

TO: ALL MEMBERS OF THE DERBY CITY COUNCIL

You are summoned to attend a meeting of the Derby City Council in the Council Chamber at the Council House, Derby on Thursday 1 March 2007 at 6 pm.

A G E N D A

1. To receive apologies.
2. To receive Declarations of Interest.
3. To approve the minutes of the meeting of the Council held on 24 January 2007. **DOCUMENT 3**

Motion - That the minutes of the meeting of the Council held on 24 January 2007 be approved as a correct record, confirmed and signed by the Mayor

4. To receive any announcements from The Mayor.
5. To receive any Statements from Members of the Council Cabinet.
6. To receive any questions from the public to Members of the Council Cabinet and the answers to those questions.
 - a. Mr Martin – Reduction in Carbon Emissions
 - b. Mr P Bayliss – Election Campaign Protocol
7. 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.

8. To receive any written questions from non-Council Cabinet Members to Members of the Council Cabinet and the answers to those questions.
9. To consider the minutes and recommendations of the Council Cabinet dated 16 January 2007 and 20 February 2007 requiring the approval of the Council. **DOCUMENT 9 & 9B**

180/06 Housing Rents and Service Charges **DOCUMENT 9A**

To recommend that Council on 1 March approve the revision of rent and service charges from 2 April 2007 on the basis set out in the report including:

- an average weekly rental increase of £2.53 or 5% calculated over 52 weeks
- an average weekly increase of 4.1% on Service Charges, including

- furniture packs
- an average weekly increase of 5% on Garage Rents.

209/06 Approval of the Corporate Plan 2007-10

DOCUMENT 9C

1. To recommend Council adopt the Plan on 1 March 2007.
2. To recommend that Council delegate authority to make amendments to reflect up-to-date information, final actions and intended outcomes to the Chief Executive and Director of Resources and Housing, and to finalise the Plan in consultation with the Leader of the Council.

210/06 Local Area Agreement 2007 – 08 Refresh

DOCUMENT 9D

To recommend that Council delegate authority to make amendments to reflect up to date information to the Directors of Resources and Housing and Regeneration and Communities.

211/06 Revenue Budget and Council Tax 2007/08

DOCUMENT 9E

The text of Minute No. 211/06 is set out in Document 9B and in the motion at the end of item 9.

213/06 Treasury Management Strategy and Prudential Code indicators 2007/08

DOCUMENT 9F

1. To recommend that Council approves the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4.
2. To recommend that Council adopts the Treasury Management Strategy for 2007/08, including the Annual Investment Strategy, as set out in Appendix 3 to this report.

214/06 Capital Programme

DOCUMENT 9G

To recommend Council the capital programme for 2007/8 and the indicative capital programme for 2008/9 and 2009/10 set out in the report.

Motion – To approve the minutes and recommendations of the Council Cabinet dated 16 January 2007 and 20 February 2007 and ...

1. **To note the final local government finance settlement for 2007/8 of £92.353m which is an increase of 4.4% over the 2006/7 adjusted figure.**
2. **To approve for 2007/08 the departmental revenue budget estimates and use of reserves summarised in Appendices 3, 4, 5 and 8 of the report.**
3. **To note the latest 2006/07 revenue budget monitoring position as set out in Appendix 9 of the report.**
4. **To approve the measures proposed to manage budget risks in 2007/8 and in future years, set out in Section 10.**

5. To approve a budget requirement for Derby City Council for 2007/8 of £162,999,000.

6. To approve within this total:	£
Net service estimates of:	
Children and Young People	34,032,000
Environmental Services	20,202,000
Regeneration and Community	18,664,000
Resources and Housing	9,554,000
Corporate and Adult Social	57,421,000
Services	22,570,000
Corporate Budgets	3,250,000
Other unallocated budgets	
	<hr/>
	165,693,000

Appropriations to/from reserves:

Pump Priming Fund	126,000
Corporate reserves	2,615,000
Service reserves	-205,000
	<hr/>
	162,999,000

7. To note that, at its meeting on 24 January 2007, the Council calculated the amount of 69,560 as the Council's Tax Base for the year 2007/8 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.

8. To calculate the following amounts for the year 2007/8 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).

- | | | |
|---|--------------|---|
| a | £531,692,000 | 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 | £368,693,000 | 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 | £162,999,000 | 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 £92,436,594 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 2 98(4) of the Local Government Finance Act 1988 (Community Charge).

e £1014.41 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 2.7 above, calculated by the Council, in accordance with Section 33 of the Act.

f For the following Valuation Bands:

	£	£
A	676.27	E 1,239.83
B	788.99	F 1,465.26
C	901.70	G 1,690.68
D	1,014.41	H 2,028.82

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.

