

Time commenced - 6.00 pm  
Time finished - 8.36 pm

## **COUNCIL MEETING 15 DECEMBER 2011**

Present: The Mayor (Councillor Allen) (in the Chair)  
Councillors Afzal, Ashburner, Atwal, Bailey, Banwait, Barker, Bayliss, Bolton, Campbell, Davis, Graves, Harwood, Hickson, Higginbottom, Hillier, Holmes, Hussain, Ingall, Jackson, Jennings, Jones, Keith, F Khan, J Khan, S Khan, Leeming, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Russell, Sandhu, Shanker, Skelton, Troup, Tuplin, Webb, Whitby, Williams, F Winter, L Winter, Wood.

### **Apologies for Absence**

Apologies for absence were received from Councillors Carr, Dhindsa and Turner.

### **63/11 Declarations of Interest**

Councillor Higginbottom declared a personal interest in budget decisions relating to the voluntary sector as a director of the Furniture Project and Steps for the Future. Councillor Sandhu declared a personal interest in budget decisions relating to the voluntary sector as a member of the Committee of the Indian Community Centre. Councillor J Khan declared a personal interest in budget decisions relating to the voluntary sector as a director of Sahara Day Centre.

### **64/11 Minutes of the previous meeting**

**Resolved that the Minutes of the Meeting of the Council, held on 23 November 2011, be approved as a correct record, confirmed and signed by the Mayor.**

### **65/11 Announcements by the Mayor**

The Mayor informed Council of the recent death of Mr Tony Dunn. Mr Dunn had been a regular contributor to Public Questions since their introduction to Council meetings some years previously.

The Mayor announced that, for item 5 on the agenda, he proposed that minutes of the Council Cabinet were taken together for the purpose of the budget debate. In accordance with normal practice, he also intended to allow Councillors Bayliss, Hickson and Jones to speak for more than five minutes in the budget debate.

The Mayor proposed to deal with the budget debate in the following manner:

Firstly, the Leader of the Council would make his budget speech, followed by Councillors Jones and Bayliss. Thereafter amendments would be taken and debated.

After the final amendment Councillor Hickson would be the final speaker before each of the four Cabinet Minutes (as amended) was put to the vote.

## 66/11 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendations of the Council Cabinet of 13 December 2011 requiring approval of the Council, namely:

- Council Tax base 2012/13
- General Revenue Budget 2012/13
- Capital Programme 2012/13
- Robustness of estimates and adequacy of reserves 2012/13

It was proposed by Councillor Hickson and seconded that Council:

### Council Tax Base

1. Approves the calculation of the Council Tax base as set out in Appendix 1.

### General Fund Reserve Budget and Council Tax 2012/13

- 2.1 Approves a budget requirement for Derby City Council for 2012/13 of £215,625,862 subject to confirmation of the final Local Government Settlement expected in February 2012.
- 2.2 Approves for 2012/13 the directorate revenue budget estimates and the net use of reserves of £4.068m (1.89% of the budget) in 2012/13 summarised in Appendix 4a of the report. This included the use of £4.200m (1.95% of budget) of reserves to support the Council's redundancy programme.
- 2.3 Approves the measures proposed to manage budget risks in 2012/13 and in future years, including the deliverability of identified savings, levels of service and inflation forecasts as set out in Section 12 of the report.

- 2.4 Approves the commencement of appropriate procurement procedures to support the specific budget proposals listed in appendices 5 and 6 of the report.
- 2.5 Delegates authority to Chief Officers to increase those fees and charges where the Council had power to do so by up to 4%.
- 2.6 Approves the implementation of increases to fees and charges above those in 5 above, in line with the specific budget proposals listed in appendices 5 and 6 of the report.
- 2.7 Approves within this total of £215,652,862:

	£
Net service estimates of:	
Adults, Health and Housing	69,835,000
Chief Executives	4,786,000
Children and Young People	42,740,000
Neighbourhoods	47,375,000
Resources	16,785,000
Corporate and Contingency Budgets	38,199,862
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	219,720,862
Appropriations to/from reserves (figures in brackets were appropriations from reserves):	
Service reserves	(168,000)
Corporate reserves	(3,900,000)
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	215,652,862
	<hr/>

- 2.8 Notes the calculation of the Council's Tax Base for the year 2012/13 as 72,726.75 equivalent band D properties, in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 2003/3012). This calculation was in line with the Council's decision to freeze 2012/13 Council Tax at 2011/12 levels.
- 2.9 Notes the calculation of the following amounts for the year 2012/13 in accordance with Sections 33 (1) of the Local Government Finance Act 1992 and for these figures to be taken forward and confirmed at Council in March 2012 as part of the Council Tax setting report.

