

Time commenced - 6.00 pm
Time finished - 9.20 pm

COUNCIL MEETING 15 JULY 2009

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

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Latham, Lowe and Mitchell.

Declarations of Interest

Councillor Rawson declared a personal interest in item 11, Motion 2 as he was an employee of the Derby Hospitals NHS Trust.

35/09 Minutes of the Previous Meeting

Resolved that the Minutes of the Annual Meeting of the Council held on 20 May 2009 be approved as a correct record, confirmed and signed by the Mayor.

36/09 Statements by Members of the Council Cabinet

There were no statements from Members of the Council Cabinet.

37/09 Public Questions

Questions from members of the public were asked as follows:

1. By Colin Underhill, concerning Cathedral Green Fence Panels, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
2. By Colin Underhill, concerning the Jury's Inn road layout, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
3. By Stephen Bate, concerning the protocol for consulting on developments, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
4. By Tony Dunn, concerning capacity at the new bus station, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
5. By Tony Dunn, concerning charges at the new bus station, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
6. By Mike Cook, concerning consultation over the Chaddesden library, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
7. By Lorraine Radford, concerning the Kedleston Road bus lanes proposals, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
8. By Penny De Abreu, concerning the Seven Stars car park, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
9. By Penny De Abreu, concerning noise pollution, answered by Councillor Troup, Council Cabinet Member for Housing and Environment.

38/09 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.

39/09 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 Bayliss, concerning the Alvaston District Centre, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
2. By Councillor Bayliss, concerning the Council House counter service opening hours, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
3. By Councillor Graves, concerning the Alvaston Park development, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
4. By Councillor Hussain, concerning a Reduction in Community Safety Partnership budget, answered by Councillor Jones, Leader of the Council and Council Cabinet Member for Policy, Partnerships and Economic Development.
5. By Councillor Jackson, concerning the rebuilding of Gayton Pool, answered by Councillor Naitta, Council Cabinet Member for Leisure and Culture.
6. By Councillor Ingall, concerning Chellaston kerbside collection scheme, answered by Councillor Carr, Council Cabinet Member for Direct and Internal Services.
7. By Councillor Bolton, concerning the Cabinet decision on school transport, answered by Councillor Allen, Deputy Leader of the Council and Council Cabinet Member for Children and Young People.
8. By Councillor Graves, concerning the date the City Gate issue was due to be heard by the Planning Control Committee, answered by Councillor Wood, Chair of the Planning Control Committee.
9. By Councillor Holmes, concerning recorded distance measurements between residential properties and schools, answered by Councillor Allen, Deputy Leader of the Council and Council Cabinet Member for Children and Young People.
10. By Councillor Turner, concerning the proposed Russell Street travellers' site, answered by Councillor Troup, Council Cabinet Member for Housing and Environment.
11. By Councillor Harwood, concerning the highways maintenance contract, answered by Councillor Care, Council Cabinet Member for Planning and Transport.
12. By Councillor Willoughby, concerning the proposed Kedleston Road bus lanes, answered by Councillor Care, Council Cabinet Member for Planning and Transport.

40/09 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.

Resolved, on the motion of Councillor Jones, to approve the minutes and recommendations of the Council Cabinet dated 7 July 2009.

41/09 Appointment of Co-optees to the Climate Change Commission and Appointment to the Elizabeth Turner Charity

The Council considered a report of the Director of Corporate and Adult Services concerning the appointment of co-optees to the Climate Change Commission and the appointment of a trustee to the Elizabeth Turner Charity.

Resolved, on the motion of Councillor Jones:

- 1. To approve the co-option of Peter Robinson, Bob Hewins and Jeremy Fisk to the Climate Change Commission for the 2009/10 municipal year.**
- 2. To approve the appointment of Councillor Tuplin as a Trustee of the Elizabeth Turner Charity.**

42/09 Notices of Motion

1. Chester Green Post Office

It was moved by Councillor Williamson, and seconded, that Council recognises that the post office closure programme had a disproportionate effect on certain neighbourhoods around the city.

Council concedes that the proposals contained in the Labour Group's alternative budget would have enabled a start to be made on reopening some of the city's post offices, starting with the Chester Green Post Office.

Council therefore calls on the Liberal Democrat administration to set aside £20,000 in the council's base budget and to approach Post Office Ltd to secure the reopening of Chester Green Post Office this year.

It was moved by Councillor Jennings, and seconded, that the motion be amended by the deletion of paragraph 2 and the deletion from paragraph 3 of the words "to set aside £20,000 in the council's base budget and."

(The effect to the amendment, if approved, was that the motion would read as follows:

“Council recognises that the post office closure programme had a disproportionate effect on certain neighbourhoods around the city.

Council therefore calls on the Liberal Democrat administration to approach Post Office Ltd to secure the reopening of Chester Green Post Office this year.”)

In accordance with rule CP68 it was demanded by at least ten Members that a recorded note be taken on the amendment.

The following Members’ voted for the amendment:

The Mayor (Councillor Marshall)
Councillors Allen, Care, Carr, Chera, Ginns, Grimmadell, Harwood, Hickson Hird, Holmes, Ingall, Jennings, Jones, Keane, F Khan, R Khan, Leeming, Naitta, Nath, Poulter, Richards, Skelton, Troup, Tuplin, Webb, Williams, Willoughby, Winter, Wood (30).