9. To note that for the year 2007/8, 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	94.61	E	173.45
B	110.37	F	204.98
C	126.14	G	236.52
D	141.91	H	283.82

10. To note that for the year 2007/8, 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	40.35	E	73.97
B	47.07	F	87.42
C	53.80	G	100.87
D	60.52	H	121.04

11. Having calculated the aggregate in each case of the amount in 8, 9 and 10 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 2007/8 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

	£		£
A	811.23	E	1,487.25
B	946.43	F	1,757.66
C	1,081.64	G	2,028.07
D	1,216.84	H	2,433.68

12. To note the revenue budget plans for 2008/9 and 2009/10 set out in section 5 of this report.

13. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

10. To consider the following Notice of Motion:

Councillor Roberts to move, Councillor Williamson to second:

“This Council views with concern the proposal by Her Majesty’s Revenue and Customs to relocate their Derby Office workforce of 400 posts to Nottingham.

Council believes that the move would have a negative economic impact on the retail and hospitality businesses located on the north side of the city centre.

Council notes that the main corridors of transport between Derby and Nottingham already suffer significant congestion at peak times and this proposal would exacerbate this problem.

Council therefore calls on HMR&C to urgently reconsider its stance on this matter.

Council also calls on Derby’s members of parliament to intercede with the appropriate ministers to seek a reversal of this decision.”

11. To consider a Report of the Director of Corporate and Adult Social Services concerning Local Government (Early Termination of Employment) (Discretionary Payments) Regulations 2006.

DOCUMENT 11

Motion:

- 1. To apply the Council’s current policy as set out in paragraph 16 under the 2000 regulations to employees who were in employment with the Council commenced before 1 October 2006 and whose termination date is after 30 September 2006 but before 1 April 2007.**
- 2. Subject to the provisions of the new regulations on added years, to adopt a general policy of ‘no change’ in respect of the 2006 regulations.**
- 3. To review the policy every two years with any changes being published in a statement of the amended policy, which shall not come into effect until at least one month after its publication.**
- 4. To calculate the statutory redundancy payment on the employee’s actual week’s pay in accordance with regulation 5 of the 2006 regulations.**

5. **Not to exercise any discretion to award compensation under regulation 6 of the 2006 regulations.**
 6. **Where an employee's employment is terminated on the cessation of a joint appointment, to calculate the statutory redundancy payment (if applicable) on the employee's actual week's pay.**
 7. **Not to exercise the power the Council has under Redundancy Payments Pension Regulations 1965 to offset the statutory redundancy payment against pensions or lump sums which are paid from the Local Government Pension Scheme immediately on redundancy, or within a short time thereafter.**
 8. **To adopt the draft policy statement for implementing the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 as set out in Appendix 3 from 1 April 2007**
12. To consider a Report of the Director of Corporate and Adult Social Services concerning Urgent Non-Executive Decisions made by the Chief Executive **DOCUMENT 12**

Motion – To note the report

13. To consider a Report of the Director of Corporate and Adult Social Services concerning Members' Allowances – Recommendations of the Independent Remuneration Panel for 2007/08 **DOCUMENT 13**

Motion:

1. **To accept the report and recommendations of the Independent Remuneration Panel at Appendix 2.**
2. **To continue with the current level of the Basic Allowance**
3. **To continue with the current levels of Special Responsibility Allowances, with the exception of the allowance paid to ordinary members of the General Licensing and Taxi Licensing and Appeals Committees which should be reduced from 4% to 3% to reflect the reduced workload on liquor licensing, and to note that the Panel will keep this allowance under review.**
4. **To note that the Panel will review the Special Responsibility Allowances for the Mayor and Vice Chairs of Scrutiny Commissions at its November 2007 meeting**

5. **To continue to index-link increases in the Basic and Special Responsibility Allowances to the average salary award for local authority employees**
 6. **To harmonise travelling allowances paid to councillors and employees and to agree that, when the current negotiations over the allowances to be paid to employees are concluded, the agreed rates are applied also to councillors.**
 7. **To harmonise subsistence allowances paid to councillors and employees and to agree that, with effect from 1 April 2007, the rates paid to councillors be the prevailing rates paid to employees.**
 8. **To amend the Members' Allowances Scheme accordingly.**
14. To consider a Report of the Director of Corporate and Adult Social Services concerning Standing Advisory Council for Religious Education – SACRE – New Representatives. **DOCUMENT 14**

Motion – Approve the appointment of David Ginns as the Buddhist Faith representative and Debra Perry as the Bahai Faith representative for a four year term.

