

# ITEM 3

Time commenced - 6.01pm  
Time adjourned - 8.22pm  
Time reconvened - 8.45pm  
Time finished - 10.13pm

## **COUNCIL**

**25 January 2017**

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, Hussain, Ingall, Jackson, Keith, J Khan, Naitta, Nawaz, Pegg, Potter, Poulter, Raju, Rawson, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Smale, Stanton, Turner, Webb, West, Whitby, Wood.

### **88/16      Apologies**

Apologies for absence were received from Councillors Marshall and Williams.

### **89/16      Declarations of Interest**

There were no declarations.

### **90/16      Minutes of the Extraordinary Meeting held on 23 November 2016**

The minutes were approved as a correct record.

### **91/16      Minutes of the meeting held on 23 November 2016**

The minutes were approved as a correct record subject to a typographical error being amended in the date of the meeting.

### **92/16      Announcements from the Mayor**

The Mayor reported that Councillor Bill Wright had passed away on Christmas Eve, and that his funeral at Markeaton Crematorium had been attended by herself, councillors from across the political spectrum and several officers. The deaths of two other individuals of note were also reported – the former Lord Lieutenant of Derbyshire Sir John Bather, and the former chair of the Derbyshire Royal British Legion Bernard Page.

A large number of members spoke and paid tribute to Councillor Wright, Sir John Bather and Bernard Page. A silence was observed in respect.

### **93/16      Statements from Council Cabinet Members**

There were none.

## 94/16 Questions from the Public

Written questions from the public to members of the Council Cabinet were put and responded to as follows:

Questioner	Respondent	Subject
Dorothy Skrytek	Councillor Shanker	Incineration of recycled waste
Brendan Connelly	Councillor Banwait	Council House catering
Steve Willoughby	Councillor Russell	Education, Health and Care Plans
Simon Bacon	Councillor Banwait	Legal costs relating to information request
Michael Winfield	Councillor Shanker	Election costs and electoral governance
Lynn Lambert	Councillor Repton	Sustainability and Transformation Plan (STP): approval
Liz James	Councillor Repton	STP: proposed savings
Michael Giaquinto	Councillor Repton	STP: risk management
Lynn Lambert	Councillor Repton	STP: consultation
Liz James	Councillor Repton	STP: acute bed losses
Michael Giaquinto	Councillor Repton	STP: moving patients into the community
Brendan Connelly	Councillor Shanker	Nottingham Road Cemetery toilets
Simon Bacon	Councillor Shanker	Air quality monitoring
Dorothy Skrytek	Councillor Shanker	Environment Agency consultation

## 95/16 Questions from the Non-Council Cabinet Members

Written questions from non-Council Cabinet member to members of the Council Cabinet were put and responded to as follows:

Questioner	Respondent	Subject
Councillor Pegg	Councillor Banwait	Mad Hatters Tea Room rent
Councillor Naitta	Councillor Banwait	Leader's priorities
Councillor Ashburner	Councillor Shanker	Taxi Licensing
Councillor Barker	Councillor Shanker	Taxi Licensing
Councillor Graves	Councillor Rawson	Mackworth S106 funding
Councillor Skelton	Councillor Shanker	Voter ID
Councillor Harwood	Councillor Shanker	Voter ID
Councillor Smale	Councillor Afzal	Raynesway Recycling Centre
Councillor Graves	Councillor Afzal	Raynesway Recycling Centre
Councillor M Holmes	Councillor Eldret	Resolution of industrial action
Councillor Roulstone	Councillor Russell	Impact of industrial action
Councillor Poulter	Councillor Rawson	Asset valuation and use of reserves
Councillor Ashburner	Councillor Rawson	Asset valuation and use of reserves
Councillor Hassall	Councillor Afzal	Neighbourhood Working
Councillor Grimadell	Councillor Rawson	St George's Day celebrations
Councillor Care	Councillor Afzal	Recycling Tonnage
Councillor Carr	Councillor Rawson	Core Strategy Part 2
Councillor Graves	Councillor Banwait	Council House access
Councillor Poulter	Councillor Banwait	Budget Consultation
Councillor Care	Councillor Russell	Education, Health and Care Plans
Councillor Graves	Councillor Rawson	Alvaston District Centre
Councillor Care	Councillor Afzal	Highways and Transport Priorities

## 96/16 Questions to Derby Homes or Derbyshire Fire Authority

There were none.

