

# ITEM 3

Time commenced - 6.03pm  
Time finished - 10.13pm

## COUNCIL

**24 January 2018**

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

### 59/17 Apologies

Apologies were received from Councillors Marshall and Williams.

### 60/17 Declarations of Interest

There were no declarations

### 61/17 Minutes of the Previous Meeting

The minutes of the meeting held on 22 November 2017 were agreed.

**Resolved that the minutes of the meeting of Council held on 22 November 2017 be approved as a correct record, confirmed and signed by the Mayor.**

### 62/17 Announcements from the Mayor

The Mayor advised that he had been notified that under Council Procedure Rule CP53, Councillor Pegg intended to alter his motion detailed on the agenda at Item 13. This would be dealt with at that point on the agenda.

Members were informed that the Mayor's annual fundraising efforts continued and were encouraged to attend the Charity Gig on Friday 7 February.

It was reported that former councillor Jim Rowley, who served as Conservative member for Normanton ward between 1967 and 1971, had passed away on 30 November 2017. Councillor Wood spoke of his memories of Jim Rowley. The Chamber observed a silence in respect.

### 63/17 Statements from Members of the Council Cabinet

There were no statements.

## 64/17 Questions from the public to members of the Council Cabinet

Questions and answers were put and responded to as follows:

Questioner	Respondent	Subject	
Mrs A Hudson	Councillor Hussain	Irving Place boundary surveillance	
Diane Usher	Councillor Rawson	Northridge House fire safety	
Wendy Meehan		Northridge House flood risk	
Dave Meehan		Northridge House planning approval	
Linda Thompson		Northridge House screening	
Nina Ferguson		Northridge House traffic monitoring	
Cath Williams		Northridge House planning conditions	
Bernard Downing		Northridge House structural damage	
Mavis Downing		Northridge House S106 funding	
Mr T Wright		Northridge House public consultation	
Mrs J Russell		Northridge House building height	
Linda Thompson		Northridge House compensation	
Nina Ferguson		Northridge House privacy concerns	
Cath Williams		Northridge House & Highways England	
Mr T Wright		Northridge House site contamination	
Benito Saccone		Councillor Rawson	Alvaston flood defences
Carole Fenton		Councillor Afzal	Blue Badge parking
Janet Jones	Councillor Afzal	Brown bin collections	
David Gale	Councillor Rawson	Friar Gate Square fire safety	
Simon Bacon	Councillor Afzal	Sinfin waste plant costs	
Ian Liddle	Councillor Shanker	Market Hall roof repairs	
Dorothy Skrytek	Councillor Afzal	Waste reduction	
Benito Saccone	Councillor Afzal	Derelict property costs	
David Gale	Councillor Bolton	Records management	
Simon Bacon	Councillor Afzal	Oaklands Avenue traffic monitoring	
Ian Liddle	Councillor Shanker	Prior relationships with contractors	

## 65/17 Questions relating to Derbyshire Fire Authority or Derby Homes

There were no questions.

## 66/17 Questions from non-Council Cabinet members

Questions and answers were put and responded to as follows:

Question	Respondent	Subject
Councillor Graves	Councillor Afzal	Disposal of recycled plastic
Councillor Willoughby	Councillor Bolton	Use of Pupil Premium funding
Councillor Smale	Councillor Afzal	Matchday parking
Councillor Grimadell	Councillor Rawson	Friar Gate Bridge
Councillor Harwood	Councillor Afzal	Brown bin collection scheme
Councillor M Holmes	Councillor Shanker	Consultancy spending
Councillor Graves	Councillor Rawson	Redevelopment of Mitre pub
Councillor Willoughby	Councillor Russell	Education and Health Care Plans
Councillor Smale	Councillor Afzal	Road and pavement defects
Councillor Harwood	Councillor Shanker	Procurement of property consultants

Councillor Graves	Councillor Afzal	City Point adoption
Councillor Smale	Councillor Raju	Head of Libraries post
Councillor Graves	Councillor Shanker	Taxi charging for disabled passengers
Councillor Smale	Councillor Raju	Community managed libraries
Councillor Graves	Councillor Rawson	Planning objections
Councillor Graves	Councillor Shanker	Photograph permissions

## 67/17 Council budget proposals and Council Tax 2018/9

Members were presented with the minutes of the Council Cabinet 99/17 (Council Tax Base for 2018/9) and 101/17 (Council Budget Proposals 2018/9) for approval. Council was also provided with a report consolidating all of the budget and Council Tax proposals. The Mayor had confirmed that the matters would be considered collectively and Council Procedure Rules would be varied to enable Group Leaders to all speak for 15 minutes in response to the Leader moving the proposals.