15. To consider a Report of the Director of Corporate and Adult Social Services concerning Postal and Proxy Voting Procedures **DOCUMENT 15**

Motion:

1. **To note the procedures for managing postal and proxy votes**
2. **To ask political group leaders, independent councillors and election agents to sign a protocol on postal and proxy voting based on the Electoral Commission Code of Conduct and the Birmingham local protocol.**
3. **To agree that the request to sign the protocol be made annually to political parties and independents represented on the Council, and to election agents for candidates at Council elections, at the time for the appointment of election agents under the relevant election timetable.**

Director of Corporate and Adult Social Services
and Deputy Chief Executive

The Council House
Derby DE1 2FS
21 February 2007

COUNCIL MEETING 24 JANUARY 2007

Present: The Mayor (Councillor Ahern)
Councillors Afzal, Allen, Banwait, Baxter, Berry, Bolton, Care, Carr, Chera, Dhindsa, Gerrard, Ginns, Graves, Hickson, Higginbottom, Hird, Hussain, Ingall, Jackson, Jones, R Khan, S Khan, Leeming, Liversedge, Lowe, MacDonald, Marshall, Mitchell, Nath, Poulter, Rawson, Redfern, Richards, Roberts, Skelton, Smalley, Tittley, Travis, Troup, Turner, Webb, West, Williamson, Winter, Wynn

Apologies for Absence

Apologies for absence were received from Councillors Dhamrait, Harbon, Latham, Samra and Williams.

Declarations of Interest

There were no declarations of interest.

Announcements from the Mayor

The Mayor said that there were a number of Sports Awards to be presented at this meeting as follows:

- David Ellis, fourth at the IPC World Championships in December 2006 for 100m Breast Stroke, and British record holder.
- Emily Smithurst, ranked number two in Europe and ten in the world as a junior for 200m Butterfly.
- Quest Awards for Moorways, Queens Leisure Centre, Shaftsbury Sports Centre and Springwood Leisure Centre.
- UK Athletics Regional Sports Partnership of the Year Award for Derby Athletics Club.

Ann Rippon, interim Regional Director, Sport England made a short speech and presented awards. Mark Rose, Head Coach of Dervenito Excel Swim Squad made a short speech and presented a gift to the Council from the Club. John Raw from Derby Athletics Club attended the meeting to receive the Athletics Award from Councillor Graves and Ann Rippon.

The Mayor said that, following the decommissioning of HMS Sovereign, notification had been received that the City of Derby would be affiliated with the new Astute Class submarine to be named HMS Ambush.

53/06 Minutes of the Previous Meeting

Resolved that the minutes of the Meeting of the Council held on 22 November 2006 be approved as a correct record, confirmed and signed by the Mayor.

54/06 Statements by Members of the Council Cabinet

Statements by Members of the Council Cabinet were made as follows:

1. By Councillor Bolton, Council Cabinet Member for Children and Young People concerning GCSE results, healthy schools and steps to quality.
2. By Councillor Wynn, Council Cabinet Member for Planning and Transportation concerning the ErBAN Project.

55/06 Public Questions

Questions from members of the public were asked as follows:

1. By Mr T Dunn, concerning the declaration of interests at Area Panel meetings, answered by Councillor Williamson, Leader of the Council and the Council Cabinet Member for Corporate Policy.
2. By Mr T Dunn, concerning traffic signals at the junction of Cheapside and the Strand, answered by Councillor Wynn, Council Cabinet Member for Planning and Transportation.
3. By Mrs P Woolley, concerning flood prevention barriers and the Riverlights project. Mrs Woolley was not present at the Council meeting and the Mayor directed that a written answer be sent to her.
4. By Mrs P Woolley, concerning a flood risk assessment in respect of the Riverlights development and its effect on that development and the Eagle Centre basement car park. Mrs Woolley was not present at the Council meeting and the Mayor directed that a written answer be sent to her.
5. By Mr C Underhill, concerning the effects of the relocation of city centre retailers to the new Westfield Shopping Centre, answered by Councillor Wynn, Council Cabinet Member for Planning and Transportation.

56/06 Written Questions about the Business or Functions of 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.

57/06 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 Leeming, concerning the disposal of public open space or facilities, answered by Councillor Roberts, Council Cabinet Member for Personnel, Performance Management and Economic Development.
2. By Councillor Leeming, concerning the closure of a rear gate at Noel Baker School, answered by Councillor Bolton, Council Cabinet Member for Children and Young People.
3. By Councillor Hird, concerning traffic growth arising from developments in Mickleover and other parts of the city, answered by Councillor Wynn, Council Cabinet Member for Planning and Transportation.
4. By Councillor Winter, concerning parking enforcement in Mickleover, answered by Councillor Williamson, Leader of the Council in the absence of Councillor Latham, Council Cabinet Member for Enforcement.
5. By Councillor Skelton, concerning provision in the budget for a new swimming pool to replace the old one at Gayton Community Junior School, answered by Councillor Bolton, Council Cabinet Member for Children and Young People.
6. By Councillor Jones, concerning the timing of the release of final proposed budget details for 2007/08, answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.
7. By Councillor Care, concerning the showing of the film "An Inconvenient Truth", answered by Councillor Williamson, Leader of the Council and Council Cabinet Member for Corporate Policy.
8. By Councillor Marshall, concerning the reintroduction of home care charges, answered by Councillor Hussain, Council Cabinet Member for Adult Services.
9. By Councillor West, seeking information about any plans to remove the concessions for senior citizens at the city's municipal golf courses, answered

by Councillor Graves, Council Cabinet Member for Leisure and Direct Services.

