

# ITEM 3

Time commenced - 6.00pm

Time finished - 7.25pm

## **COUNCIL**

**14 SEPTEMBER 2016**

Present: The Mayor (Councillor Winter), Councillors Afzal, Anderson, Ashburner, Banwait, Barker, Bayliss, Bolton, Care, Carr, Dhindsa, Eldret, Evans, Froggatt, Graves, Grimadell, Harwood, Hassall, Hezelgrave, A Holmes, M Holmes, Hudson, Hussain, Ingall, Jackson, Keith, J Khan, S Khan, Marshall, Naitta, Pegg, Poulter, Raju, Rawson, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Smale, Stanton, Turner, Webb, West, Whitby, Williams, Wood and Wright.

### **47/16 Apologies**

Apologies for absence were received from Councillor Nawaz

### **48/16 Declarations of Interest**

There were no declarations.

### **49/16 Minutes of the Meeting of Council held on 20 July 2016**

The minutes were agreed as a correct record.

### **50/16 Announcements from the Mayor**

The Mayor detailed three additional papers which had been circulated to members:

- The minutes of the meeting of Council Cabinet on 7 September 2016;
- A late report on the building consultancy project; and
- A late report on Freedom of the City.

The Mayor reminded all members that any councillor wishing to move an amendment who had provided a signed copy to officers in advance of the meeting should complete the appropriate amendment form.

Members were advised that the Mayor would be scheduling an Extraordinary Meeting of Council on 23 November 2016, at the time presently scheduled for an ordinary meeting. Members were advised that the ordinary meeting would follow on the same evening. The Mayor also advised that a further Extraordinary Meeting would be required sooner in the event that the report on Freedom of the City was approved.

Councillors were advised of the death of former city councillor for Chellaston David Whitehead. Members were told that the Mayor, Councillor Jackson and the Mayor's Officer had attended the funeral. A moment's silence was observed.

Finally, the Mayor announced that she had selected the Civic Award winner, and that the individual chosen was Mr Simon Lee, who had created and chaired Wilmorton Residents Association, leading to the transformation of the former derelict land of Wilmorton Allotments. Mr Lee attended and accepted the award from the Mayor.

## 51/16 Statements from members of the Council Cabinet

The Mayor reported that none had been received.

## 52/16 Questions from the public to members of the Council Cabinet

Written questions from the public to members of the Council Cabinet were put and responded to as follows:

Questioner	Respondent	Subject
Dorothy Skrytek	Councillor Afzal	Tree Prosecutions
Kate King	Councillor Hussain	City Point Street Cleaning
Rob Cooper	Councillor Rawson	Mackworth Play Areas
Betty Morrison	Councillor Rawson	Moorways Pool
Brendan Connelly	Councillor Eldret	Teaching Assistants
Simon Bacon	Councillor Russell	Sinfin Waste Plant Engagement
Rob Cooper	Councillor Rawson	Mackworth War Memorial
Betty Morrison	Councillor Afzal	Alvaston Neighbourhood Forum
Brendan Connelly	Councillor Banwait	Council Relations
Simon Bacon	Councillor Afzal	Fly-Tipping

## 53/16 Questions relating to Derbyshire Fire Authority or Derby Homes

The Mayor reported that none had been received.

## 54/16 Questions from non-Council Cabinet members

Written questions from non-Council Cabinet members to members of the Council Cabinet and put and responded to as follows:

Questioner	Respondent	Subject
Councillor Evans	Councillor Afzal	City Point Adoption
Councillor Graves	Councillor Rawson	Libraries Strategic Needs Assessment
Councillor M Holmes	Councillor Afzal	Bus Lane Fines
Councillor Barker	Councillor Rawson	Eagle Market
Councillor Graves	Councillor Banwait	Mayoral Engagements
Councillor Harwood		
Councillor Grimadell	Councillor Rawson	Library Lottery Funding
Councillor Hudson	Councillor Rawson	Wholesale Market Site
Councillor Poulter	Councillor Afzal	Neighbourhood Working
Councillor Smale	Councillor Rawson	Library Running Costs
Councillor Graves	Councillor Shanker	Replacement Pool

Councillor Evans	Councillor Rawson	Alvaston S106 Funding
Councillor Harwood	Councillor Afzal	Neighbourhood Managers
Councillor Hudson	Councillor Rawson	Wholesale Market Management
Councillor Graves	Councillor Banwait	Petitions
Councillor Evans	Councillor Shanker	Church Street Traffic Lights
Councillor Graves	Councillor Rawson	Alvaston Play Areas
Councillor Graves	Councillor Repton	Voluntary Sector Grant Funding
Councillor Graves	Councillor Rawson	The Spot Refurbishment
Councillor Graves	Councillor Rawson	Football Pitches

## 55/16 Minutes from the meeting of Council Cabinet on 7 September 2016 requiring Council approval

Council Cabinet minute 63/16 was reported to Council for consideration. The Council Cabinet resolution contained 13 points, two of which required Council approval, namely:

2. To recommend Council to approve the revised annual Minimum Revenue Provision (MRP) Statement for 2016/7, as detailed in Section 5 and Appendix 2 of the report.
9. To recommend to Council the submission of an efficiency plan to DCLG in order to secure the four-year funding guarantee, and delegate the details of the submission to the Director of Finance following consultation with the Chief Executive and Leader.

The papers considered by Council Cabinet, and the minutes in full, had previously been circulated to members electronically.

It was moved by Councillor Banwait, and seconded, that the minutes be approved. This was put to the vote and carried.

