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Time commenced - 6.00 pm
Time finished - 9.33 pm

COUNCIL MEETING 26 NOVEMBER 2014

Present: The Mayor (Councillor Shiraz Khan) (in the Chair)

Councillors Afzal, Ashburner, Bailey, Banwait, Barker, Bayliss, Bolton, Campbell, Care, Carr, Davis, Dhindsa, Eldret, Graves, Harwood, Hezelgrave, Higginbottom, Hillier, A Holmes, M Holmes, Hussain, Ingall, Jackson, Jones, Keith, J Khan, MacDonald, Martin, Naitta, Nawaz, Pegg, Poulter, Rawson, Redfern, Repton, Russell, Sandhu, Shanker, Skelton, Stanton, Tittley, Troup, Turner, Webb, Whitby, Wood, Wright

50/14 Apologies for Absence

Apologies for absence were received from Councillors Hickson and Jennings.

51/14 Declarations of Interest

There were Declarations of Interest from:

Councillors Care, Shanker and Webb in respect of Motion 1 - Rolls-Royce

Councillor M. Holmes in respect of Motion 2 – NHS

Councillors A Holmes, M Holmes and Shanker in respect of Motion 4 –
Gaming Machines

Councillor Dhindsa in respect of Motion 6 – Police Budgets

The Members listed left the Chamber for the duration of the debates on the subjects listed

52/14 Minutes of the Meeting of 17 September 2014

Resolved that the Minutes of the Meeting of the Council, held on 17 September, be approved as a correct record, confirmed and signed by the Mayor.

53/14 Announcements by the Mayor

The Mayor informed Council that since the last meeting there had been three deaths, which he wished to report.

- Mr Harry Mycroft - a significant figure for many years in Derby's ex-service community and a former Member of the Council, representing Osmaston ward.
- Mrs Barbara Smith - Civic Award Winner in 2004, for her services to the Action for Children charity.
- Ms Gwen Sandhu – a regular attender at council meetings and a campaigner for cycling and environmental issues.

Council stood in silence for one minute as a mark of respect.

The Mayor congratulated Councillors Higginbottom and Wood on their recent marriages and wished them many happy years with their new husbands.

The Mayor stated that he would take recommendations from the Council Cabinet meeting of the previous Wednesday 19 November at item 9, along with those from 1 and 22 October.

The Mayor announced that Item 12 had been withdrawn.

54/14 Statements by Members of the Council Cabinet

There were no statements

55/14 Public Questions

A list of questions and prepared responses had been circulated prior to the start of the meeting and each questioner was asked in turn if they had a supplementary question arising from the written response. Questions from members of the public were put as follows:

1. By Dorothy Skrytek– concerning recycling revenue, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
2. By David Culm– concerning heritage preservation, answered by Councillor Rawson, Cabinet Member for Planning and Regeneration.
3. By Arron Marsden– concerning, City Point street adoption, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
4. By Karl Kus – concerning Derwent neighbourhood working, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
5. By Simon Bacon – concerning Normanton Empowerment Team, answered by Councillor Banwait, Leader of the Council.
6. By Peter Robinson – concerning fossil fuel investments, answered by Councillor Russell, Cabinet Member for Housing, Finance and Welfare
7. By Dorothy Skrytek – concerning environmental contamination, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
8. By David Culm– concerning Friargate Bridge, answered by Councillor Rawson, Cabinet Member for Planning and Regeneration.
9. By Arron Marsden– concerning cabinet webcasting, answered by Councillor Banwait, Leader of the Council.
10. By Simon Bacon – concerning garden waste cost savings, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.

56/14 Written Questions about the Business or Functions of Derbyshire Fire Authority and Derby Homes Ltd

There were no written questions about the business or functions of Derbyshire Fire Authority or Derby Homes Ltd.