10. By Councillor Berry, concerning the use of Area Panel funds to repair the infrastructure of council and community buildings, answered by Councillor Roberts, Council Cabinet Member for Personnel, Performance Management and Economic Development.

58/06 Business Remaining from the Previous Meeting

The meeting of the Council held on 22 November 2006 had been adjourned in accordance with Rule CP10. The following business had been held over to this meeting.

1. *Notice of Motion – Police Merger Plans Costs*

It was moved by Councillor Care, and seconded, that Council notes that the Government's aborted police merger plans cost Derbyshire Police £239,972 in 'opportunity' costs and £58,469 in 'additional' costs.

Council further notes that the Government has stated that it will not repay the 'opportunity' costs and will only repay £35,782 of the 'additional' costs.

Council records its concern at the government's position regarding the repayment of costs to the Derbyshire Police. Council believes that the costs should be repaid in full by the Government.

Council notes with concern the comments by the Chief Constable of Derbyshire Police, David Coleman, reported in the Derby Telegraph on the 30 October that Derbyshire Police are struggling financially due to a lack of proper funding from the Government and that frontline police services could in future face cuts.

Council therefore agrees to write to the Government to ask that they repay Derbyshire Police in full for both the 'additional' and 'opportunity' costs of the government's failed police merger.

It was moved by Councillor Hickson, and seconded, that the motion be amended by the deletion of paragraph 2, 3 and 4 and all words in paragraph 5 after the word 'to', and the insertion of the words 'support the Police Authority decision to recover both the additional costs and opportunity costs incurred as a result of the merger proposals.'

The amendment was put to the meeting and carried.

Resolved that Council notes that the Government's aborted police merger plans cost Derbyshire Police £239,972 in 'opportunity' costs and £58,469 in 'additional' costs.

Council therefore agrees to support the Police Authority decision to recover both the additional costs and opportunity costs incurred as a result of the merger proposals.

2. *Constitution and Organisational Matters*

The Council considered a report of the Director of Corporate and Adult Social Services and Monitoring Officer concerning Constitutional and Organisational Matters.

The Council consented to Councillor Williamson amending the recommendations in the report.

Resolved, on the motion of Councillor Williamson to:

- 1. confirm the change of title of the Corporate Director, Resources to Corporate Director, Resources and Housing and the amendment of all references to the chief officer and department in the Constitution and other Council documents and publications.**
- 2. appoint the Assistant Director – Democratic Services as:**
 - a) Secretary to the Independent Remuneration Panel for Members' Allowances**
 - b) Deputy Electoral Registration Officer in accordance with Section 52(2) of the Representation of the People Act 1983**
 - c) Proper Officer for Registration of Births, Deaths and Marriages.**
- 3. approve minor amendments to the Constitution as follows:**

Council Procedure Rules – Questions by the Public (pages 4-8 and 4-9)

Amend Rules CP11, CP13, CP18 and CP19 as follows:

General

CP11 Members of the public who are on the Derby register of electors, or are Derby Council Taxpayers or Non Domestic Ratepayers, may ask questions of a member of the Council Cabinet or Chair or a Commission or Committee at ordinary meetings of the Council. Unless the Council, in exceptional circumstances, decides otherwise, the maximum period of time for questions by the public at a Council meeting shall be thirty minutes.

Notice of questions

CP13 A question may only be asked if notice has been given by delivering it in writing or by fax or electronic mail to the Director

of Corporate and Adult Social Services no later than midday five clear days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council Cabinet or Chair of a Commission or Committee to whom it is to be put.

Supplementary question

CP18 A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the reply. The Mayor may reject a supplementary question on any of the grounds in Rule CP15 above.

Written answers

CP19 The time allocated for questions at each meeting will be thirty minutes; any questions not answered at the end of that time will be answered in writing. Any question that cannot be dealt with during public question time because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer. All questions submitted in accordance with Rule CP13 will receive a written answer. A copy of all questions and replies will be circulated to all members within fourteen days of the Council meeting.

59/06 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 Williamson, to approve the minutes and recommendations of the Council Cabinet dated 28 November 2006, 19 December 2006 and 16 January 2007.

60/06 Notices of Motion

1. *Derby Evening Telegraph 'Anything to Declare' Campaign*

It was moved by Councillor Williamson, and seconded, that Council fully supports the Derby Evening Telegraph's 'Anything to Declare' campaign following the revelation that former Liberal Democrat Council Leader, Maurice Burgess, had a previous conviction for molesting a boy in 1971.