The proposals before Council were moved by Councillor Banwait, and seconded by Councillor Rawson. Councillors M Holmes, Skelton and Graves spoke in response.

It was moved by Councillor M Holmes, and seconded by Councillor Grimadell, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the council committing to the reopening of the Assembly Rooms, including refurbishment to be carried out to ensure modern fire and other regulatory requirements are met and that the venue can be brought back into use to provide concerts, performances, conferences and events, at a cost of £10.2m to be funded by:*

- The allocation of £8.6m of LGF Funding that has already been secured, following appropriate consultation with the Local Enterprise Partnership;*
- The allocation of £1.6m of the remaining fire insurance monies;*
- Council reserves providing contingency cover if required;*

*And that the remaining capital budget of £35.4m allocated to provide a new performance venue programme to be removed and reassessed, creating a revenue saving of £1.5m per year from 2020/21 due to the removal of the borrowing requirement;*

*And that the existing allocation of £550,000 for the new performance venue is instead allocated to fund an options assessment for an affordable capital programme of improvements to the Assembly Rooms to be carried out, to provide:*

- Increased front-facing market place leisure/retail offer;*
- Associated multi-storey car park rebuild and/or refurbishment to increase the (car park) capacity;*

*And that a commercial partner will also be sought to manage the venue and/or Derby Live tasked to demonstrate a suitable business model that refocuses efforts to provide regular commercially-focused conference/similar events with a supporting programme of concerts and productions;*

*With the aim of these capital investments and management model being to deal with historic ongoing taxpayer subsidy required of a performance venue, and any operating revenue subsidy required in the interim being met via reserves for a period of two years from re-opening."*

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 amendment. The voting was as follows:

For the amendment:

Councillors Ashburner, Barker, Care, Carr, Evans, Graves, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Naitta, Potter, Poulter, Roulstone, Skelton, Smale, Webb, Willoughby and Wood (22)

Against the amendment:

Councillors Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Froggatt, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Stanton, Turner, West, Winter and the Mayor, Councillor Whitby (26)

Abstentions:

None.

The amendment was lost.

It was moved by Councillor Care, and seconded by Councillor Carr, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the transfer of £500,000 from the direct schools grant reserve to provide capital funding for SEN provision within mainstream schools.*

*"This amendment will require the approval of the Schools Forum."*

The Monitoring Officer, having not been privy to the amendment in advance of the meeting, was unable to authorise the amendment given its dependency on a third party decision which Council was not able to determine. The Mayor therefore ruled that the amendment could not be considered.

It was moved by Councillor Graves, and seconded by Councillor Evans, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the addition of £1m to support to be allocated equally between neighbourhood boards to allow local priorities to be delivered, supported by local management resource, across 17 wards, funded by a £1m reduction in the overall Streetpride budget, subject to maintaining statutory services."*

The amendment was put to the vote and lost.

It was moved by Councillor Smale, and seconded by Councillor Poulter, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to £700,000 from the additional funds raised by the extra 1% council tax rise to remove £337,000 of planned cuts and staff redundancies in Library Service and £363,000 of additional monies to be invested, enabling:*

- the delivery of the Riverside Library in the Council House and planned enhancements to four other libraries representing the council's 'Statutory Library Offer';*
- retention of the remaining 10 local ward libraries within the council's management;*
- a commitment to a more robust financial and support/transition package for community-managed libraries to be a viable, realistic and positive proposition for community groups/organisations to consider pursuing;*
- a wide-ranging, meaningful and open-minded consultation on future provision across the city to establish libraries and vibrant community hubs."*

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 amendment. The voting was as follows:

For the amendment:

Councillors Ashburner, Barker, Carr, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Naitta, Potter, Poulter, Roulstone, Skelton, Smale, Webb, Willoughby and Wood (19)

Against the amendment:

Councillors Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Froggatt, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Stanton, Turner, West, Winter and the Mayor, Councillor Whitby (26)

Abstentions:

Councillors Care, Evans and Graves.

The amendment was lost.

It was moved by Councillor Ashburner, and seconded by Councillor Care, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the transfer of £100,000 from the proposed management restructure budget to provide low cost initiatives (max approx £1000 each) to improve wellbeing in Derby. These should be initiatives that can be applied anywhere in the city, rather being place specific."*

The amendment was put to the vote and lost.