The following Members’ voted against the amendment:

Councillors Banwait, Baxter, Bayliss, Bolton, Dhindsa, Graves, Higgingbottom, Hussain, Jackson, Rawson, Redfern, Repton, Roberts, Shanker, Turner, Williamson (16).

The amendment was declared carried.

Resolved that Council recognises that the post office closure programme had a disproportionate effect on certain neighbourhoods around the city.

Council therefore calls on the Liberal Democrat administration to approach Post Office Ltd to secure the reopening of Chester Green Post Office this year.

2. School and Hospital Bus Services

It was moved by Councillor Williamson, and seconded, that Council considers that public transport in Derby is not satisfactory for an ambitious city and is concerned that the Liberal Democrat administration’s proposals to cut school transport will make matters worse.

Council also acknowledges that dissatisfaction with the public transport arrangements for the new City Hospital is justified and supports the establishment of a ring road bus service to the hospital.

Council recognises that the Labour Group's budget proposals would have secured both the future of the school bus services threatened with removal and a hospital bus service around the ring road.

Council therefore demands that the Liberal Democrat administration gives a commitment to retain the school buses they threatened to axe and implement the Labour Group's proposals for a ring road hospital bus service.

It was moved by Councillor Jennings, and seconded, that the motion be amended to read as follows:

"Council considers that public transport in Derby could be enhanced to a standard compatible with an ambitious city.

Council also acknowledges that dissatisfaction with the public transport arrangements for the new Royal Derby Hospital is justified and supports the establishment of a ring road bus service to the hospital.

Council therefore demands that the Liberal Democrat administration gives a commitment to retain the school buses they have axed and explores proposals for a ring road hospital bus service."

The amendment was put to the meeting and carried.

Resolved that Council considers that public transport in Derby could be enhanced to a standard compatible with an ambitious city.

Council also acknowledges that dissatisfaction with the public transport arrangements for the new Royal Derby Hospital is justified and supports the establishment of a ring road bus service to the hospital.

Council therefore demands that the Liberal Democrat administration gives a commitment to retain the school buses they have axed and explores proposals for a ring road hospital bus service.

3. Official Opposition Group

Resolved, on the motion of Councillor Jennings, that Council identifies the Conservative Group as the opposition group with the ability to appoint a Shadow Cabinet for the purposes of the Council's Protocol on Member/Officer Relations.

4. Derby Roads Partnership

It was moved by Councillor Poulter and seconded, that Council notes with concern the continuing failure of the Derby Roads Partnership as it is clear that the originally agreed vision, values and objectives are not being achieved and the partnership may no longer be fit for purpose.

Council therefore resolves to establish a special Highways Maintenance Overview and Scrutiny Commission comprising:

- The Chair of the Planning and Transportation Commission as chair of the commission (1 Conservative)
- Two other members and Planning and Transportation Commission (1 Labour, 1 Liberal Democrat)
- Three members of the Audit and Accounts Committee (other than members of the Council Cabinet) (1 Conservative, 1 Labour, 1 Liberal Democrat)

with the following terms of reference:

1. To review the management, work programme, work practices and performance of the Derby Roads Partnership
2. To consider whether the funding of the Partnership offers best value in ensuring that the overall objective of effectively and efficiently meeting the City's immediate, medium-term and long-term highways maintenance needs are achieved
3. To produce a robust action plan, with timescales, accountabilities and reporting mechanisms, aimed at driving up performance standards
4. To make regular reports to the Council Cabinet on the progress of the review and to recommend urgent actions
5. To submit a final report to the Council Cabinet prior to the setting of the Council's 2010/11 budget.

The motion was put to the meeting and lost.

Mayor

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL
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COUNCIL CABINET 7 JULY 2009

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

In attendance Councillors Jennings and Williamson

This record of decisions was published on 9 July 2009. 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

30/09 Contract and Financial Procedure Matters Report

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:

- New funding streams – Children and Young People’s department
- Neighbourhood budgets outturn
- Capital schemes commencement
- Schools Access Initiatives allocations
- Older People’s Strategy reserve
- Investment policy
- Supporting People underspend.

Decision

1. To add the expenditure and income relating to new funding set out in section 3.1 into the Children and Young People’s department budget.
2. To approve the recommendations for 2008/09 Neighbourhood budget carry forwards set out in section 3.2 subject to the amendment of the figures set out in paragraph 3.2.3 of the report.

3. To add Redwood Infant School extension and enhancements scheme to the 2009/10 to 2010/11 capital programme and to request scheme commencement as set out in paragraphs 3.3.1 and 3.3.2.
4. To approve the amendments to the capital schemes at Brookfield Primary and Moorhead Primary as set out in paragraphs 3.3.3 and 3.3.4.
5. To approve the allocations from the Schools Access Initiative Funding for disabled pupils and those with special educational needs as set out in Appendix 2, to add the schemes to the 2009/10 capital programme, and to request scheme commencements.
6. To transfer £1,470,000 to an earmarked reserve to contribute to the funding of the Older People's Strategy, financed by one off efficiency savings within adult social care, including non recurrent funding received as a result of reassessments under the National Health Services Act 2006 - Continuing Health Care.
7. To recommend Council to increase the limit of deposits placed with the Bank of England's Debt Management Office from £25m to £75m.
8. To approve the carry forward of the cumulative under spend of £1.8m on Supporting People budgets from 2008/09.