- a. £596,059,862 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e).
- b. (£380,407,000) being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (c) of the Act.
- c. £215,652,862 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. £133,674,542 being the aggregate of the sums which the Council estimates would be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, and additional corporate government grants
- e. £1,127.21 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 2.6 above, calculated by the Council, in accordance with Section 33 of the Act.
- f. for the following Valuation Bands:
- |   | £        |   | £        |
|---|----------|---|----------|
| A | 751.47   | E | 1,377.70 |
| B | 876.72   | F | 1,628.19 |
| C | 1,001.96 | G | 1,878.68 |
| D | 1,127.21 | H | 2,254.42 |

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, was applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion was applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.

- 2.10 Notes that details of the precepts to the Council for Derbyshire Police Authority and Derbyshire Fire Authority, in accordance with Section 40 of the Local Government Finance Act 1992, would be presented to the Council in March 2012.
- 2.11 Notes that the Council Tax to be set for 2012/13, being the aggregate of the amount calculated by the Council at Appendix 2 of the report and the precepts issued by the Council's major precepting authorities, in accordance with Section 30 of the Act, would be presented to the Council in March 2012.
- 2.12 Notes the revenue budget plans for 2013/14 and 2014/15 set out in section 7 of the report.
- 2.13 Notes the feedback from the budget consultation detailed in appendices 7 to 11 and approve the Council Cabinet response to the consultation recommendations at Appendices 7 and 8 of the report.
- 2.14 Notes that the Council held a Schools Forum meeting on 3 November 2011. This meeting had directly informed the draft 2012/13 Schools Budget included at Appendix 12.

#### Capital programme 2012/13 to 2014/15

- 3.1 Approves the capital programme for 2012/13 and the indicative capital programme for 2013/14 and 2014/15 as set out in the report. A summary was shown in Appendix 2 of the report.
- 3.2 Notes the process of review undertaken on the current capital programme and new bids.
- 3.3 Notes the revenue budget implications of the proposed programme
- 3.4 Approves the assumed slippage balances detailed in Appendix 2 of the report
- 3.5 Approves the principle of over-programming to a level of 10%.

#### Robustness of Estimates and Adequacy of Reserves 2012/13

- 4.1 Notes the Strategic Director of Resources opinion that the estimates used in the production of the budget proposal for 2012/13 were adequately robust.
- 4.2 Notes the Strategic Director of Resources opinion that, based on the assessment of the Council's reserves and contingencies, the key financial risks identified, and the thorough process used for developing the Medium Term Financial Plan, the level of reserves and balances for 2012/13 was adequate.

#### Amendment 1

It was proposed by Councillor Bolton and seconded that the motion be amended with the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

'To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862, subject to the Council funding £300,000 to provide early intervention work to support vulnerable families, by a corresponding reduction in the Corporate Communications, Policy Research and Engagement and Performance and Improvement (under the Chief Executive's Office) Budget Heads of £1.816m'

In accordance with Council Procedure Rule CP68, it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment;

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillors Graves and Redfern were not in the room when the recorded vote was taken.

The amendment was declared lost.

#### Amendment 2

It was proposed by Councillor Shanker and seconded that the motion be amended by the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

'To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862, subject to the Council providing additional funding, for 2012/13 only, for the voluntary sector at a cost of £250,000, that sum to be funded by a corresponding reduction in the Corporate Communications, Policy Research and Engagement, and Performance and Improvement (under Chief Executive's Office) Budget Heads of £1.816m'

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment:

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillor Graves abstained.

Councillor Redfern was not in the room when the recorded vote was taken. The amendment was declared lost.