57/14 Written Questions from Non Council Cabinet Members

Written questions from Non Council Cabinet Members to Members of the Council Cabinet or Committee Chairs were asked as follows:

1. By Councillor Barker – concerning market stall holders, answered by Councillor Rawson, Cabinet Member for Planning and Regeneration.
2. By Councillor Davis – concerning sickness absence, answered by Councillor Banwait, Leader of the Council.
3. By Councillor Harwood– concerning the Council's debt, answered by Councillor Russell, Cabinet Member for Housing, Finance and Welfare.
4. By Councillor Holmes – concerning Derby Arena events, answered by Councillor Martin, Cabinet Member for Leisure and Culture.
5. By Councillor Keith – concerning the Tree Policy, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
6. By Councillor Poulter – concerning CoPs data, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
7. By Councillor Barker – concerning market consultants, answered by Councillor Rawson, Cabinet Member for Planning and Regeneration.
8. By Councillor Davis – concerning consultancy costs, answered by Councillor Banwait, Leader of the Council.
9. By Councillor Harwood– concerning zero hours contracts, answered by Councillor Banwait, Leader of the Council.
10. By Councillor Holmes – concerning public art installation, answered by Councillor Rawson, Cabinet Member for Planning and Regeneration.
11. By Councillor Keith – concerning Neighbourhod funding and political priorities, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
12. By Councillor Poulter – concerning brown bin savings, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
13. By Councillor Holmes – concerning grass cutting, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.

14. By Councillor Poulter – concerning the impact of blue bin removal, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
15. By Councillor Holmes – concerning Purple Flag status, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
16. By Councillor Poulter – concerning residual waste delivery costs, answered by Councillor Afzal, Cabinet Member for Neighbourhoods and Streetpride.
17. By Councillor Holmes – concerning the Cabinet Research Officer post, answered by Councillor Banwait, Leader of the Council.

58/14 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendations of the Council Cabinet dated 1 October 2014, 22 October 2014 and 19 November 2014, requiring the approval of the Council, being;

56/14 Derby Core Strategy –Publication and Submission for Examination.

83/14 Medium Term Financial Strategy.

92/14 Council Tax Charges on Empty and Unoccupied Properties in 2015/16.

98/14 Derby Core Strategy Update

Resolved to approve the minutes and recommendations of the Council Cabinet of 1 October 2014, 22 October 2014 and 19 November 2014.

59/14 Appointments to Charities

The Council considered a report of the Interim Strategic Director of Resources, concerning Appointments to Charities.

Resolved

- 1 To re- appoint Mr Peter Cholerton to the Wilmot, Gilbert & Berrysford Charity for a further four-year term.**
- 2 To appoint Mr James Shires to the Elizabeth Turner Almshouses Charity for a further four-year term.**
- 3 To appoint Ms Diane Froggatt to the German Pole Charity for a four-year term.**

60/14 Appointment to the Derby Homes Board

The Council considered a report of the Strategic Director of Adults, Health and Housing, concerning the appointment of an Independent Member to the Derby Homes Board

Resolved that the independent board member appointment to the Board of Derby Homes Limited be Jsan Shepherd, effective from 27 November 2014, until the Derby Homes AGM 2017.

61/14 Urgent Non-Executive Decisions made by the Chief Executive

Council considered a report of the Strategic Director of Resources, detailing a non-executive decision taken by the Chief Executive, relating to the appointment of a representative from the Children and Young People's Network to the Health and Wellbeing Board.

Resolved, on the motion of Councillor Banwait and seconded to note the report.

62/14 Notices of Motion

1) *Rolls-Royce*

Councillors Care, Shanker and Webb left the Chamber for this item

Resolved on the motion of Councillor Banwait and seconded that

Derby has a proud and distinguished history of high quality manufacturing and a long standing positive working relationship with Rolls-Royce. Council recognises the mutual benefit the presence of major employers such as Rolls-Royce has generated, as the company has benefitted from Derby's skilled and loyal workforce, and in turn provided employment for thousands of local people.

Council therefore notes with regret the recently announced job losses. Council is concerned at the negative impact this will have on Derby, where Rolls-Royce employs over 14,000 people.

Council resolves to:

- 1. Urge Rolls-Royce to fully and rapidly appraise its position and to take into account the benefits of retaining the wide pool of talent within Derby, on which it has built its business.**
- 2. Work with the Council and local partners to prepare and implement an action plan that will take account of the needs of the redundant employees and the company itself.**
- 3. Take whatever decisions are needed, to ensure that the company and its employees receive every element of support that the Council and our partners can offer.**
- 4. Work with Rolls-Royce to help them shape their vision for their continued healthy and productive future in Derby.**

2) *Hospital Parking Charges*

Councillor M Holmes left the Chamber for this item

It was proposed by Councillor Graves and seconded that

'Council recognises the difficult times many of our Derby residents, and those further afield, are going through.

One of the most traumatic times is when hospital visits/stays are necessary. For too long now government has forced NHS hospitals to introduce Car Park charges to supplement income.