Council therefore resolves to introduce a Protocol to:

1. require all elected Councillors to be subject to a Criminal Records Bureau (CRB) check on the basis that all elected members are to be involved in discharging education or social services functions either through Council Cabinet membership or by undertaking visits to residential homes.
2. require both newly elected and re-elected Councillors at the time they make their declaration of acceptance of office to give consent to a CRB check being undertaken by completing a disclosure application form which should be completed within 10 working days from the date of election
3. authorise the Director of Corporate and Adult Social Services to retain a record that a CRB check has been carried out for the duration of the Councillor's tenure of office
4. record on the Council Website whether or not a CRB check has been carried out by the Council for each Councillor.

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:

The Mayor (Councillor Ahern), Councillors Afzal, Allen, Banwait, Baxter, Berry, Bolton, Care, Carr, Chera, Dhindsa, Gerrard, Ginns, Graves, Hickson, Higginbottom, Hird, Hussain, Ingall, Jackson, Jones, R Khan, S Khan, Leeming, Liversedge, Lowe, MacDonald, Marshall, Nath, Poulter, Rawson, Redfern, Richards, Roberts, Skelton, Smalley, Tittley, Troup, Turner, Webb, West, Williamson, Winter, Wynn (44)

No members voted against the amendment.

Councillors Mitchell and Travis were not present in the Council Chamber when the recorded vote was taken. The Mayor directed that a record be made in the minutes of the fact that Councillors Mitchell and Travis had left the meeting during the debate on this motion.

Resolved that Council fully supports the Derby Evening Telegraph's 'Anything to Declare' campaign following the revelation that former Liberal Democrat Council Leader, Maurice Burgess, had a previous conviction for molesting a boy in 1971.

Council therefore resolves to introduce a Protocol to:

1. **require all elected Councillors to be subject to a Criminal Records Bureau (CRB) check on the basis that all elected members are to be involved in discharging education or social services functions either through Council Cabinet membership or by undertaking visits to residential homes.**

2. **require both newly elected and re-elected Councillors at the time they make their declaration of acceptance of office to give consent to a CRB check being undertaken by completing a disclosure application form which should be completed within 10 working days from the date of election**
3. **authorise the Director of Corporate and Adult Social Services to retain a record that a CRB check has been carried out for the duration of the Councillor's tenure of office**
4. **record on the Council Website whether or not a CRB check has been carried out by the Council for each Councillor.**

2. *CO2 Emissions*

It was moved by Councillor Care, and seconded, that Council welcomes and endorses the position taken by the Leader of the Council in signing Derby Campaign Against Climate Change's petition calling for a 25% reduction in CO2 emissions from the Council within 5 years. It further welcomes the associated report to the 16 January Cabinet meeting and proposed action to take forward the Derby Declaration on Climate Change.

Council also welcomes the work that the Overview and Scrutiny Commissions have done over the last two years on energy use within the Council, and asks Cabinet to work closely with the Commissions in the development of the Council's Climate Change Action Programme.

Achieving a 25% reduction in CO2 emissions in only five years will be very challenging. Council therefore requests Cabinet to include a contingency within its budget proposals for 2007/8 to enable action to achieve CO2 emission reductions to start promptly.

Council further recognises the urgency of wider action to reduce climate change, and welcomes work that has already started with partners within the city. To provide clearer focus to this work, and acknowledging the key role that the Council has in influencing Derby more widely, Council further asks Cabinet to:

- accept the challenge of reducing the CO2 equivalent emissions from the whole of Derby by 15% by 2010 and set further targets to achieve at least a 60% cut by 2030, and
- to do this by working with all sectors, groups and people in Derby in association with the Overview and Scrutiny Commissions.

In addition, Council endorses the view that it is right that Local Authorities should take a lead to promote action to reduce climate change across their areas of jurisdiction. It therefore asks the leaders of all political groups to promote the adoption of this practice to other councils in Derbyshire and the East Midlands.

It was moved by Councillor Hickson, and seconded, that the motion be amended by the deletion of paragraph 3 and all words in paragraph 4 up to and including the word 'widely'

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

“Council welcomes and endorses the position taken by the Leader of the Council in signing Derby Campaign Against Climate Change’s petition calling for a 25% reduction in CO2 emissions from the Council within 5 years. It further welcomes the associated report to the 16 January Cabinet meeting and proposed action to take forward the Derby Declaration on Climate Change.

Council also welcomes the work that the Overview and Scrutiny Commissions have done over the last two years on energy use within the Council, and asks Cabinet to work closely with the Commissions in the development of the Council’s Climate Change Action Programme.

Council further asks Cabinet to:

- accept the challenge of reducing the CO2 equivalent emissions from the whole of Derby by 15% by 2010 and set further targets to achieve at least a 60% cut by 2030, and
- to do this by working with all sectors, groups and people in Derby in association with the Overview and Scrutiny Commissions.

