the Personnel, Performance Management and Economic Development portfolio to assist in making the 2006/07 budget balance, answered by Councillor Roberts, Deputy Leader of the Council and Council Cabinet Member for Personnel, Performance Management and Economic Development.
9. By Councillor Willitts, asking what efficiencies had been made in the Environment and Direct Services portfolio to assist in making the 2006/07 budget balance, answered by Councillor Bolton, Council Cabinet Member for Environment and Direct Services.
10. By Councillor Allen, seeking information about posts in the former Education Department which had been removed from the establishment or unfilled since July 2005, answered by Councillor Wynn, Council Cabinet Member for Children's and Education Services.

11. By Councillor Hickson, concerning equal pay for women, answered by Councillor Roberts, Deputy Leader of the Council and Council Cabinet Member for Personnel, Performance Management and Economic Development.
12. By Councillor Hickson, concerning VAT on car park charges, answered by Councillor Repton, Council Cabinet Member for Planning and Transportation.
13. By Councillor Skelton, concerning the number of home care service users assessed as having "low level" needs, answered by Councillor Hussain, Council Cabinet Member for Adult Services.
14. By Councillor Smalley, concerning increases in Members' Allowances, answered by Councillor Roberts, Deputy Leader of the Council and Council Cabinet for Personnel, Performance Management and Economic Development.
15. By Councillor Care, concerning recycling targets, answered by Councillor Bolton, Council Cabinet Member for Environment and Direct Services.
16. By Councillor Smalley, concerning increases in Council Tax, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.

88/05 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 Mayor said that the budget related minutes of the Council Cabinet would be taken as one item for the purpose of debate, and that he proposed to allow Councillors Jones, Smalley and Williamson to speak for more than five minutes in the budget debate. The Mayor pointed out that in Minute No. 278/05 of the Council Cabinet and the Council Tax motion consolidated previous Cabinet minutes on the Budget and any amendments should be moved on the Council Tax motion which had been circulated around the Chamber. At the request of Councillor Latham, the Mayor agreed to take the School Funding minutes as one item for the purpose of debate.

It was moved by Councillor Williamson, and seconded, to approve the minutes and recommendations of the Council Cabinet dated 21 February and 1 March 2006 and:

1. To note the final local government finance settlement announcement.

2. To approve for 2006/7 the departmental revenue budget estimates and associated virements and use of reserves summarised in Appendices 2, 3 and 4 of this report, together with the full revenue budget proposals set out in Sections 4 to 6 and Appendix 4 of the 21 February Cabinet report, amended for the changes as set out in Sections 2 and 3 of this report and summarised in Tables 1 and 2.
3. To note the latest 2005/6 revenue budget monitoring position provided in Appendix 8 to the 21 February Cabinet report.
4. To approve the measures proposed to manage budget risks in 2006/7 and in future years, set out in Section 11 of the 21 February Cabinet report.
5. To approve the incorporation of specific grants and income as shown in Appendix 4 of the 21 February Cabinet report into the detailed budgets and in doing so authorise the relevant Chief Officers to publish any required notices and implement any increases in fees and charges that are consistent with the budget proposals.
6. To approve a budget requirement for Derby City Council for the year ended 31 March 2007 of £155,546,000.
7. To approve within this total:

	£
Net service estimates of:	
Commercial Services Department	4,124,000
Policy Directorate	5,985,000
Corporate Services Directorate	5,344,000
Finance Directorate	2,762,000
Other corporate budgets	6,670,000
Development and Cultural Services Department	41,011,000
Education Department	33,087,000
Social Services Department	72,284,000
Cross departmental contingencies	856,000
	172,123,000
Reverse capital charges within net service estimates	-28,572,000
Treasury management	13,092,000
	156,643,000
Appropriations to/from reserves:	
Pump Priming Fund	111,000
Corporate reserves	-672,000
Service reserves	-536,000
	155,546,000

8. To note that, at its meeting on 25 January 2006, the Council calculated the amount of 68,966 as the Council's Tax Base for the year 2006/7 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.

9. To calculate the following amounts for the year 2006/7 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).
- a. £535,406,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) net of Section 32(3)(c) of the Act.
 - b. £379,860,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (b) of the Act.
 - c. £155,546,000 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. £88,879,461 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, reduced by the amount of the sums which the Council estimates will be transferred in the year to its Collection Fund from its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax) and the sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge).
 - e. £966.66 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 2.4 above, calculated by the Council, in accordance with Section 33 of the Act.

f. for the following Valuation Bands:

	£		£
A	644.44	E	1,181.47
B	751.85	F	1,396.29

C	859.25	G	1,611.10
D	966.66	H	1,933.32

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.