At a time when people are feeling the pinch, the cost of parking in hospitals is now seen as a tax on the sick.

Council supports the abolition of hospital car parking charges and seeks a commitment from all political parties to support this stance nationally.'

It was moved by Councillor Banwait and seconded that the motion be amended to read:

'Council recognises the difficult times many of our Derby residents, and those further afield, are going through as a result of the coalition government's austerity measures.

One of the most traumatic times is when hospital visits/stays are necessary. One measure which NHS hospitals have been forced to introduce is car park charges to supplement income.

Council recognises the work undertaken by the Labour-led council and Derby North MP Chris Williamson in support of the NHS and against its privatisation, and notes that 16,442 people signed a petition in support.

Council notes that the outcomes demanded by the petition were debated in the House of Commons on Friday 21 November as a result of a Labour-led Private Members' Bill, and resulted in overwhelming support for those causes.

Council reasserts calls to keep the NHS public and fair funding for the NHS to ensure better patient care, reduced waiting times, and to enable hospitals to be properly funded to reduce the need for car parking charges.'

The amendment was carried.

Resolved that Council recognises the difficult times many of our Derby residents, and those further afield, are going through as a result of the coalition government's austerity measures.

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3) Consultation on Electoral Cycle

Resolved on the motion of Councillor Banwait and seconded that Derby City Council resolves that a consultation process is undertaken by the Corporate Scrutiny and Governance Overview and Scrutiny Board into a four year election cycle

4) Gaming machines

Councillors A Holmes, M Holmes and Shanker left the Chamber for this item

It was proposed by Councillor Care and seconded that

'Like other parts of the country, Derby has experienced an increase in the number of betting shops over the last few years. It is generally recognised that this trend is largely due to the introduction of B2 gaming machines (or fixed odds betting terminals, FOBTs) into betting shops.

These machines currently allow a maximum stake of £100 which can be wagered every 20seconds. For comparison, other high street gaming machines allow a maximum stake of £5 or less.

There is a growing concern that the proliferation of betting shops, particularly in areas of higher deprivation, is detrimental to individuals in the community. Petitions have been received by the council against licensing of, or allowing planning for, additional betting shops in areas such as Normanton and Chaddesden.

The London Borough of Newham is proposing to use the Sustainable Communities Act to request a reduction in the maximum bet per spin on FOBTs to £2.

Derby City Council supports this move and asks the Leader of the Council to write to Newham Council, registering Derby City Council's support for their proposal.'

It was proposed by Councillor Hezelgrave and seconded that the motion be amended to read

'Like other parts of the country, Derby has experienced an increase in the number of betting shops over the last few years.

Derby City Council has already shown its support for addressing this issue, having backed a proposal presented to the Secretary of State, Eric Pickles MP, asking him to agree to a proposal for a separate use class for betting shops, submitted by 63 councils under the Sustainable Communities Act.

Council endorses the letter written by Councillor Paul Bayliss, as Leader of the Council, to Mr Pickles on this issue on 28 March 2014.

There is a growing concern that the proliferation of betting shops, particularly in areas of higher deprivation, is detrimental to individuals in the community. Petitions have been received by the council against licensing of, or allowing planning for, additional betting shops in areas such as Normanton and Chaddesden.

The Labour-led London Borough of Newham is proposing to use the Sustainable Communities Act to request a reduction in the maximum bet per spin on fixed odds betting terminals to £2.

Derby City Council supports this move and asks the Leader of the Council to write to Mr Pickles to endorse this proposal.'

With the consent of the meeting the amendment was modified by the addition of the words

'The Council also commends Newham Council for its actions and asks the Leader of the Council to write to Newham Council to express support for their proposal.'

The amendment, as modified, was carried

Resolved that like other parts of the country, Derby has experienced an increase in the number of betting shops over the last few years.

Derby City Council has already shown its support for addressing this issue, having backed a proposal presented to the Secretary of State, Eric Pickles MP, asking him to agree to a proposal for a separate use class for betting shops, submitted by 63 councils under the Sustainable Communities Act.

Council endorses the letter written by Councillor Paul Bayliss, as Leader of the Council, to Mr Pickles on this issue on 28 March 2014.

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Derby City Council supports this move and asks the Leader of the Council to write to Mr Pickles to endorse this proposal.'