## 97/16 Minutes of the meeting of Audit and Accounts Committee on 30 November 2016

Minute 45/16 of the Audit and Accounts Committee – on Public Sector Audit Appointments Limited – was moved by Councillor Hezelgrave and seconded.

**Resolved to approve minute 45/16 of the Audit and Accounts Committee.**

## 98/16 Minutes of Council Cabinet on 18 January 2017

Minute 131/16 of Council Cabinet – Adoption of Derby City Local Plan Part 1 (Core Strategy)– and minute 132/16 of Council Cabinet – Council Tax Base for 2017/8 were moved by Councillor Banwait and seconded.

**Resolved to approve minutes 131/16 and 132/16 of Council Cabinet.**

## 99/16 Appointments to the Standards Committee

A report of the Monitoring Officer proposed one new appointment and two re-appointments to the Standards Committee. It was proposed that Mr Stuart Green be appointed as an independent person on a four-year term, and Mr Peter Purnell and Mr Philip Sunderland reappointed for a further two years as co-opted members. It was reported that it was intended to undertake a review of the Standards Committee arrangements.

The recommendations were moved by Councillor Shanker, and seconded.

**Resolved:**

- 1. To appoint Mr Stuart Green as an independent person on the Standards Committee for a period of four years;**
- 2. To note the intention to undertake a review of the council's Standards Committee arrangements in accordance with the Public Interest Report action plan; and**
- 3. To reappoint Mr Peter Purnell and Mr Philip Sunderland as co-opted members for a further two years.**

## 100/16 Constitutional Amendment

A report of the Monitoring Officer detailed a required tweak to the Scheme of Delegations arising from a change in legislation relating to the council's power to enter land or premises to survey for compulsory purchase purposes.

The recommendations were moved by Councillor Shanker, and seconded.

This was put to the vote and carried.

**Resolved:**

- 1. To grant authority to the Strategic Director of Communities and Place to appoint proper officers for the purpose of compulsory purchase, along with associated powers of entry, under the Housing and Planning Act 2016; and**
- 2. To authorise the Monitoring Officer to make appropriate amendments to the Scheme of Delegations within the Council Constitution.**

## 101/16 Motion without notice

Under Council Procedure Rule CP42(n), Councillor Bayliss moved a motion without notice to suspend a Council Procedure Rule.

It was moved:

*Council resolves that Council Procedure Rules CP11-CP34 and CP39-CP40 shall be suspended for the meeting of Council on 1 March 2017 in order that the primary focus of debate at that meeting is consideration of the council's budget.*

The motion, having been seconded, was put to the vote and carried.

**Resolved that Council Procedure Rules CP11-CP34 and CP39-CP40 be suspended for the meeting of Council on 1 March 2017 in order that the primary focus of debate at that meeting is consideration of the council's budget.**

## 102/16 Motion: Mad Hatters Tea Room

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

*The Mad Hatters Tea Room at Derby's Alvaston Park is due to close in March 2017. Derby City Council has decided not to renew its lease because the authority wants to take it "in house".*

*This will affect greatly the people of Alvaston who use this facility and of course undo a great deal of work carried out by our volunteers in the 'Alvaston Park Friends' group who have worked tirelessly to get our fantastic park to Green Flag standard.*

*Park users are worried that when the council take over the lease there will be a drop in quality and the prices will go up. Given all the cuts that are happening in Derby right now (toilets closing, the water feature and more) they are worried that the council would eventually devastate a thriving café.*

*The council calls on the cabinet member to change his mind and renew the lease of the Mad Hatters Tea Room from April 2017 onwards.*

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 motion:

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

Against the motion:

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

Abstentions:

Councillor Bayliss (1)

The motion was lost.

## 103/16 Motion: Electoral Reform

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

*The 2015 UK Parliamentary Election saw 24.8 percent of the electorate vote for parties other than Conservative, Labour and Liberal Democrats. That is a quarter of the votes cast up from 11.9 percent in 2010. Of those, 12.6 percent, nearly 4 million people voted UKIP yet remarkably this result delivered just one Member of Parliament. The Conservatives on the other hand received three times as many votes but materialised 331 times as many MPs. This is the result of an outdated First Past the Post voting system.*

*In Derby Labour voters range from 33 percent to 39.4 percent equating to 16 to 20 seats on the council. The current 26 seat allocation does not reflect the voting intentions of the people of Derby. Again a result of an outdated First Past the Post system.*

*Therefore, Council supports the principles of electoral reform and calls on the Government to debate the need to change our voting system to a fairer and more reflective system for local and national elections.*

The motion was put to the vote and lost.