It was moved by Councillor Evans, and seconded by Councillor Graves, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the addition of £22,600 to support elderly social care, to be funded by the removal of the Special Responsibility Allowance for Vice Chairs."*

The amendment was put to the vote and lost.

It was moved by Councillor Poulter, and seconded by Councillor M Holmes, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the strengthening of the council's enforcement and neighbourhood community support by:*

- Devolving £850,000 (£50,000 per ward) from central budgets in each financial year to each 'local board' (ward councillors) to allocate/spend to support local projects and deliver improvements in accordance with a suitable neighbourhood framework to ensure positive community outcomes;*
- Utilising the proposed increase of £160,000 to provide five Neighbourhood Support Officers to work in liaison with local councillors in all ward areas across Derby;*

*to be funded by an allocation of £850,000 from the Streetpride budget, subject to maintaining statutory services, and by the removal of the proposal to create five Public Protection Officers at a cost of £160,000."*

The amendment was put to the vote and lost.

It was moved by Councillor Carr, and seconded by Councillor Care, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the transfer of £100,000 from the additional 1% increase in Council Tax to reintroduce proactive travel planning for all schools."*

The amendment was put to the vote and lost.

It was moved by Councillor Wood, and seconded by Councillor Harwood, that the proposals be amended by the addition of the following words in the resolution:

*"That the budget is approved subject to the transfer of £150,000 from the proposed cultural events revenue spending to capital spending, therefore retaining the overall proposed spending to improve Derby city centre's Christmas offer, in addition to £177,000 generated from the unallocated monies from the 1% council tax rise to create a £327,000 budget to establish a fund to help and support vulnerable people in Derby, by:*

- Supporting organisations like Citizens Advice Bureau that can demonstrate outcomes and reduce reliance on council resources/services;*
- Supporting homeless people and the vulnerably housed;*
- Support for the protection against rape, domestic violence and sexual abuse;*
- Improving the quality of life for older people;*
- Supporting those with current or previous mental health issues;*
- Supporting those with disabilities."*

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 amendment. The voting was as follows:

For the amendment:

Councillors Ashburner, Barker, Care, Carr, Evans, Graves, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Naitta, Potter, Poulter, Roulstone, Skelton, Smale, Webb, Willoughby and Wood (22)

Against the amendment:

Councillors Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Froggatt, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Stanton, Turner, West, Winter and the Mayor, Councillor Whitby (26)

Abstentions:

None.

The amendment was lost.

As required under Rule CP71b of the Council Procedure Rules, the votes of the members on the substantive motion were noted and recorded as the resolution related to the Council Tax setting.

For the motion:

Councillors Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Froggatt, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Stanton, Turner, West, Winter and the Mayor, Councillor Whitby (26)

Against the motion:

Councillors Ashburner, Care, Carr, Evans, Graves, Naitta, Skelton (7)

Abstentions:

Councillors Barker, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Potter, Poulter, Roulstone, Smale, Webb, Willoughby and Wood (15)

The substantive proposals relating to the budget and Council Tax for 2018/9 were carried.

**Resolved to:**

- **Approve the Council Tax base of £67,610.42 and increase Council Tax for 2018/19 for Derby City Council being:**
  - **an increase in Council Tax of 2.99%**
  - **an Adult Social Care Precept of 3.0%.****amounting to a total increase of 5.99% resulting in an increase of £77.76p on a Band D equivalent household as set out in section 4.1 of the report;**
- **approve the proposed levels of Council Tax as detailed in paragraph 4.1(d) and to delegate to the S.151 Officer the final calculation of Council Tax, reflecting the precepts for the Fire and Police authorities when**

received, and to issue Council Tax bills in March 2018 in line with Section 30 of the regulations;

- approve the budget proposals, as set out in the report, and the following in compliance with the requirements of the Local Government Finance Act:
  - The Gross Revenue Budget of £630.047m
  - The Net Revenue budget of £217.782m
  - The net spending limits for each directorate being:
    - People's £142.915m
    - Communities and Place £42.681m
    - Organisation and Governance £23.708m
    - Corporate £8.478m
  - The Capital Programme for 2018/19 amounting to £134.289m
  - The Treasury Management Strategy, policy and prudential indicators
  - The HRA budget proposals, 30 Year plan update and rent/service charge increases for 2018/19
  - The council's strategic reserve as five per cent of its net Revenue budget;
- note the Council's Medium Term Financial Strategy for the years 2018/19 to 2020/21 and the proposals set out therein for revenue, capital and treasury implications;
- note the Financial Risk Assessment;
- consider the results of the Budget Consultation and Cabinet's response to that process;
- approve the 2018-19 allocation of the Dedicated Schools Grant of £226.774 million and changes to Derby City's Schools Funding Formula as a response to the implementation of a National Funding Formula for Schools;
- delegate approval to the Section 151 Officer to make necessary changes to the budget arising from the Government's Financial Settlement, as and when confirmed, and any technical adjustments to the Treasury Management Strategy arising from the revised Prudential Code;
- note the Section 151 Officer's opinion on the robustness of estimates and adequacy of reserves.