The Council also commends Newham Council for its actions and asks the Leader of the Council to write to Newham Council to express support for their proposal.

5) Akaal Primary School

It was proposed by Councillor Naitta and seconded that

'Council notes there is a continuing shortage of primary school places in Derby.

Council further notes that the Akaal Primary School has received approval from the Department for Education to open in September 2015.

Council therefore urges Cabinet to fully co-operate with the promoters of the school and the Department of Education, including by selling one of the identified suitable sites to the school.'

It was moved by Councillor Hussain and seconded that the motion be amended to read

'Council commends the Labour-led administration for having already overcome the shortage of primary school places in Derby. As a result of the School Expansion Programme, delivered by the Labour-led administration since 2012, there are sufficient primary school places in Derby now and this will continue to be the case over future years to meet local needs.'

Council further notes that the Akaal Primary School, a free school, has received approval from the Department for Education to open in September 2015.

Following a recent meeting between promoters of this free school, the Leader of the Council and the cabinet member for CYP, a desire was expressed by the promoters to build the school on the former Normanton schools land. However, as was explained at that meeting, following advice from officers, this land has already been provisionally earmarked for SEN educational purposes, subject to the emerging SEN strategy.

Council further notes the fact that the coalition government's free schools policy was designed to ensure Local Authorities had no responsibility for free schools, or discretion based on local need. Free schools are funded directly by the Department of Education, and therefore central government is responsible for assisting in the acquisition of land.'

The amendment was carried.

Councillor Skelton asked that in accordance with CP Rule 72 her vote against the amendment be recorded in the Minutes

Resolved that Council commends the Labour-led administration for having already overcome the shortage of primary school places in Derby. As a result of the School Expansion Programme, delivered by the Labour-led administration since 2012, there are sufficient primary school places in Derby now and this will continue to be the case over future years to meet local needs.

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6) *Police budgets*

Councillor Dhindsa left the Chamber for this item

It was proposed by Councillor Shanker and seconded that

Since 2010/11, Derbyshire Police has been forced to cut £21m from its budget. This equates to a 20 per cent cut as opposed to the 12 per cent that was proposed by the Labour Party and deemed to be manageable by HMIC. Derbyshire Constabulary is now faced with a further £23m of cuts in the next five years as the Coalition Government's austerity programme continues to target public services.

The Coalition Government's limit on council tax precepts and top-slicing of the Police Main Grant for national police institutions is placing more stress on the force's dwindling resources. Despite this onslaught of cuts, Council commends the dedication and professionalism of the force in keeping our streets safe.

Derbyshire is already an efficient force and one of the lowest spending nationally in terms of spend per head. Council questions what more Derbyshire Police can do without negatively impacting on Policing.

The on going cuts and changing face of crime pose a significant threat to our policing service. It is unrealistic to expect that the same level of service is sustainable. More than 450 officers and staff have already been lost and a similar number is anticipated over the next four years. The number of police buildings will reduce and there will inevitably be a knock-on reduction in preventative initiatives.

Council deplores the misleading rhetoric of the Home Secretary, Theresa May, who claimed that despite the massive cuts in funding there has been a reduction in crime and no impact on service delivery. Like the Coalition Government's claims about the economy, the ordinary people of Derby are not experiencing this. Fewer police officers and staff will inevitably mean a lesser service and the public less inclined to report crime and anti-social behaviour.

Despite Mrs May's claims, Council notes that the cost of cyber crime in Derbyshire over the last year was £7m. This is a rising figure which represents around 30 per cent of the cost of more traditional crimes, such as burglary and auto crime. While there may have been a small reduction in recorded crimes, other crimes that are not recorded, such as online abuse, fraud, economic crime, child sexual exploitation, have risen dramatically. Crime is not reducing; crime is changing.

Council therefore:

1. resolves to continue its fight against the cuts to public services, and work with the police and other partners to lobby for a fair deal that will enable our police force to continue to keep Derbyshire safe;
2. calls on the Leader of the Council to write to the Prime Minister, demanding that these second round of austerity cuts are reversed and argue for a fairer settlement for Derbyshire Policing.

In accordance with CP Rule 53 and with the consent of the meeting, Councillor Shanker modified the motion in paragraph five to read 'While there may have been a small reduction in recorded crimes, in figures used by Mrs May, to measure performance in crime reduction, other crimes that are not recorded, for this purpose, such as online abuse.....

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Mayor