

ITEM 3

Time commenced - 18.00
Time adjourned - 20.35
Time reconvened - 20.47
Time adjourned - 21.00
Time reconvened - 21.08
Time finished - 22.07

COUNCIL 24 JULY 2019

Present: The Mayor, Councillor Frank Harwood, and Councillors Anderson, Ashburner, Atwal, Barker, Bettany, Care, Cooper, Dhindsa, Eldret, Evans, Froggatt, A J Graves, A W Graves, Hassall, Hezelgrave, A Holmes, M Holmes, Hudson, Hussain, Ingall, J Khan, S Khan, Kus, Lind, Marshall, McCristal, Naitta, Nawaz, Pattison, Pearce, A Pegg, P Pegg, Potter, Poulter, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Smale, Stanton, Testro, Webb, West, Williams, Willoughby and Wood.

25/19 Apologies

Apologies for absence were received from Councillors Carr and Peatfield.

26/19 Declarations of Interest

There were none.

27/19 Minutes of the Previous Meeting

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

28/19 Announcements from the Mayor

The Mayor welcomed councillors and members of the public to the meeting. Councillors were advised of some procedural matters, including detailing late items that had been received and distributed.

Under rule CP42(c), the Mayor proposed to reorder the agenda by considering immediately the proposal at Item 9 on the agenda. It was also proposed to consider Item 20 prior to the other notices of motion received, out of courtesy of those in attendance in the public gallery. This proposal was carried by consensus.

The Mayor reported that Derby had been proud to welcome the Princess Royal to visit the War Memorial Village in Shelton Lock, as well as St Martin's Church and Community Centre in Flint Street.

The Mayor was presented with Purple and Green Flag awards, which had recently been received in recognition of Derby's night time economy and parks and green spaces. Councillors were also informed of celebrations in respect of the centenary of council housing in the city.

The passing of former Civic Award Winner Maurice Kilminster was reported to Council. The Mayor shared his recollections of Mr Kilminster and a minute's silence was then held out of respect.

29/19 Youth Mayor 2019/20

A report of the Strategic Director of Corporate Resources detailing the election of the Youth Mayor was considered. It was reported that Council had previously endorsed the election of the Youth Mayor, but owing to the rescheduling of the Annual Meeting the young people involved had been unable to participate.

Councillors spoke in praise of the outgoing Youth Mayor and Deputy Youth Mayor; all the young people who had participated in the recent elections received a round of applause from those in attendance.

It was moved on the motion of the Mayor, and seconded by Councillor Smale, that the recommendations within the report be approved.

Resolved:

- 1) To invite the newly elected Youth Mayor and Deputy Youth Mayor to make a declaration of office before Council.**
- 2) To invite candidates who participated in the Youth Mayor elections in 2019 to receive certificates.**
- 3) To invite the former Youth Mayor and Deputy Youth Mayor for 2018/19 to address Council following their year in office.**

Following the resolution, the former Youth Mayor and Deputy Youth Mayor addressed Council and received certificates; the candidates who participated in the elections received certificates; and, the Youth Mayor and Deputy Youth Mayor made the declaration of acceptance of office.

30/19 Statements from members of the Council Cabinet

There were none.

31/19 Questions from the public

Under CP86 it was proposed on the motion of the Mayor and seconded that CP12 be suspended, removing the 30 minute time limit placed on public questions. The matter was put to the vote and carried.

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Gaurav Pandey	Councillor Smale	Sinfin Rain Garden