## 68/17 Minutes of Council Cabinet requiring the approval of Council

It was moved by Councillor Banwait, and seconded by Councillor Hezelgrave, that minutes 100/17, 103/17 and 107/17 of the Council Cabinet meeting held on 17 January 2018 be approved.

**Resolved to approve Council Cabinet minutes 100/17, 103/17 and 107/17 of the meeting held on 17 January 2018.**

## 69/17 Minute referred by the Communities Scrutiny Review Board



Minute 19/17 of the Communities Scrutiny Review Board held on 27 November 2017 had been referred to Council under Council Procedure Rule CP42(d) as the matter required approval from Council.

It was moved by Councillor Smale, and seconded by Councillor Hudson, that the minute be approved.

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

For the motion:

Councillors Ashburner, Barker, Care, Carr, Evans, Graves, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Keith, Naitta, Potter, Poulter, Roulstone, Skelton, Smale, Webb, Willoughby and Wood (22)

Against the motion:

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

Abstentions:

Councillor Nawaz (1)

The motion was lost.

**Resolved not to approve minute 19/17 of the Communities Scrutiny Review Board meeting held on 27 November 2017.**

## 70/17 Designation of Statutory Officers

A report of the Chief Executive made proposals on interim senior management arrangements. It was reported that the Chief Executive would be departing the authority to become Chief Executive of Worcestershire County Council commencing 19 March 2018, while the contract of the Interim Director of Finance (and Section 151 Officer) ended on 31 January 2018.

The proposals within the report were moved by Councillor Shanker, and seconded, put to the vote and carried.

**Resolved to:**

- 1) approve the appointment of Mr Don McLure as the Interim Strategic Director of Corporate Resources, and to designate to him the statutory role of Chief Finance Officer as required under Section 151 of the Local Government Act 1972 with effect from 1 February 2018;**
- 2) approve the appointment of Mrs Christine Durrant, currently Deputy Chief Executive, as Acting Chief Executive, and to designate to her the statutory role of Head of Paid Service as required under Section 4 of the Local Government and Housing Act 1989 with effect from the departure of Mr Paul Robinson;**

- 3) **approve the designation of Mr Andy Smith, Strategic Director of People Services, as Acting Deputy Chief Executive for the period of Mrs Durrant's tenure as Acting Chief Executive;**
- 4) **note and approve a departure from Officer Employment Procedure Rules OE9 and OE11.**

## 71/17 Notice of Motion: A38 Improvements

The Mayor confirmed Councillor Pegg's proposal to alter the motion as printed under Council Procedure Rule CP53. The Mayor stated that the motion would omit words from the first sentence and would start with the words 'Derby City Council calls upon'. This was accepted.

It was moved by Councillor Pegg, and seconded by Councillor Froggatt, that:

*"Derby City Council calls upon the current government to demonstrate its commitment to delivering vital improvements to our transport network by announcing when works to improve the A38 through Derby will be delivered.*

*"Improvement of the A38 trunk road remains the number 1 transport priority for Derby and action is urgently required to reduce delay to through traffic and to enhance local accessibility. The travelling public and local residents have previously been consulted about possible improvements but there have been no recent updates and the project seems to have stalled.*

*"We are anxious to ensure that the government remain fully committed to delivering the scheme and as quickly as possible. We request that they take away the current uncertainty by announcing the preferred improvements and a timetable for delivery of the scheme."*

The motion was put to the vote and carried.

### **Resolved:**

**Derby City Council calls upon the current government to demonstrate its commitment to delivering vital improvements to our transport network by announcing when works to improve the A38 through Derby will be delivered.**

**Improvement of the A38 trunk road remains the number 1 transport priority for Derby and action is urgently required to reduce delay to through traffic and to enhance local accessibility. The travelling public and local residents have previously been consulted about possible improvements but there have been no recent updates and the project seems to have stalled.**

**We are anxious to ensure that the government remain fully committed to delivering the scheme and as quickly as possible. We request that they take away the current uncertainty by announcing the preferred improvements and a timetable for delivery of the scheme.**

MINUTES END