### Amendment 3

It was proposed by Councillor Russell and seconded that the motion be amended by the addition of a paragraph at 2.12 of the motion. The effect if the amendment was approved was that paragraph 2.12 of the resolution would read as follows:

'To note the Revenue Budget Plans for 2013/14 and 2014/15 set out in section 7 of this report subject, in 2013/14 only, to the Council retaining £55,000 within the Early Intervention and Integrated Safeguarding Service, that sum to be funded by a corresponding reduction in the Corporate Communications, Policy Research and Engagement, and Performance and Improvement (under Chief Executive's Office) Budget Heads of £1.816m'

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment:

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Graves, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (28).

Councillor Redfern was not in the room when the recorded vote was taken. The amendment was declared lost.

#### Amendment 4

It was proposed by Councillor Hussain and seconded that the motion be amended by the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

‘To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862 subject to the Council continuing to fund the independent sector home care service at a cost of £54,000, that sum to be funded by a corresponding reduction in the Safeguarding Unit budget head of £262,000’

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment:

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillor Graves abstained.

Councillor Redfern was not in the room when the recorded vote was taken. The amendment was declared lost.

#### Amendment 5

It was proposed by Councillor L Winter and seconded that the motion be amended by the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

‘To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862, subject to the Council funding Streetpride’s Traffic Management and Road Safety for £25,000, which is the amount proposed for cuts to service in this budget, that sum to be funded by a corresponding reduction in the Corporate



Communications, Policy Research and Engagement, and Performance and Improvement (under Chief Executive's Office) Budget Heads of £1.816m'

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment:

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillor Graves abstained.

Councillor Redfern was not in the room when the recorded vote was taken. The amendment was declared lost.

#### Amendment 6

It was proposed by Councillor Hillier and seconded that the motion be amended by the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

'To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862, subject to the Council funding Streetpride Arboriculture (Tree Management) for £50,000, which is the amount proposed for cuts to this service in this budget, that sum to be funded by a corresponding reduction in the Corporate Communications, Policy Research and Engagement, and Performance and Improvement (under Chief Executive's Office) budget heads of £1.816m"

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hillier, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment:

Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Graves, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillors Naitta and Redfern were not in the room when the recorded vote was taken.

The amendment was declared lost.

#### Amendment 7

It was proposed by Councillor Whitby and seconded that the motion be amended by the addition of a paragraph at 2.1. The effect if the amendment was approved was that paragraph 2.1 of the resolution would read as follows:

'To approve a budget requirement for Derby City Council for 2012/13 of £215,652,862, subject to the Council retaining the 'Dial a Bus' Scheme at a cost of £133,000, that sum to be funded by a corresponding reduction in the Corporate Communications, Policy and Research and Engagement, and Performance and Improvement (under Chief Executive's Office) budget heads of £1.816m'

In accordance with Council Procedure Rule CP68 it was demanded by at least 10 members that a recorded vote be taken on the amendment. The following members voted for the amendment:

Afzal, Banwait, Bayliss, Bolton, Campbell, Higginbottom, Hiller, Hussain, Jackson, J Khan, S Khan, Rawson, Repton, Roberts, Russell, Sandhu, Shanker, Whitby, L Winter (19).

The following members voted against the amendment: Allen (Mayor), Ashburner, Atwal, Bailey, Barker, Davis, Harwood, Hickson, Holmes, Ingall, Jennings, Jones, Keith, F Khan, Leeming, Marshall, Naitta, Poulter, Radford, Richards, Skelton, Troup, Tuplin, Webb, Williams, F Winter, Wood (27).

Councillor Graves abstained.

Councillor Redfern was not in the room when the recorded vote was taken. The amendment was declared lost.

**Resolved to approve the minutes and recommendations of the Council Cabinet dated 13 December 2011 and;**

### **Council Tax Base**

#### **1 Approve the calculation of the Council Tax base as set out in Appendix 1**

#### **General Fund Reserve Budget and Council Tax 2012/13**

#### **2.1 Approve a budget requirement for Derby City Council for 2012/13 of £215,625,862 subject to confirmation of the final Local Government Settlement expected in February 2012.**

#### **2.2 Approve for 2012/13 the directorate revenue budget estimates and the net use of reserves of £4.068m (1.89% of the budget) in 2012/13 summarised in Appendix 4a of the report. This included the use of £4.200m (1.95% of budget) of reserves to support the Council's redundancy programme.**

- 2.3 Approve the measures proposed to manage budget risks in 2012/13 and in future years, including the deliverability of identified savings, levels of service and inflation forecasts as set out in Section 12 of the report.
- 2.4 Approve the commencement of appropriate procurement procedures to support the specific budget proposals listed in appendices 5 and 6 of the report.
- 2.5 Delegate authority to Chief Officers to increase those fees and charges where the Council had power to do so by up to 4%.
- 2.6 Approve the implementation of increases to fees and charges above those in 5 above, in line with the specific budget proposals listed in appendices 5 and 6 of the report.