Chris Tuckwood	Councillor Barker	Electoral Register
Reg Hand	Councillor M Holmes	Clean Air Incentive Scheme bid
Gaurav Pandey	Councillor M Holmes	Friar Gate Bridge
Malcolm Holden		
Dorothy Skrytek	Councillor M Holmes	Environmental issues
Simon Bacon	Councillor Smale	Costs for waste disposal
Andy Findlay	Councillor Barker	Hackney Carriage vehicles
Michael Plunkett	Councillor Smale	Highways maintenance
Kate Mosley	Councillor M Holmes	A52 Public Inquiry
Charles Bridges	Councillor Smale	Sinfin waste plant
Doug Lumley	Councillor M Holmes	Godwin Group
Tom Banks	Councillor M Holmes	Guildhall Theatre
Adam Link	Councillor M Holmes	City's bus fleet
Peter Robinson	Councillor M Holmes	Climate change emergency
Keith Burchell		
Keith Burchell		
Marcus James	Councillor Roulstone	Universal Credit
Helen Hitchcock	Councillor Smale	Tree planting scheme
Carole Fenton	Councillor M Holmes	Keldholme Lane Blue Badge Parking
Reg Hand	Councillor M Holmes	Work Place Parking Levy
Dorothy Skrytek	Councillor M Holmes	Air pollution
Kate Mosley		
Simon Bacon	Councillor Smale	Value for money from Biffa
Michael Plunkett	Councillor M Holmes	Traffic congestion at Lakeside School
Carole Fenton	Councillor M Holmes	Parking on pavements

32/19 Questions relating to Derbyshire Fire Authority or Derby Homes

There were none.

33/19 Questions from non-Council Cabinet members

Questions and answers were put and responded to as follows:

Questioner	Respondent	Summary
Councillor Hezelgrave	Councillor Williams	Foster carers
Councillor Eldret	Councillor M Holmes	Climate Change cross-party work
Councillor Froggatt	Councillor M Holmes	Projects funded by European Social Fund
Councillor Shanker	Councillor M Holmes	Debenhams building
Councillor Lind	Councillor Smale	Smaller bins for kitchen waste recycling
Councillor West	Councillor Wood	Moorways
Councillor Ashburner	Councillor Smale	Distribution of blue and brown bins
Councillor Care	Councillor Webb	Payment for care work
Councillor Hezelgrave	Councillor Barker	Asbestos in school buildings
Councillor Eldret	Councillor Poulter	Brexit Party
Councillor Naitta	Councillor M Holmes	Guildhall update
Councillor West		
Councillor Shanker	Councillor Smale	Sinfin Waste Treatment Plant
Councillor Care	Councillor M Holmes	Littleover ward highway priorities
Councillor Hezelgrave	Councillor Lind	Nottingham Futures

Councillor Care	Councillor M Holmes	Derby's carbon footprint
-----------------	---------------------	--------------------------

34/19 Council Plan 2019-2023

A report of the Chief Executive was considered, recommending approval of the Council Plan 2019-2023, following its referral by Council Cabinet at its meeting of 12 June 2019. It was noted that the Council Plan constituted the council's highest level strategic planning document, and that it set out a vision for both the council and the city. The report also referred to the accompanying Delivery Plan for 2019-20, which had previously been approved by Council Cabinet.

It was moved by Councillor Poulter, and seconded by Councillor Barker, that the recommendations within the report be approved.

Resolved:

- **To approve the Council Plan 2019-2023**
- **To note that the Delivery Plan for 2019-2020, which flows from the Council Plan, was presented to Cabinet for approval on 17 July 2019**
- **To delegate authority to the Leader of the Council and the Chief Executive to update the Council Plan as necessary.**

35/19 Audit and Accounts Committee – Annual Report 2018/19

A report detailing the work of the Audit and Accounts Committee during the previous municipal year was presented to Council. The Chair thanked councillors and officers for their contribution to the committee during the period. It was moved by Councillor Willoughby, and seconded by Councillor Roulstone, that receipt of the report be noted.

Resolved to note receipt of the Annual Report of the Audit and Accounts Committee for the 2018/19 municipal year.

36/19 Procurement Strategy and Contract Procedure Rules

A report of the Strategic Director of Corporate Resources proposing changes to the Contract Procedure Rules contained within the council's constitution was considered.

It was proposed that the Contract Procedure Rules were updated to include the council's updated Procurement Strategy, which was necessary in order to ensure ongoing compliance with the statutory framework governing local authority procurement activity.

It was moved by Councillor Roulstone, and seconded by Councillor Williams, that the recommendations within the report be approved.

Resolved to note the content of the report and approve the amendments to the Contract Procedure Rules.