In addition, Council endorses the view that it is right that Local Authorities should take a lead to promote action to reduce climate change across their areas of jurisdiction. It therefore asks the leaders of all political groups to promote the adoption of this practice to other councils in Derbyshire and the East Midlands.”)

The amendment was put to the meeting and carried.

It was moved by Councillor Roberts, and seconded, that the motion be further amended by the deletion within the bullet points of the words “by 15% by 2010 and set further targets to achieve at least 60% cut by 2030, and to do this”.

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

“Council welcomes and endorses the position taken by the Leader of the Council in signing Derby Campaign Against Climate Change’s petition calling for a 25% reduction in CO2 emissions from the Council within 5 years. It further welcomes the associated report to the 16 January Cabinet meeting and proposed action to take forward the Derby Declaration on Climate Change.

Council also welcomes the work that the Overview and Scrutiny Commissions have done over the last two years on energy use within the Council, and asks Cabinet to work closely with the Commissions in the development of the Council’s Climate Change Action Programme.

Council further asks Cabinet to accept the challenge of reducing the CO2 equivalent emissions from the whole of Derby by working with all sectors, groups and people in Derby in association with the Overview and Scrutiny Commissions.

In addition, Council endorses the view that it is right that Local Authorities should take a lead to promote action to reduce climate change across their areas of jurisdiction. It therefore asks the leaders of all political groups to promote the adoption of this practice to other councils in Derbyshire and the East Midlands.”)

The amendment was put to the meeting and carried.

Resolved that Council welcomes and endorses the position taken by the Leader of the Council in signing Derby Campaign Against Climate Change’s petition calling for a 25% reduction in CO2 emissions from the Council within 5 years. It further welcomes the associated report to the 16 January Cabinet meeting and proposed action to take forward the Derby Declaration on Climate Change.

Council also welcomes the work that the Overview and Scrutiny Commissions have done over the last two years on energy use within the Council, and asks Cabinet to work closely with the Commissions in the development of the Council’s Climate Change Action Programme.

Council further asks Cabinet to accept the challenge of reducing the CO2 equivalent emissions from the whole of Derby by working with all sectors, groups and people in Derby in association with the Overview and Scrutiny Commissions.

In addition, Council endorses the view that it is right that Local Authorities should take a lead to promote action to reduce climate change across their areas of jurisdiction. It therefore asks the leaders of all political groups to promote the adoption of this practice to other councils in Derbyshire and the East Midlands.

61/06 Appointments to Outside Bodies and Charities and Urgent Non-Executive Decisions made by the Chief Executive

The Council considered a report of the Director of Corporate and Adult Social Services concerning Appointments to Outside Bodies and Charities and Urgent Non-Executive Decisions made by the Chief Executive.

Resolved, on the motion of Councillor Williamson:

- 1. To note the Urgent Non-Executive Decisions made by the Chief Executive.**

2. **To approve the appointment of Councillor Wynn on the Groundwork Derby and Derbyshire Trust for the remainder of the municipal year.**
3. **To approve the appointment of Councillor Wynn on the Cathedral Quarter Business Improvement District Company for the remainder of the municipal year.**
4. **To approve the appointments to the charities detailed in the report.**

62/06 Working Arrangements for Equality Forums

The Council considered a report of the Director of Corporate and Adult Social Services concerning proposed working arrangements for Equality Forums.

Resolved, on the motion of Councillor Roberts:

1. **To approve the Equality Forums' working arrangements, in line with the Council's recommendations in September 2006, as set out in Appendix 2 of the report.**
2. **To receive a review of the Equality Forums a year after implementation.**

63/06 Exclusion of Press and Public

Resolved, on the motion of the Mayor, that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

64/06 Equal Pay Compensation

The Council considered a joint report of the Director of Corporate and Adult Social Services and Director of Resources and Housing concerning Equal Pay Compensation.

Resolved, on the motion of Councillor Roberts, to note the urgent decisions taken by the Chief Executive and to ratify the expenditure and funding proposals to cover the cost of equal pay compensation set out in the financial implications.

MAYOR

MINUTES OF COUNCIL CABINET REQUIRING THE
APPROVAL OF COUNCIL

**COUNCIL CABINET
16 JANUARY 2007**

Present: Councillor Williamson (Chair)
Councillors Bolton, Graves, Hickson, Hussain, Nath, Roberts,
Smalley and Wynn

In Attendance Councillors Jones and Marshall

This record of decisions was published on 18 January 2007. 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

