

# ITEM 3

Time commenced - 6.00pm  
Time finished - 9.54pm

## **COUNCIL 20 JULY 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, Ingall, Jackson, Keith, J Khan, S Khan, Marshall, Nawaz, Pegg, Poulter, Raju, Rawson, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Smale, Stanton, Turner, Webb, West, Whitby, Williams, Wood and Wright.

### **28/16      Apologies**

Apologies for absence were received from Councillors Hussain and Naitta

### **29/16      Declarations of Interest**

There were no declarations.

### **30/16      Minutes of the Annual Meeting of Council held on 18 May 2016**

An amended version of the minutes had been circulated to correct an error in minute 12/16. The minutes were agreed as a correct record.

### **31/16      Minutes of the Extraordinary Meeting of Council held on 1 July 2016**

The minutes were agreed as a correct record.

### **32/16      Announcements from the Mayor**

The Mayor expressed Council's sympathies following the terrorist attacks in Nice.

The Mayor also congratulated Councillor Keith on behalf of Council following his recent marriage.

### **33/16      Receipt of a Petition**

The Mayor advised members that she proposed to take two recommendations relating to petitions as separate items. The agreed rules on petition debates would apply in respect of a petition which had been signed by more than 4,000 people. Council would then separately consider recommendations made in respect of the Petitions Scheme.

It was reported that a petition, signed by 25,033 people, had been received. The lead petitioner, Mr Jay Leadbeater, addressed Council for five minutes.

It was moved by Councillor Shanker, and seconded, that Council note the petition.

It was moved by Councillor Graves, and seconded, that the motion moved by Councillor Shanker be amended by the deletion of the words "note the petition" and addition of the words "recommend to Council Cabinet that it funds Moorways until a replacement facility is built, using part of the £2m underspend from 2015/6".

The amendment was put to the vote and lost.

The motion was put to the vote and carried.

**Resolved to note the petition.**

## 34/16 Amendments to the Petition Scheme

Members considered a report of the Chief Executive proposing amendments to the Petitions Scheme. It was reported that the scheme had not been reviewed since 2012.

The changes proposed included:

- Retaining the threshold of 4,000 signatures for a petition to be presented to Council, subject to those signatories being from Derby;
- Preventing the Petitions Scheme being used for employees to raise grievances against management;
- Changes to how neighbourhood petitions were dealt with;
- Strengthening the wording to protect against vexatious petitions;
- Changes to encourage petitions relating to the annual budget-setting process to be submitted as part of the budget consultation process rather than after the budget is set.

The Director of Governance and Monitoring Officer advised of minor changes in the wording provided in Appendix 2 to the report.

**Resolved to approve the amended Petitions Scheme.**

## 35/16 Statements from members of the Council Cabinet

The Mayor reported that none had been received.

## 36/16 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   | Cavendish Island Trees             |
| Brendan Connolly | Councillor Shanker | Nottingham Road Cemetery Complaint |
| Gaurav Pandey    | Councillor Shanker | Public Interest Report             |
| Simon Bacon      | Councillor Afzal   | Arboretum Park Fountain            |
| Dorothy Skrytek  | Councillor Shanker | Air Quality Standards              |
| Brendan Connolly | Councillor Shanker | Complaint Resolution               |

### 37/16 Questions relating to Derbyshire Fire Authority or Derby Homes

The Mayor reported that none had been received.