## 104/16 Motion: St George's Day

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

*Removal of the St George's Day celebration parade funding is anti-English and anti-Derby. Traditional public celebrations of St George's Day go back to the 15<sup>th</sup> Century*

*and are supported by national bodies such as English Heritage and the Royal Society of St George.*

*This tradition is not only important to the public at large, it is good for Derby's local economy where many people actively come out to celebrate.*

*To stop this funding is a choice the leader of the council and his group have made. We believe this is the wrong choice on the grounds that the people of our city would like us to continue with this event and that the council believes in growing our local economy.*

*Council therefore asks the cabinet to use the 12 month budget for the communications consultant (£60k) to fund the St George's Day celebration parade for the next 5 years.*

It was proposed by Councillor Banwait, and seconded by Councillor Rawson, that the motion be amended by the deletion of the words "Removal of the St George's Day celebration parade funding is anti-English and anti-Derby"; the deletion of paragraphs 3 and 4 entirely; and the insertion of the words: "The council also endorses the administration's commitment to organise, fund and lead St George's Day"

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

**Resolved:**

**Traditional public celebrations of St George's Day go back to the 15<sup>th</sup> Century and are supported by national bodies such as English Heritage and the Royal Society of St George.**

**This tradition is not only important to the public at large, it is good for Derby's local economy where many people actively come out to celebrate.**

**The council also endorses the administration's commitment to organise, fund and lead St George's Day.**

A motion proposed by Councillor Banwait, and seconded by Councillor Rawson, on St George's Day was withdrawn by the mover, on the basis that the amended motion detailed above was on similar terms.

## **105/16     Motion: Neighbourhood Clean-up**

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

*Derby City Council is committed to keeping our neighbourhoods clean and working with local people to achieve this. Clean streets and neighbourhoods is a key priority for local people and the council. As part of this commitment the supports the Great British Spring Clean to both keep our neighbourhoods clean and encourage local people to support and help in their neighbourhood.*

*Lots of local people already do a great deal in their neighbourhood. We aim to inspire even more people from clubs, communities, schools and businesses across the city to get active and help clean up their neighbourhoods.*

*Council resolves to encourage activity throughout the month of March, with a particular focus on clean-up events over the long weekend of 3-5 March.*

The motion was put to the vote and carried.

**Resolved:**

**Derby City Council is committed to keeping our neighbourhoods clean and working with local people to achieve this. Clean streets and neighbourhoods is a key priority for local people and the council. As part of this commitment the supports the Great British Spring Clean to both keep our neighbourhoods clean and encourage local people to support and help in their neighbourhood.**

**Lots of local people already do a great deal in their neighbourhood. We aim to inspire even more people from clubs, communities, schools and businesses across the city to get active and help clean up their neighbourhoods.**

**Council resolves to encourage activity throughout the month of March, with a particular focus on clean-up events over the long weekend of 3-5 March.**

Councillors A Holmes, M Holmes and Stanton left the meeting during consideration of the next item.

## **106/16     Motion: NHS Funding**

It was moved by Councillor Repton, and seconded by Councillor Banwait, that:

*Council is alarmed at the unprecedented crisis being faced by our NHS this winter and notes that:*

- 1. A&E departments are struggling to cope*
- 2. Hospitals are increasingly unable to find beds for patients resulting in sick and injured people languishing on trolleys in corridors*
- 3. NHS bosses have been urging people to stay away from A&E*

*Council is concerned that the crisis in the NHS is being deepened by relentless Government spending cuts to local council budgets, which has led to social care provision being severely curtailed resulting in hospitals being unable to discharge patients.*

*Council therefore resolves to instruct the leader of the council to write, on behalf of the whole council, to the Prime Minister and the Health Secretary urging them to accept the demands of the Leader of HM Official Opposition to cancel the Government's planned corporation tax cuts and to instead spend that money where it is needed; on people who are in desperate need in social care and in our hospitals.*

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 motion:

Councillors Afzal, Anderson, Banwait, Bayliss, Bolton, Dhindsa, Eldret, Evans, Froggatt, Graves, Hezelgrave, Hussain, Jackson, J Khan, S Khan, Nawaz, Pegg, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Turner, West, Whitby and the Mayor, Councillor Winter (27)

Against the motion:

None.

Abstentions:

Councillors Ashburner, Barker, Care, Carr, Grimadell, Harwood, Hassall, Hudson, Ingall, Keith, Naitta, Potter, Poulter, Roulstone, Smale, Webb and Wood (17)

MAYOR