2.7 Approve within this total of £215,652,862:

	£
Net service estimates of:	
Adults, Health and Housing	69,835,000
Chief Executives	4,786,000
Children and Young People	42,740,000
Neighbourhoods	47,375,000
Resources	16,785,000
Corporate and Contingency Budgets	38,199,862
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	219,720,862
Appropriations to/from reserves (figures in brackets were appropriations from reserves):	
Service reserves	(168,000)
Corporate reserves	(3,900,000)
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	215,652,862
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- 2.8 Note the calculation of the Council's Tax Base for the year 2012/13 as 72,726.75 equivalent band D properties, in accordance with the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003 (SI 2003/3012). This calculation was in line with the Council's decision to freeze 2012/13 Council Tax at 2011/12 levels.

**2.9 Note the calculation of the following amounts for the year 2012/13 in accordance with Sections 33 (1) of the Local Government Finance Act 1992 and for these figures to be taken forward and confirmed at Council in March 2012 as part of the Council Tax setting report.**

- a. **£596,059,862** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e).
- b. **(£380,407,000)** being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) and (c) of the Act.
- c. **£215,652,862** 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. **£133,674,542** being the aggregate of the sums which the Council estimates would be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, and additional corporate government grants
- e. **£1,127.21** 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 2.6 above, calculated by the Council, in accordance with Section 33 of the Act.

**f. for the following Valuation Bands:**

	£		£
<b>A</b>	<b>751.47</b>	<b>E</b>	<b>1,377.70</b>
<b>B</b>	<b>876.72</b>	<b>F</b>	<b>1,628.19</b>
<b>C</b>	<b>1,001.96</b>	<b>G</b>	<b>1,878.68</b>

**D 1,127.21**

**H 2,254.42**

**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, was applicable to all dwellings listed in each particular valuation band divided by the number which in that proportion was applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act.**

- 2.10 Note that details of the precepts to the Council for Derbyshire Police Authority and Derbyshire Fire Authority, in accordance with Section 40 of the Local Government Finance Act 1992, would be presented to the Council in March 2012.**
- 2.11 Note that the Council Tax to be set for 2012/13, being the aggregate of the amount calculated by the Council at Appendix 2 of the report and the precepts issued by the Council's major precepting authorities, in accordance with Section 30 of the Act, would be presented to the Council in March 2012.**
- 2.12 Note the revenue budget plans for 2013/14 and 2014/15 set out in section 7 of the report.**
- 2.13 Note the feedback from the budget consultation detailed in appendices 7 to 11 and approve the Council Cabinet response to the consultation recommendations at Appendices 7 and 8 of the report.**
- 2.14 Note that the Council held a Schools Forum meeting on 3 November 2011. This meeting had directly informed the draft 2012/13 Schools Budget included at Appendix 12.**

### **Capital programme 2012/13 to 2014/15**

- 3.1 Approve the capital programme for 2012/13 and the indicative capital programme for 2013/14 and 2014/15 as set out in the report. A summary was shown in Appendix 2 of the report.**
- 3.2 Note the process of review undertaken on the current capital programme and new bids.**
- 3.3 Note the revenue budget implications of the proposed programme**
- 3.4 Approve the assumed slippage balances detailed in Appendix 2 of the report**
- 3.5 Approve the principle of over-programming to a level of 10%.**

#### **Robustness of Estimates and Adequacy of Reserves 2012/13**

- 4.1 Note the Strategic Director of Resources opinion that the estimates used in the production of the budget proposal for 2012/13 were adequately robust.**
- 4.2 Note the Strategic Director of Resources opinion that, based on the assessment of the Council's reserves and contingencies, the key financial risks identified, and the thorough process used for developing the Medium Term Financial Plan, the level of reserves and balances for 2012/13 was adequate.**

Mayor