### 38/16 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:

| <b>Questioner</b>    | <b>Respondent</b>  | <b>Subject</b>   |
|----------------------|--------------------|--|
| Councillor Graves    | Councillor Rawson  | Alvaston District Centre                                 |
| Councillor M Holmes  | Councillor Afzal   | Kingsway Traffic Lights                                  |
| Councillor Barker    | Councillor Afzal   | Fines and Fees Income                                    |
| Councillor A Holmes  | Councillor Banwait | Council Tax Revenue                                      |
| Councillor Harwood   | Councillor Banwait | Local Government Pension Pot Increase                    |
| Councillor Poulter   | Councillor Banwait | Insurance Valuations                                     |
| Councillor Carr      | Councillor Rawson  | Assembly Rooms Update and City Centre Performance Venue* |
| Councillor M Holmes  |                    |  |
| Councillor Care      | Councillor Afzal   | Neighbourhood Funding                                    |
| Councillor Smale     | Councillor Afzal   | Raynesway Refuse Centre*                                 |
| Councillor Graves    |                    |  |
| Councillor Hudson    | Councillor Rawson  | Scarborough Rise District Centre Update                  |
| Councillor Ashburner | Councillor Rawson  | The Spot Refurbishment                                   |
| Councillor Graves    | Councillor Afzal   | School Crossing Patrols                                  |
| Councillor Harwood   | Councillor Banwait | Local Government Pension Scheme Deficit                  |
| Councillor Poulter   | Councillor Banwait | 2015/16 Accounts   |
| Councillor M Holmes  | Councillor Eldret  | Job Evaluation Comments                                  |
| Councillor Barker    | Councillor Rawson  | Market Hall  |
| Councillor Poulter   | Councillor Banwait | Economic Partnerships                                    |
| Councillor Poulter   | Councillor Banwait | Property Rationalisation                                 |
| Councillor Poulter   | Councillor Banwait | Insurance Reserve  |
| Councillor Poulter   | Councillor Banwait | End Year Adjustment Reserve                              |

### 39/16 Minutes from the meeting of Council Cabinet on 13 July 2016 requiring Council approval

The Mayor reported that there were no minutes requiring Council approval.

## 40/16 Derby City Centre Masterplan

A report of the Strategic Director of Communities and Place and Deputy Chief Executive was considered. The report sought approval for the masterplan document provided to Council, and delegated authority for it to be finalised and published.

### **Resolved to:**

- 1) Confirm the Council's support for the Derby City Centre Masterplan 2030;**
- 2) Delegate authority to the Strategic Director for Communities and Place to finalise and publish the Derby City Centre Masterplan 2030.**

## 41/16 Scheme of Delegations

A report of the Monitoring Officer sought approval of an amended Scheme of Delegations, which took account of new legislation that had been introduced, granting powers relating to the work of the council's Housing Standards team.

Following representations by members, the Monitoring Officer confirmed that page 7 of the Scheme of Delegations would be reviewed, and the delegated authority to make circumstantial changes applied where necessary, following changes to the delivery of neighbourhood support.

### **Resolved to approve the amended Scheme of Delegations.**

## 42/16 Motion: Transitional State Pension Arrangements

It was moved by Councillor Eldret, and seconded by Councillor Jackson, that:

*"Council calls on the Government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have been unfairly burdened by the increase to the State Pension Age (SPA).*

*"Council notes that many women have had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011, with little notification. Some women have only had two years notice of a six-year increase to their state pension age.*

*"Many women born in the 1950s are already excluded from the labour market as they care for elderly relatives, provide childcare for grandchildren, or suffer discrimination in the workplace. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when they reached 60.*

*"While Council accepts that women and men should retire at the same time, the rise in the women's state pension age has been implemented too rapidly, with little opportunity for those affected to make alternative arrangements.*

*"Council calls on the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that they do not face unnecessary hardship as they approach retirement."*

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 Afzal, Anderson, Ashburner, Banwait, Bayliss, Bolton, Care, Carr, Dhindsa, Eldret, Evans, Froggatt, Graves, Hezelgrave, A Holmes, M Holmes, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Skelton, Stanton, Turner, West, Whitby, Wright and Winter (34)

Against the amendment:  
None.

Abstentions:

Councillors Barker, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Poulter, Roulstone, Smale and Wood (12)

The motion was carried.

#### **Resolved:**

**Council calls on the Government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have been unfairly burdened by the increase to the State Pension Age (SPA).**

**Council notes that many women have had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011, with little notification. Some women have only had two years notice of a six-year increase to their state pension age.**

**Many women born in the 1950s are already excluded from the labour market as they care for elderly relatives, provide childcare for grandchildren, or suffer discrimination in the workplace. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when they reached 60.**

**While Council accepts that women and men should retire at the same time, the rise in the women's state pension age has been implemented too rapidly, with little opportunity for those affected to make alternative arrangements.**

**Council calls on the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that they do not face unnecessary hardship as they approach retirement.**

43/16      Motion: 'Count Them In' campaign

It was moved by Councillor Bayliss, and seconded by Councillor Anderson, that:

*"This Council notes:*

- 1. The obligations it owes to the Armed Forces community within Derby as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most.*
- 2. The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Derby. This includes serving regular and reserve personnel, veterans, and their families.*
- 3. That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Derby.*

*"In light of the above, this council agrees to support and promote the Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community.*

*"To this end Council requests and requires on the passage of this motion that the Leader of the Council writes to all the Derby MPs and to the Prime Minister to inform them of Derby City Council's support for the Royal British Legion's 'Count them in' campaign."*

It was moved by Councillor Graves, and seconded, that the motion be amended by the addition of the following words at the end of the final paragraph:

*"and to urge the relevant cabinet member to engage with the consultation adding weight to our commitment to this campaign."*

The amendment was put to the vote and lost.