37/19 Appointments to Outside Bodies and Charities

A report of the Strategic Director of Corporate Resources was considered recommending alterations to appointments to outside bodies, made by Council at its Annual Meeting. The report proposed that officer appointments to Scape Group Limited were amended to reflect recent changes in the council's senior leadership team.

It was moved by Councillor Barker, and seconded by Councillor M Holmes, that the recommendations within the report be approved.

Resolved:

- **To endorse the appointment of Mr Paul Simpson, Strategic Director of Corporate Resources, as Director of Scape Group Limited, with effect from 5 August 2019.**
- **To endorse the appointment of Mr Dinesh Kotecha, Director of Property Services, as Alternate Director of Scape Group Limited.**

38/19 Appointments for access to Communications Data

A report of the Strategic Director of Corporate Resources was considered, detailing the requirement to appoint officers to a number of statutory roles under the Investigatory Powers Act 2018, which regulates the use of communications data for regulatory or criminal investigations undertaken by public bodies. It was noted that the appointments would require amendments to the Scheme of Delegations, which required the approval of Council.

It was moved by Councillor Barker, and seconded by Councillor Webb, that the recommendations within the report be approved.

Resolved:

- **To appoint the Senior Corporate Fraud Officer and Team Leader, Trading Standards as Single Points of Contact for the purposes of the Investigatory Powers Act 2018**
- **To appoint the Monitoring Officer as the council's Senior Responsible Officer**
- **To authorise the Monitoring Officer to make appropriate amendments to the Scheme of Delegations within the council constitution to reflect these appointments.**

39/19 Food and Feed Law Enforcement Plan 2019/2020

A report was considered recommending the adoption of the Food and Feed Law Enforcement Plan for 2019/2020, which was required by the Food Standards Agency, which oversees and monitors how local authorities enforce food safety legislation. It was moved by Councillor Smale, and seconded by Councillor Matthew Holmes, that the recommendations within the report be approved.

Resolved to approve the Food and Feed Law Enforcement Plan for the 2019/20 administrative year.

40/19 Health and Safety Enforcement Plan 2019/2020

A report was considered recommending approval of the Health and Safety Enforcement Plan 2019/2020, which was required under the National Local Authority Enforcement Code. It was moved by Councillor Smale, and seconded by Councillor Pearce, that the recommendations in the report be approved.

Resolved to approve the Health and Safety Enforcement Service Plan for 2019/20 administrative year.

41/19 Medium Term Financial Strategy 2020/21 – 2022/23

A report of the Strategic Director of Corporate Resources was considered, outlining the proposed Medium Term Financial Strategy (MTFS) for the council's revenue and capital budgets over the three year period 2020/21 to 2022/23. It was noted that the MTFS had been considered by Council Cabinet at its meeting of 17 July 2019 and had been referred to Council for urgent approval, to allow for savings proposals to be implemented prior to the 2020/21 financial year. Minute extract 30/19 of Council Cabinet was appended to the report for consideration by Council.

It was moved by Councillor Roulstone, and seconded by Councillor Webb, that the recommendations be approved.

Resolved to approve the recommendations made to Council by Council Cabinet shown in Minute 30/19 of the meeting held on 17 July 2019.

42/19 Notice of motion: Reducing plastic and other single-use waste

The following motion was moved by Councillor Care and seconded by Councillor Naitta:

Recent research and publicity have highlighted worldwide impacts of plastic waste. This indicates that leadership and action are needed to reduce plastic waste, including micro-particles, entering our wider environment.

This Council therefore agrees to stop using single-use plastics as far as possible, including beakers and cutlery, and to avoid using products with microbeads and similar microplastic particles. Council further seeks to minimise use of other single use materials, including glass bottles, and will seek to reduce excessive use of, especially plastic, packaging. This is to include procurement to cover sub-contracted services.

The motion was put to the vote and carried:

Resolved:

Recent research and publicity have highlighted worldwide impacts of plastic waste. This indicates that leadership and action are needed to reduce plastic waste, including micro-particles, entering our wider environment.