10. To note that for the year 2006/7, Derbyshire Police Authority, as a precepting 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	90.10	E	165.18
B	105.12	F	195.22
C	120.13	G	225.25
D	135.15	H	270.30

11. To note that for the year 2006/7, Derbyshire Fire Authority, as a precepting 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	38.43	E	70.45
B	44.83	F	83.26
C	51.24	G	96.07
D	57.64	H	115.28

12. Having calculated the aggregate in each case of the amount in 2.5, 2.6 and 2.7 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 2006/7 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
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A	772.97	E	1,417.10
B	901.80	F	1,674.77
C	1,030.62	G	1,932.42
D	1,159.45	H	2,318.90

13. To note the revenue budget plans for 2007/8 and 2008/9 set out in the 21 February Cabinet report as amended in Tables 1 and 2 of this report, and that they are for budget planning purposes and have indicative status.
14. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.
15. To approve the capital programme for 2006/7 to 2008/9 set out in this report and summarised in Appendix 5, incorporating the full proposals contained in the capital programme presented to Council Cabinet on 21 February 2006 as amended by the proposals in Sections 3.2 and 3.3 of this report.
16. To approve the planned prudential indicators set out in Appendix 6, noting that these replace the planned prudential indicators recommended for Council approval by Cabinet on 21 February 2006.
17. To note that the corporate property maintenance budget set out in Appendix 7 of this report forms part of the capital and revenue budget proposals and that the detailed proposals are subject to approval by Cabinet on 14 March 2006 following review by Scrutiny Management Commission on 7 March 2006.

Motion to Adjourn – Lost

It was moved by Councillor Jones, and seconded, that given the fact that the final Budget and Council Tax papers were not circulated until 4.45pm today, and in accordance with Rules CP57 and CP60, the debate on the minutes and recommendations of the Council Cabinet dated 1 March 2006 be adjourned until 6pm on 7 March 2006 to enable all members of the Council to give proper consideration to the decisions to be taken on the Council's Budget and Council Tax for 2006/07.

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 Allen, Burgess, Care, Carr, Hird, Jones, Lowe, Marshall, Richards, Skelton, Travis, Troup, Winter (13).

The following members voted against the motion:

Councillors Ahern, Afzal, Baxter, Bayliss, Blanksby, Bolton, Chera, Dhamrait, Dhindsa, Gerrard, Graves, Higginbottom, Hussain, Jackson, Khan, MacDonald, Nath, Rawson, Redfern, Rehman, Repton, Roberts, Tittley, Turner, Williamson, Wynn (26).

The following members abstained:

The Mayor (Councillor Webb), Councillors E Berry, P S Berry, Hickson, Latham, Leeming, Samra, Smalley, West, Willitts (10).

The motion was declared lost.

Amendment 1 – Lost

It was moved by Councillor Winter, and seconded, that paragraph 15 of the motion be amended to read as follows:

- “15. To approve the capital programme for 2006/7 and 2008/9 set out in this report summarised in Appendix 5, incorporating the full proposals contained in the capital programme presented to Council Cabinet on 21 February 2006, as amended by the proposals in Sections 3.2 and 3.3 of this report, subject to the inclusion of a new scheme within the Local Transport Allocation for the installation of additional bus shelters and public convenience in the City Centre due to the effects of the closure of the bus station at a cost of £120,000 to be met from reducing expenditure on lower priority schemes.”

The amendment was put to the meeting and lost.

Amendment 2 – Lost

It was moved by Councillor Carr, and seconded, that paragraph 2 of the motion be amended to read as follows:

- “2. To approve for 2006/7 the departmental revenue budget estimates and associated virements and use of reserves summarised in Appendices 2, 3 and 4 of this report together with the full revenue budget proposals set out in Sections 4 to 6 and Appendix 4 of the 21 February Cabinet report, amended for the changes set out in Sections 2 and 3 of this report and summarised in Tables 1 and 2, subject to the provision of two Energy Efficiency Officers at a cost of £60,000 per annum funded from corresponding efficiencies in the energy budgets of the Council, nominally shown in the Corporate Services budget heading.”

The amendment was put to the meeting and lost.