The motion was put to the vote and carried.

**Resolved:**

**This Council notes:**

- 1. The obligations it owes to the Armed Forces community within Derby as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services**

**and that special consideration is appropriate in some cases, especially for those who have given the most.**

- 2. The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Derby. This includes serving regular and reserve personnel, veterans, and their families.**
- 3. That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Derby.**

**In light of the above, this council agrees to support and promote the Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community.**

**To this end Council requests and requires on the passage of this motion that the Leader of the Council writes to all the Derby MPs and to the Prime Minister to inform them of Derby City Council's support for the Royal British Legion's 'Count them in' campaign.**

#### **44/16      Motion: Article 50**

It was moved by Councillor Graves, and seconded by Councillor Evans, that:

*"June 23, 2016 was an important day for the country, a day signified by independence. Derby played its' part being confirmed as one of many Brexit cities. Council, therefore, notes that the people of Derby voted in favour of leaving the European Union, with the 57 per cent of Derbyians making that decision exceeding both the UK and English averages.*

*"Council respects the decision of its residents and recognises that a speedy resolution to the present uncertainty is now required. Council therefore resolves to write to the Government expressing Derby's wish that the UK's exit is undertaken expediently, through Article 50 now being triggered without delay."*

The motion was put to the vote and lost.

#### **45/16      Motion: Hate Crime**

It was moved by Councillor Afzal, and seconded by Councillor Hezelgrave, that:

*"Council condemns a reported five fold increase in hate crime, in the aftermath of the EU referendum result.*

*"Council further rejects the divisive narratives that have sought to undermine community cohesion and scapegoat migrant communities during the recent campaign.*

*"We are proud to live in a diverse and welcoming city, where xenophobia, racism and hate crime are not tolerated. Derby City Council will work to ensure local partners have the support and resources needed to help prevent and support the victims of hate crime.*

*"Council would like to reassure all people residing in Derby, regardless of nationality, race or religion, that they are valued members of our community."*

The motion was put to the vote and carried.

**Resolved:**

**Council condemns a reported five fold increase in hate crime, in the aftermath of the EU referendum result.**

**Council further rejects the divisive narratives that have sought to undermine community cohesion and scapegoat migrant communities during the recent campaign.**

**We are proud to live in a diverse and welcoming city, where xenophobia, racism and hate crime are not tolerated. Derby City Council will work to ensure local partners have the support and resources needed to help prevent and support the victims of hate crime.**

**Council would like to reassure all people residing in Derby, regardless of nationality, race or religion, that they are valued members of our community.**

## **46/16      Motion: Community Cohesion**

It was moved by Councillor Smale, and seconded by Councillor Hassall, that:

*"Council is proud that Derby has a long history of being a tolerant, welcoming City that embraces the many different cultures, races and ethnicities that continue to reside here.*

*"In light of the recent rise of hate crimes across the UK that have seen abhorrent attacks of mindless racism, Council agrees to arrange and support a show of unity and solidarity for all communities across this city by organising a suitable time for residents to gather peacefully on Derby Market Place, where we can collectively celebrate the city's long track record of multicultural cohesion but also act as a mark of defiance against the small minority who are intent on using hate and intolerance to spread fear and division."*

The motion was put to the vote and carried.



**Resolved:**

**Council is proud that Derby has a long history of being a tolerant, welcoming City that embraces the many different cultures, races and ethnicities that continue to reside here.**

**In light of the recent rise of hate crimes across the UK that have seen abhorrent attacks of mindless racism, Council agrees to arrange and support a show of unity and solidarity for all communities across this city by organising a suitable time for residents to gather peacefully on Derby Market Place, where we can collectively celebrate the city's long track record of multicultural cohesion but also act as a mark of defiance against the small minority who are intent on using hate and intolerance to spread fear and division.**

MAYOR