

ITEM 4

Time commenced - 6.05pm
Time finished - 8.27pm

COUNCIL 1 JULY 2016

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

25/16 Mayor's Announcements

The Mayor advised councillors of the death of former councillor Marjory Beastall OBE JPE, who had served on the authority's predecessor body, Derby Corporation, as well as parish councils within Derby and latterly Derbyshire County Council.

Members were advised that a silence would be observed both for Marjory Beastall and to commemorate the 100-year anniversary of the Battle of the Somme. Members stood to observe the silence.

26/16 Apologies

Apologies for absence were received from Councillors Graves, Marshall and Smale.

27/16 Report in the Public Interest prepared by Grant Thornton for the Audit of Accounts 2013/14 and 2014/15: Governance Issues

A report of the Chief Executive invited members to consider a Public Interest Report which had been prepared and published by the authority's outgoing external auditor, Grant Thornton. The Mayor invited Phil Jones, Director at Grant Thornton, to address members and introduce the report.

Following Mr Jones' presentation, members were offered the opportunity to ask questions prior to the debate commencing. Questions were asked in relation to the report by Councillors Webb, Skelton, Poulter, Repton, Barker, Wright, Care, Keith and Harwood. After the final question, the Mayor advised members that ordinary rules of debate would apply.

The resolution being debated by Council was the recommendations proposed in the report by the Chief Executive, namely:

- 1) To consider the Public Interest Report published by Grant Thornton on 16 June 2016;

- 2) To consider the Action Plan prepared in response to the recommendations and to authorise the Chief Executive, the Director of Governance and the Director of Finance to take all steps necessary to ensure progress against the Action Plan; and
- 3) To delegate monitoring of progress against the Action Plan to the Audit and Accounts Committee.

It was proposed by Councillor Barker, and seconded, that the resolution be amended by the addition of the following words in the Action Plan:

"That Councillor Sandhu stands down as Chair of the Licensing Committee and be subjected to an investigation by the Standards Committee to consider what, if any, further sanctions may be necessary."

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, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Ingall, Keith, Naitta, Poulter, Roulstone, Skelton, Webb, Williams, Wood and Wright (21)

Against the amendment:

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

Abstentions:

None

The amendment was lost.

It was proposed by Councillor Poulter, and seconded, that the resolution be amended by the addition of several further recommendations in the Action Plan, specifically:

In respect of Recommendation 1:

"A corporate register will be maintained by the Monitoring Officer to record instances of Member involvement in detailed operational matters. Instances of reported involvement shall be reported to the Audit and Accounts Committee taking place after the event and an updated report shall be provided to Full Council."

"The Code of Conduct shall be revised to ensure that member involvement in detailed operational matters are reported to the Standards Committee by the Monitoring Officer";

In respect of Recommendation 5:

"The Monitoring Officer will retain the register of Member intervention in operational matters relating to taxi licensing. This register will be reviewed at every meeting of Standards Committee";

In respect of Recommendation 6:

"The Monitoring Officer will retain a register of Member decision making by the taxi licensing sub-committee and will review and take appropriate action if it becomes evident that poor decisions are being made. This register will be reviewed at every meeting of Standards Committee";

In respect of Recommendation 10:

"A corporate register will be maintained by the Monitoring Officer to record instances when Officers have attended PCCM and who was present at those meetings. This register of attendance shall be reported to the Audit and Accounts Committee taking place after the event and an updated report shall be provided to Full Council";

In respect of Recommendation 11:

"The Head of Paid Service will retain the register of instances whereby persons have attended meetings in the manner detailed within the recommendation. This register will be reviewed at every meeting of the Audit and Accounts Committee.

"The register of compliance in respect of completion of e-learning shall be reported to every meeting of Audit and Accounts Committee.

"The Code of Conduct to be revised to ensure all Members complete their mandatory training. Failure to complete the mandatory training will result in a referral to Standards Committee";

And

"That Councillors Bayliss, Nawaz, Russell and Sandhu are referred to the Standards Committee for an inquiry as to the circumstances as noted in the auditor's report."

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, Grimadell, Harwood, Hassall, A Holmes, M Holmes, Hudson, Ingall, Keith, Naitta, Poulter, Roulstone, Skelton, Webb, Williams and Wood (20)

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, Whitby, Wright and the Mayor of Derby, Councillor Winter (27)

Abstentions:

None

The amendment was lost.

It was moved by Councillor Care, and seconded, that the resolution be amended by the addition of several further recommendations in the Action Plan, specifically:

"That a survey be undertaken on the culture of the council;

"That decisions taken by directors following consultation with Cabinet members be reviewed to ensure it is secure, robust and minuted;

"That a review be undertaken on the way in which all projects are undertaken including major and minor projects; and

"That training of all officers and members be reviewed to ensure the training was put into practice."

The amendment was put to the vote and lost.

It was moved by the Mayor that the recommendations in the report of the Chief Executive be approved. The motion was put to the vote and carried.

Resolved:

- 1) To note the Public Interest Report published by Grant Thornton on 16 June 2016;**
- 2) To note the Action Plan prepared in response to the recommendations and to authorise the Chief Executive, the Director of Governance and the Director of Finance to take all steps necessary to ensure progress against the Action Plan; and**
- 3) To delegate monitoring of progress against the Action Plan to the Audit and Accounts Committee.**

MAYOR