Amendment 3 – Lost

It was moved by Councillor Richards, and seconded, that paragraph 2 of the motion be amended to read as follows:

- “2. To approve for 2006/7 the departmental revenue budget estimates and associated virements and use of reserves summarised in Appendices 2, 3 and 4 of this report together with the full revenue budget proposals set out in Sections 4 to 6 and Appendix 4 of the 21 February Cabinet report, amended for the changes set out in Sections 2 and 3 of this report and summarised in Tables 1 and 2, subject to the reinstatement of the proposed reduction to area panel budgets of £25,000 to be funded from a reduction in the resources allocated to the Area and Neighbourhood programme budget.”

The amendment was put to the meeting and lost.

Motion on Duration of Meeting – Carried

Resolved, on the motion of Councillor Williamson, that, in accordance with Rule CP10, the duration of the meeting be extended beyond four hours.

Amendment 4 – Lost

It was moved by Councillor Care, and seconded, that paragraph 2 of the motion be amended to read as follows:

- “2. To approve for 2006/7 the departmental revenue budget estimates and associated virements and use of reserves summarised in Appendices 2, 3 and 4 of this report together with the full revenue budget proposals set out in Sections 4 to 6 and Appendix 4 of the 21 February Cabinet report, amended for the changes set out in Sections 2 and 3 of this report and summarised in Tables 1 and 2, subject to an additional round for the Rethink Rubbish Programme being started during 2006/7 over and above those already planned at a cost of £85,000 in 2006/7 to be funded from general reserves with future year costs built into the future budget plans for 2007/8 onwards.”

The amendment was put to the meeting and lost.

Resolved to approve the minutes and recommendations of the Council Cabinet dated 21 February and 1 March 2006 and:

- 1. To note the final local government finance settlement announcement.**
- 2. To approve for 2006/7 the departmental revenue budget estimates and associated virements and use of reserves summarised in Appendices 2, 3 and 4 of this report, together with the full revenue budget proposals set out in Sections 4 to 6 and Appendix 4 of the 21 February Cabinet report, amended for the changes as set out in Sections 2 and 3 of this report and summarised in Tables 1 and 2.**
- 3. To note the latest 2005/6 revenue budget monitoring position provided in Appendix 8 to the 21 February Cabinet report.**

4. To approve the measures proposed to manage budget risks in 2006/7 and in future years, set out in Section 11 of the 21 February Cabinet report.
5. To approve the incorporation of specific grants and income as shown in Appendix 4 of the 21 February Cabinet report into the detailed budgets and in doing so authorise the relevant Chief Officers to publish any required notices and implement any increases in fees and charges that are consistent with the budget proposals.
6. To approve a budget requirement for Derby City Council for the year ended 31 March 2007 of £155,546,000.
7. To approve within this total:

	£
Net service estimates of:	
Commercial Services Department	4,124,000
Policy Directorate	5,985,000
Corporate Services Directorate	5,344,000
Finance Directorate	2,762,000
Other corporate budgets	6,670,000
Development and Cultural Services Department	41,011,000
Education Department	33,087,000
Social Services Department	72,284,000
Cross departmental contingencies	856,000
	172,123,000
Reverse capital charges within net service estimates	-28,572,000
Treasury management	13,092,000
	156,643,000
Appropriations to/from reserves:	
Pump Priming Fund	111,000
Corporate reserves	-672,000
Service reserves	-536,000
	155,546,000

8. To note that, at its meeting on 25 January 2006, the Council calculated the amount of 68,966 as the Council's Tax Base for the year 2006/7 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.
9. To calculate the following amounts for the year 2006/7 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).

- a. **£535,406,000** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) net of Section 32(3)(c) of the Act.
- b. **£379,860,000** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (b) of the Act.
- c. **£155,546,000** 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. **£88,879,461** 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, reduced by the amount of the sums which the Council estimates will be transferred in the year to its Collection Fund from its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax) and the sum which the Council estimates will be transferred from its Collection Fund to its General Fund pursuant to the Collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge).
- e. **£966.66** 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 2.4 above, calculated by the Council, in accordance with Section 33 of the Act.

f. for the following Valuation Bands:

	£		£
A	644.44	E	1,181.47
B	751.85	F	1,396.29
C	859.25	G	1,611.10
D	966.66	H	1,933.32

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.