### **Resolved to:**

- 1. Approve the revised annual Minimum Revenue Provision (MRP) Statement for 2016/7, as detailed in Section 5 and Appendix 2 of the report.**
- 2. Approve the submission of an efficiency plan to DCLG in order to secure the four-year funding guarantee, and delegate the details of the submission to the Director of Finance following consultation with the Chief Executive and Leader.**

## 56/16 Pay Policy Statement 2016/7

A report of the Chief Executive was considered. The report detailed that the Localism Act placed a duty on local authorities to prepare an annual pay policy statement for Council approval. The statement for 2016/7 was included for consideration.

It was moved by Councillor Banwait, and seconded, that the recommendations in the report be approved. This was put to the vote and carried.

### **Resolved to:**

- 1) Approve the Pay Policy Statement;**

**2) Note that the Pay Policy Statement would be published on the council website.**

**57/16      Annual Report of the Standards Committee – 2015/6**

A report of the Chief Executive detailed how the Chair of the Standards Committee for 2015/6, Councillor Jackson, had agreed in consultation with the Monitoring Officer to produce an Annual Report detailing the work of the committee. The purpose of the report was to update members on the work of the committee.

**Resolved to note receipt of the Annual Report of the Standards Committee for 2015/6.**

**58/16      Appointment to the Derbyshire Environmental Trust**

A report of the Monitoring Officer detailed a proposed change in the Council appointments to the Derbyshire Environmental Trust, which would vary that which was made at the Annual Meeting of Council. It was reported that Councillor Shanker was no longer able to attend the meetings, and as a councillor representative was not necessarily required it was proposed that the role could be filled by the Environment and Climate Change Group Manager.

No other nominations were received.

It was moved by the Mayor, and seconded, that the officer nominee be appointed. This was put to the vote and carried.

**Resolved to appoint the Environment and Climate Change Group Manager to the Derbyshire Environmental Trust in place of Councillor Shanker.**

**59/16      Building Consultancy Project**

A report of the Strategic Director of Communities and Place was considered.

It was reported that at its meeting on 16 March 2016, Council Cabinet gave delegated authority for agreements to be concluded enabling the proposed transfer of the council's Building Control function, and the staff who undertake those functions, to a company being formed as an amalgam of the building control services of six Derbyshire authorities. The authorities involved were Derby, Amber Valley, Bolsover, Chesterfield, Derbyshire Dales and North East Derbyshire councils.

Council was informed that while these matters were largely executive functions not requiring Council approval and had been dealt with by the Council Cabinet or Council Cabinet members, one outstanding matter requiring approval from Council was that the Building Control function be discharged by the newly formed company. It was reported that approval of the recommendations in the report would satisfy the need for Council ratification under Article 4(4.2) of the Council Constitution, paragraph K of Part A of the Scheme of Delegations and Section 101(1)(b) of the Local Government Act 1972.

The recommendations in the report were put to the vote and carried.

**Resolved to:**

- 1. Note the detailed report 'Transforming Building Control Across Derbyshire' published as Item 10 of the Council Cabinet agenda for the meeting of 16 March 2016, available to view on CMIS via the link detailed in the background papers within the footer of the report;**
- 2. Note that the report was approved and that the project had since been progressed by officers to the stage where it was possible for contracts to be signed; and**
- 3. approve the discharge of functions in relation to the council's Building Control service to a company jointly owned by six local authorities, namely Derby City Council, Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derbyshire Dales District Council and North East Derbyshire District Council, in accordance with section 101(1)(b) of the Local Government Act 1972.**

## **60/16      Freedom of the City**

A report of the Leader of the Council was considered. The report highlighted that the Freedom of the City was the most prestigious honour that could be bestowed upon an unelected person by the council. It was proposed that the Freedom of the City be granted to Adam Peaty, who had added the Gold Medal at the Rio Olympics in 2016 to his existing equivalent achievements at Commonwealth, European and World Championship level.

The motion was moved by Councillor Banwait, and seconded. It was put to the vote and carried.

**Resolved to:**

- 1) Agree the principle that Adam Peaty should be granted Freedom of the City and to request that an Extraordinary Meeting of Council be convened for formal ratification in accordance with Section 249 of the Local Government Act 1972; and**
- 2) To authorise officers to make arrangements for an appropriate reception involving all councillors, and to also celebrate the role of the City of Derby Swimming Club and its coach Melanie Marshall.**

## **61/16      Motion: Electoral Fraud**

It was moved by Councillor Skelton, and seconded by Councillor Naitta, that:

*"Council welcomes the publication in August 2016 of the review into electoral fraud carried out by Sir Eric Pickles in his role as the Government's Anti-Corruption Champion.*

*Council further welcomes the 50 recommendations contained in the review. In particular council wishes to see:*

- a) Photo ID being required by voters and proxy voters at polling stations, along the lines of the system already in use in Northern Ireland*
- b) Robust checks on nationality to make sure only those entitled to vote do vote*
- c) Tightening of the law/rules regarding postal and proxy voting.*

*The review also advises that systems for voter photo ID at polling stations should be piloted and suggests doing this in areas that are considered at higher risk of electoral fraud.*

*Council resolves to write to Government to volunteer Derby as a pilot area for photo ID to be shown by all voters at polling stations at the next Local Government elections in 2018."*

As required under Rule CP71a of the Council Procedure Rules, it was demanded by at least 10 members that a recorded vote be taken on the motion. The voting was as follows:

For the amendment:

Councillors Ashburner, Barker, Care, Carr, Evans, Graves, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Ingall, Keith, Marshall, Naitta, Poulter, Roulstone, Skelton, Smale, Webb, Williams, Wood and Wright (24).

Against the amendment:

Councillor Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Froggatt, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Stanton, Turner, West, Whitby and the Mayor, Councillor Winter (25)

Abstentions:

None.

The motion was lost.

MAYOR