180/06 Housing Rents and Service Charges 2007/08

The Council Cabinet considered a report on Housing Rents and Service Charges 2007/08. The Government had set a policy to restructure social housing rents over the 10 year period 2002/03 to 2011/12. This involved moving rents incrementally towards a target so that at the end of the tenth year, council housing rents would have converged with those of other Registered Social Landlords – RSLs. 2007/08 was the sixth year of rent restructuring and included some revisions to Government policy on the process. These changes were introduced last year and required a change to the policy used by the Council in determining the rent increase for its tenants. In 2006/07 Cabinet approved a variation to the policy of setting rents to a capped 5% increase for the two years 2006/07 and 2007/08, in line with Government policy. The Government had also set a policy that Service Charges should increase by no more than RPI plus 0.5% in 2006/07 and subsequently. In November 2005 Cabinet approved a new policy for setting pitch fees at the Shelton Lock Mobile Homes Park, which would have meant phased real terms increases in the fees. However, new regulations came into effect on 1 October 2006 and effectively mean that pitch fees could only be increased or decreased in accordance with the Retail Price Index, RPI, unless there were capital investments at the site.

Decision

1. To recommend that Council on 1 March approve the revision of rent and service charges from 2 April 2007 on the basis set out in the report including:
 - an average weekly rental increase of £2.53 or 5% calculated over 52 weeks
 - an average weekly increase of 4.1% on Service Charges, including furniture packs
 - an average weekly increase of 5% on Garage Rents.
2. To approve the proposed increase of 4.1% in pitch fees at Shelton Lock Mobile Homes Park, representing RPI for 15 months from the last increase in January 2006 from April 2007, or an equivalent increase from an anniversary date where the occupier does not agree to a fixed April date for increases:
 - small plot £11.24 - increase of £0.44 a week for 9 plots (previously £10.80 a week)
 - medium plot £14.05 - increase of £0.55 a week for 24 plots (previously £13.50 a week)
 - large plot £16.24 - increase of £0.64 a week for 5 plots (previously £15.60 a week).

MINUTES OF COUNCIL CABINET REQUIRING THE
APPROVAL OF COUNCIL

**COUNCIL CABINET
20 FEBRUARY 2007**

Present: Councillor Williamson (Chair)
Councillors Bolton, Graves, Hickson, Hussain, Latham,
Nath, Roberts, Smalley and Wynn

In Attendance Councillor Jones

This record of decisions was published on 22 February 2007. 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

209/06 Approval of the Corporate Plan 2007-10

The Council Cabinet considered a report on Approval of the Corporate Plan 2007-10. On 16 January 2007 the Council Cabinet recommended Council to adopt a revised set of priorities for 2007-2010, these were shown at Appendix 2 to the report. The Council Cabinet also received a draft copy of the Corporate Plan 2007-2010 and supporting action plan for review. The final draft of the Corporate Plan 2007-2010 would be submitted to Council on 1 March 2007 for approval. Hard copies of this draft would be sent to Members one week before.

Decision

1. To note the contents of the draft Corporate Plan and supporting action plan and note the comments of the Scrutiny Management Commission.
2. To recommend Council adopt the Plan on 1 March 2007.
3. To recommend that Council delegate authority to make amendments to reflect up-to date information, final actions and intended outcomes to the Chief Executive and Director of Resources and Housing, and to finalise the Plan in consultation with the Leader of the Council.

210/06 Local Area Agreement 2007 – 08 Refresh

The Council Cabinet considered a report which stated that Derby was chosen as one of just 21 areas to pilot the Government's new concept of Local Area Agreements - LAAs - in 2005-06. The Council had worked closely with other partners through Derby City Partnership, DCP, in establishing and developing the agreement for which the Community Strategy and DCP's '2020 Vision' provide the context and priorities. The agreement lasts for three years 2005-08. However we were required to review and refresh the agreement every year in line with guidance issued by the Department for Communities and Local Government, DCLG. The Refresh Guidance for the 2007-08 LAA stated that a number of new mandatory outcomes and indicators needed to be included in the LAA for 2007-08 and that these should initially be submitted on Refresh Template provided, to Government Office for the East Midlands, GOEM ahead of submission and sign off by DCLG. As priorities had been confirmed in previous years and 2007-08 was the final year of the first LAA agreement, the decision was made to keep changes to the LAA, over and above the inclusion of mandatory components, to a minimum. The refresh process for Derby's LAA started in November 2006 and for the first time involved the DCP cities, which in 2007-08 would be taking responsibility for monitoring the LAA, replacing the LAA block arrangement of previous years.

Decision

1. To note the changes and additions to the outcome, indicators and funding streams for inclusion in the 2007-08 LAA.
2. To approve the 2007-08 LAA Refresh document.
3. To recommend that Council Delegate authority to make amendments to reflect up to date information to the Directors of Resources and Housing and Regeneration and Communities.