10. To note that for the year 2006/7, Derbyshire Police Authority, as a precepting 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	90.10	E	165.18
B	105.12	F	195.22
C	120.13	G	225.25
D	135.15	H	270.30

11. To note that for the year 2006/7, Derbyshire Fire Authority, as a precepting 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	38.43	E	70.45
B	44.83	F	83.26
C	51.24	G	96.07
D	57.64	H	115.28

12. Having calculated the aggregate in each case of the amount in 2.5, 2.6 and 2.7 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 2006/7 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
A	772.97	E	1,417.10
B	901.80	F	1,674.77
C	1,030.62	G	1,932.42
D	1,159.45	H	2,318.90

13. To note the revenue budget plans for 2007/8 and 2008/9 set out in the 21 February Cabinet report as amended in Tables 1 and 2 of this report, and

that they are for budget planning purposes and have indicative status.

14. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.
15. To approve the capital programme for 2006/7 to 2008/9 set out in this report and summarised in Appendix 5, incorporating the full proposals contained in the capital programme presented to Council Cabinet on 21 February 2006 as amended by the proposals in Sections 3.2 and 3.3 of this report.
16. To approve the planned prudential indicators set out in Appendix 6, noting that these replace the planned prudential indicators recommended for Council approval by Cabinet on 21 February 2006.
17. To note that the corporate property maintenance budget set out in Appendix 7 of this report forms part of the capital and revenue budget proposals and that the detailed proposals are subject to approval by Cabinet on 14 March 2006 following review by Scrutiny Management Commission on 7 March 2006.

89/05 Appointment of an Independent Member of the Standards Committee

The Council considered a report of the Director of Corporate and Adult Social Services concerning the Appointment of an Independent Member of the Standards Committee.

Resolved, on the motion of Councillor Williamson, to confirm the appointment of Mr Philip Sunderland as an Independent Member of the Standards Committee for the period ending at the Annual Meeting in May 2009.

(The above resolution was passed unanimously)

90/05 Members' Allowances – Recommendations of the Independent Remuneration Panel for 2006/07

The Council considered a report of the Director of Corporate and Adult Social Services on the Recommendations of the Independent Remuneration Panel for Members' Allowances for 2006/07.

Resolved, on the motion of Councillor Williamson:

- 1. To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2 to the report.**
- 2. To introduce a Special Responsibility Allowance of 12.5% for the Vice Chair of the Planning Control Committee.**
- 3. To continue to link increases in Basic and Special Responsibility Allowances to the average salary award for local authority employees.**
- 4. To amend the Members' Allowances Scheme accordingly.**

91/05 Urgent Decisions where Call-in has been Suspended

The Council considered a report of the Director of Corporate and Adult Social Services on Urgent Decisions where Call-in has been Suspended.

Resolved, on the motion of Councillor Williamson, to note the report.

MAYOR

MINUTES OF SCRUTINY MANAGEMENT
COMMISSION REQUIRING THE APPROVAL OF
COUNCIL

SCRUTINY MANAGEMENT COMMISSION
20 APRIL 2006

Present: Councillor Graves (in the Chair)
Councillors Ahern, Allen, Higginbottom, Hickson,
Jackson, Jones, Latham, MacDonald, Travis and Turner.

Items for Discussion

115/05 Proposal to change the structure of Overview and Scrutiny Commissions

This item was considered in conjunction with the late item regarding the future role of the Corporate Parenting Sub Commission. The Commission considered a report of the Chair containing a proposal to reduce the number of Overview and Scrutiny Commissions from six to five, together with a report of the Corporate Parenting Sub Commission on the value of retaining that Sub Commission as a separate body.

Councillor Latham expressed her concern that a similar proposal had been made in 2005 and had been rejected at the Annual Meeting. She was also concerned that the proposal had been made just before the election.

Councillor Jones felt that a system that enabled as many back benchers as possible to be involved in Overview and Scrutiny was preferable. She circulated a paper to illustrate.

Steve Dunning, Assistant Director - Democratic Services outlined the rules regarding political representation on Commissions.

Councillor MacDonald emphasised the need for a Corporate Parenting Sub Commission and Councillor Allen felt that it was important that this Sub Commission be formally written into the Commission structure.

The Chair explained that the aim of the proposed structure outlined in the report was to bring the Commission's broadly in line with the Cabinet Member portfolios. He felt that there should be a process of ongoing review of Overview and Scrutiny arrangements.

Concern was raised about maintaining the interest of co-opted Members and about their voting rights under the proposed structure.