This Council therefore agrees to stop using single-use plastics as far as possible, including beakers and cutlery, and to avoid using products with microbeads and similar microplastic particles. Council further seeks to minimise use of other single use materials, including glass bottles, and will seek to reduce excessive use of, especially plastic, packaging. This is to include procurement to cover sub-contracted services.

43/19 Notice of motion: Delivery of Brexit

The following motion was moved by Councillor A J Graves and seconded by Councillor A W Graves:

On June 23rd 2016, 52 per cent of the people of the United Kingdom voted to Leave the European Union and the people of Derby voted 57 per cent in favour of leaving.

Since then the government, under Theresa May's leadership, has consistently said that she will carry out the wishes of the people and has abjectly failed that task.

The uncertainty of decision making has made our country, and city, uneasy about the future.

Derby City Council calls on, and will write to, the new Prime Minister to deliver a true Brexit, without further delay on, or before, the end of October 2019.

It was moved by Councillor Care, and seconded by Councillor Stanton that the motion be amended by the deletion of the words "deliver a true Brexit, without further delay on, or before, the end of October 2019" and the insertion of the following words in their place: "to give UK voters, before the end of October, the chance to reaffirm their 2016 decision to Leave the European Union once specific, clearly defined, terms (whether the current Withdrawal Agreement or some other arrangement) have been agreed by Parliament, or to remain in the European Union under current terms".

The amendment was put to the vote and carried.

The motion as amended was put to the vote and carried.

Resolved:

On June 23rd 2016, 52 per cent of the people of the United Kingdom voted to Leave the European Union and the people of Derby voted 57 per cent in favour of leaving.

Since then the government, under Theresa May's leadership, has consistently said that she will carry out the wishes of the people and has abjectly failed that task.

The uncertainty of decision making has made our country, and city, uneasy about the future.

Derby City Council calls on, and will write to, the new Prime Minister to give UK voters, before the end of October, the chance to reaffirm their 2016 decision to leave the European Union once specific, clearly defined, terms (whether the current Withdrawal Agreement or some other arrangement) have been agreed by Parliament, or to remain in the European Union under current terms.

44/19 Notice of motion: Impact of Universal Credit

The following motion was moved by Councillor Russell, and seconded by Councillor Eldret:

Full roll out of Universal Credit began in Derby just over one year ago. The detrimental effects of this change to social security has been felt by many residents in Derby.

This Council notes the five-week wait for Universal Credit claimants to access any support has pushed many families into poverty and led to many of them being unable to pay bills and fall behind with rent payments.

This council supports the assessment made by Philip Alston, the UN rapporteur on extreme poverty and human rights, that the Government's policy changes in social security has led to the "systematic immiseration of a significant part of the British population".

Council calls on the Government to immediately stop and scrap the unfair system of Universal Credit.

The Council further calls on the Council Cabinet to transfer funds as a matter of urgency to the Welfare Reform Reserve to support Derby's residents with the ongoing impact on Universal Credit.

It was moved by Councillor Skelton, and seconded by Councillor Ashburner that the motion be amended by:

- the deletion of the words "stop and scrap" and "system" in the penultimate paragraph
- the insertion of the words "reform" and "elements" in their place
- and, the deletion of the final paragraph in its entirety

The amendment was put to the vote and lost.

The motion was put to the vote and lost.

45/19 Notice of motion: Electoral reform

The following motion was moved by Councillor Kus, and seconded by Councillor Bettany:

Council recognises that the 'First Past the Post' system of voting that has been used in Britain since 1888 is no longer fit for purpose.

First Past the Post results in tactical voting and gerrymandering, causing many people to feel that their vote has been wasted.

Council resolves:

- *To request the Cabinet Member for Governance and Licensing write to the Government, lobbying for electoral reform and stating that First Past the Post is no longer fit for purpose.*
- *To work with the Electoral Reform Society in order to achieve a fairer voting system for Derby.*

It was moved by Councillor Eldret, and seconded by Councillor Russell that the motion be amended by the deletion of the second paragraph.

The amendment was put to the vote and lost.

The motion was put to the vote and lost.

MAYOR