211/06 Revenue Budget and Council Tax 2007/08

The Council Cabinet considered a report which set out the 2007/8 budget which represented a budget for the future of Derby as a City. The budget provided funding for the first £20 million of a five year, £100 million programme of improvements to public spaces and buildings in the city centre. The Council were also continuing to invest in the city and continuing to provide excellent services across the Council as a whole. In particular, the Council would continue to invest in its priority neighbourhoods. The Council would continue to support good quality concessionary travel for our older and disabled citizens and would continue to provide free home care services. The Council had identified over £7m of savings to help meet rising costs, particularly in home care and for children looked after by the Council. A council tax increase of 4.9% was proposed for Derby City Council services. This represented an increase of around 61p per week for most tax payers. Council tax levels in Derby were currently the lowest in the East Midlands and were much lower than the average for England.

Decision

To recommend to Council the following ...

1. To note the final local government finance settlement for 2007/8 of £92.353m which is an increase of 4.4% over the 2006/7 adjusted figure.
2. To approve for 2007/08 the departmental revenue budget estimates and use of reserves summarised in Appendices 2,3, 4 and 7 of the report.
3. To note the latest 2006/07 revenue budget monitoring position as set out in Appendix 8 of the report.
4. To approve the measures proposed to manage budget risks in 2007/8 and in future years, set out in Section 10.
5. To approve a budget requirement for Derby City Council for 2007/8 of £162,999.000.

6. To approve within this total:	£	
Net service estimates of:		
Children and Young People		34,032,000
Environmental Services		20,202,000
Regeneration and Community		18,664,000
Resources and Housing		9,554,000
Corporate and Adult Social Services		57,421,000
Corporate Budgets		22,570,000
Other unallocated budgets		3,250,000
		<hr/>
		165,693,000

Appropriations to/from reserves:

Pump Priming Fund	126,000
Corporate reserves	-2,615,000
Service reserves	-205,000
	<hr/>
	162,999,000

7. To note that, at its meeting on 24 January 2007, the Council calculated the amount of 69,560 as the Council's Tax Base for the year 2007/8 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.
8. To calculate the following amounts for the year 2007/8 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (the Act).

- a. £531,692,000 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. £368,693,000 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. £162,999,000 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. £92,436,594 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 2 98(4) of the Local Government Finance Act 1988 (Community Charge).
- e. £1014.41 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 2.7 above, calculated by the Council, in accordance with Section 33 of the Act.
- f. for the following Valuation Bands:
- | £ | £ |
|------------|------------|
| A 676.27 | E 1,239.83 |
| B 788.99 | F 1,465.26 |
| C 901.70 | G 1,690.68 |
| D 1,014.41 | H 2,028.82 |
- 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.

9. To note that for the year 2007/8, 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	E
B	F
C	G
D	H

10. To note that for the year 2007/8, 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	E
B	F
C	G
D	H

11. Having calculated the aggregate in each case of the amount in 8, 9 and 10 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 2007/8 for each of the categories of dwellings shown below:

All dwellings in Valuation Band:

£	£
A	E
B	F
C	G
D	H

12. To note the revenue budget plans for 2008/9 and 2009/10 set out in section 5 of this report.
13. To authorise the publication of the requisite notices in accordance with the provisions of Section 38(2) of the Local Government Finance Act 1992.

213/06 Treasury Management Strategy and Prudential Code indicators 2007/08

The Council Cabinet considered a report which set out the required Prudential Indicators as required by the Prudential Code for Capital Finance. It demonstrated that the Council's Capital expenditure plans were prudent and affordable. The report also set out in Appendix 3, the proposed Treasury Management and Annual Investment Strategy for 2007/08, taking into account the prudential indicators proposed for future years. Appendix 3 also identified that both borrowing and investment decisions taken during 2006/07 to date had had a positive impact on the Council's finances, with investments to date outperforming the average Bank of England base rate.

Decision

1. To recommend that Council approves the planned prudential indicators set out in Appendix 2 and summarised in Appendix 4.
2. To recommend that Council adopts the Treasury Management Strategy for 2007/08, including the Annual Investment Strategy, as set out in Appendix 3 to this report.

214/06 Capital Programme

The Council Cabinet considered a report which set out the 2007/8 to 2009/10 capital programme for recommendation to Council. The main areas of the programme were:

- £44m Children and Young Peoples programme consisting of repairs, maintenance and improvements to the fabric of school buildings, devolved funding to schools and £15m for the rebuild of Sinfin school
- £22m Housing programme made up of £11m Housing Revenue Account and £11m Housing General Fund
- £6m Regeneration and Community Local Transport Plan (LTP) to help deliver the Connecting Derby and other transport Initiatives
- £8m Regeneration and Community programme (excluding LTP) which includes the QUAD development
- £20m Public Realm/Asset management.

In addition an indicative programme for future years totalling £106m was presented for all service areas. Approval was sought for full scheme commencement for the QUAD building and the education schemes listed at Appendix 5 under Financial Procedure Rules.

Decision

1. To recommend to Council the capital programme for 2007/8 and the indicative capital programme for 2008/9 and 2009/10 set out in the report.
2. To approve the full commencement of the capital schemes listed in Appendix 5.