Resolved to recommend that Council:

- 1. Accept the five Commission structure set out in paragraph 2.4 and 2.5 of the report, but to include a Corporate Parenting Sub Commission in the structure**
- 2. Increase the membership of each Commission to 10 members**
- 3. Accept the principle that the Overview and Scrutiny structure should align to Council Cabinet portfolios and should change as necessary to reflect any changes to the structure of the Council Cabinet**
- 4. Write to the Government minister to seek clarification of the position of the statutory co-optees on the Commission dealing with education matters in the light of integrated services for children and young people.**

MINUTES OF COUNCIL CABINET REQUIRING
THE APPROVAL OF COUNCIL

COUNCIL CABINET
14 MARCH 2006

Present Councillor Roberts - Chair
 Councillors Bayliss, Bolton, Dhindsa, Hussain, Nath,
 Repton and Wynn

In Attendance Councillors E Berry, Hickson and Jones

This record of decisions was published on 16 March 2006. 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

297/05 Refreshing Derby's Local Area Agreement

The Council Cabinet considered a report on Refreshing Derby's Local Area Agreement which detailed the final draft of the Local Area Agreement LAA. Derby's refreshed LAA for 2006 covered four areas of activity or blocks:

- Children and Young People
- Economic Development and Enterprise
- Healthier Communities and Older People
- Safer and Stronger Communities.

Future governance arrangements for the LAA were being considered as part of the Derby City Partnership review to be concluded at the end of March 2006.

Decision

To recommend to Council:

1. To approve the final draft Local Area Agreement as the basis for agreement with the Government.
2. To confirm the delegated authority to the Chief Executive, in consultation with the Leader of the council and the Director of Regeneration and Community, to conclude negotiations on behalf of the Council and its partners to this agreement.

3. To note the role of the Council as the accountable body for the agreement and the governance arrangements necessary to support this role.
4. To note the further work to be undertaken with Derby City Partnership to develop appropriate governance arrangements to enable partners to work towards agreed outcomes under a 'single pot' and that these arrangements will be subject to further Cabinet approval.
5. To approve, subject to the agreement of Derby City Partnership and the need for Cabinet agreement to any later changes, the initial conditions to apply to disbursements by the Council of pooled LAA funds in 2006-07, as set out in the attached report.

**MINUTES OF GENERAL LICENSING COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL**

**GENERAL LICENSING COMMITTEE
19 APRIL 2006**

Present: Councillor Khan (Chair)

Councillors Allen, Baxter, P Berry, Leeming, Jackson, Redfern,
Rehman, Richards and Skelton

32/05 Proposal to the Casino Advisory Panel

The Committee considered a report that set out details of a proposal submitted to the Casino Advisory Panel for permission to locate a large casino in Derby.

The Casino Advisory Panel is an independent panel that was established in September 2005 to advise the Government on the geographical areas in which the new types of casino created by the Gambling Act 2005 would be located. One regional casino, eight large and eight small casinos would be permitted. 41 local authorities had applied for a large casino.

On 31 January 2006, the Panel invited formal applications from local authorities who wanted to have a new casino in their area. Proposals needed to reach the Panel by 31 March 2006. Derby Cityscape submitted a provisional application, on behalf of the Council, subject to the final decision being made by the General Licensing Committee.

David Marshall the Director of Development at Derby Cityscape considered that the application had been supported by Derby City Partnership and the Strategic Partnership for Derby and Derbyshire. It was reported that the proposal had been endorsed by the Strategic Partnership in February 2006 and the Derby City Partnership in March 2006.

Work on the bid had been completed in conjunction with 'Tribal' consultants. Tribal had advised of a minimum of 250 extra jobs and a catalyst for other opportunities, such as a hotel and conferencing facilities.

Councillor Skelton asked why a casino was necessary when Gala Bingo had just received a new licence. David Marshall responded that the casino proposal was for 40,000 sq ft, whereas Gala Bingo was 25,000sq ft.

Councillor Allen considered that there had not been sufficient consultation, especially as many Councillors hadn't seen the proposal prior to the meeting. He also considered that Tribals' report did not focus on the social impact of the casino. John Tomlinson responded that the application only reached the

licensing team three days before the application deadline and therefore did not leave enough time to consult the Committee on the proposal before submission.

Resolved

- 1. to note the Casino Advisory Panel's role in the establishment for new types of casinos and the procedure involved in selecting locations for their operation**
- 2. to recommend to Council that it supports the application to locate a large casino in Derby.**
- 3. to ask officers to include in the report to Council information on the negative aspects of gambling.**

Councillors Allen and Skelton requested that her vote against the decision be recorded.