

ITEM 3

Time commenced - 6.00pm
Time finished - 9.54pm

COUNCIL 25 NOVEMBER 2015

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

55/15 Apologies for absence

Apologies were received from Councillor Redfern

56/15 Declarations of Interest

There were no declarations.

57/15 Minutes of the meeting of Council held on 16 September 2015

The Mayor confirmed that the minutes for approval were those of the 16 September 2015, and not those of 22 July 2015 as erroneously stated on the published agenda.

The minutes were approved as a correct record and signed by the Mayor.

58/15 Announcements from the Mayor

The Mayor made a number of announcements.

Members were told about the Mayor's recent trip to Nepal, including visiting an orphanage for children who lost their parents in the earthquake which had hit that region. The Mayor informed members of a personal pledge he had made to contribute to the orphanage and that similar pledges had been made by the medical staff who had accompanied him on the visit. It was also proposed that Derby 'adopt' an orphanage to show its sympathy. It was confirmed that the trip to Nepal had been conducted at nil cost to the taxpayer.

Council was informed that the appeal for support for families escaping the conflict in Syria had ended, and that several tonnes of goods had been donated by the Derby public. The Mayor expressed his gratitude to several officers who had supported the appeal, and extended a particular thanks to the public for their generosity.

The Mayor advised that he had written to the French ambassador expressing Derby's sympathy following the terrorist attacks in Paris. Members, officers and the

public stood to observe a minute's silence out of respect for the victims of the attacks.

Members were informed of a safeguarding campaign which had been launched jointly by the Cabinet Member for Safeguarding and Children and Young People, and the Youth Mayor.

The Leader of the Council informed members that a recent visit by a Chinese delegation had been very successful, and presented the Mayor with a gift which had been given to the city by the guests. The Deputy Leader informed Council that at the East Midlands Property Awards, Derby Arena had been awarded Construction Project of the Year. The award was presented to the Mayor.

Members' were reminded that the Council meeting originally scheduled for 27 January 2015 had been moved to 3 February 2015.

59/15 Petition in relation to Teaching Assistant Pay

Council received a report from the Monitoring Officer in relation to a petition which had been submitted. It was reported that the provision for a petition to prompt a debate before Council had been triggered as a petition relating to Teaching Assistant Pay had been received, which had been validated as having 5,397 signatures.

In accordance with the scheme, the identified lead petitioner, Ms Julia Redfern, addressed the Chamber to introduce the petition. The matter was then debated in accordance with the Council Procedure Rules.

It was moved by Councillor Shanker, and seconded, that:

Council notes the petition.

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, Ashburner, Banwait, Barker, Bayliss, Bolton, Care, Carr, Dhindsa, Eldret, Froggatt, Graves, Grimadell, Harwood, Hassall, Hezelgrave, Hickson, A Holmes, M Holmes, Hussain, Ingall, Jackson, Jones, Keith, J Khan, S Khan, MacDonald, Martin, Naitta, Nawaz, Poulter, Raju, Rawson, Repton, Roulstone, Russell, Sandhu, Shanker, Skelton, Stanton, Tittley, Turner, Webb, West, Whitby, Williams, Winter, Wood, Wright and the Mayor of Derby, Councillor Pegg (50).

Against the motion:

None.

The motion was carried

Resolved:

Council notes the petition.

60/15 Statements from members of the Council Cabinet

The Mayor reported that none had been received.

61/15 Questions from the public to members of the Council Cabinet

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

- Dorothy Skrytek asked a question about Air Quality which was answered by Councillor Shanker;
- Rob Cooper asked a question about Mackworth District Centre which was answered by Councillor Rawson;
- Simon Bacon asked a question about Recycling Rates which was answered by Councillor Rawson;
- David Adams asked a question about Council Tax Referendum which was answered by Councillor Banwait;
- Ian Liddle asked a question about Zero Hours Contracts which was answered by Councillor Eldret;
- John Evans asked a question about Neighbourhood Board Resources which was answered by Councillor Afzal;
- Susan Stacey asked a question about Harmonisation of Terms and Conditions which was answered by Councillor Banwait;
- Fran Hurley asked a question about Hay Scoring for Teaching Assistants which was answered by Councillor Banwait;
- Peter Robinson asked a question about Fossil Fuel Divestment which was answered by Councillor Banwait;
- Marie Clifford asked a question about Teaching Assistant Morale which was answered by Councillor Banwait;
- Dorothy Skrytek asked a question about Air Quality Monitoring which was answered by Councillor Shanker;
- Rob Cooper asked a question about Mackworth Neighbourhood Forum which was answered by Councillor Afzal;
- Simon Bacon asked a question about Plastic Film Recycling which was answered by Councillor Shanker;
- David Adams asked a question about Standards Complaint which was answered by Councillor Banwait;
- John Evans asked a question about G4S Children's Unit which was answered by Councillor Bolton;
- Susan Stacey asked a question about Job Evaluation Schools Working Party which was answered by Councillor Banwait; and
- Fran Hurley asked a question about Pay and Reward Appeals Procedure which was answered by Councillor Banwait.

62/15 Questions relating to Derbyshire Fire Authority or Derby Homes

The Mayor reported that none had been received.

63/15 Questions from non-Council Cabinet members

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

- Councillor Graves asked a question about Parking on Alvaston Park which was answered by Councillor Rawson;
- Councillor Grimadell asked a question about Pantomime Costs and expenditure which was answered by Councillor Rawson;
- Councillor M Holmes asked a question about Assembly Rooms Assessment which was answered by Councillor Rawson;
- Councillor Ashburner asked a question about CCTV Live Monitoring which was answered by Councillor Afzal;
- Councillor Keith asked a question about Bin Hire Charges which was answered by Councillor Afzal; and
- Councillor M Holmes asked a question about South Derbyshire Planning Application which was answered by Councillor Rawson.

Further questions which had been put by Councillors Care and M Holmes had not received a written response as permitted under Rule CP23 of the Council Constitution.

In accordance with Rule CP25 of the Council Constitution, and as stipulated under such circumstances, those questions were put and answered orally at the meeting as follows:

- Councillor Care asked a question about Heatherton Section 106 Meeting which was answered by Councillor Banwait;
- Councillor M Holmes asked a question about Job Evaluation Costs which was answered by Councillor Banwait;
- Councillor M Holmes asked a question about Hay Methodology Consultation, about which Councillor Banwait confirmed that a written response would be forthcoming; and
- Councillor M Holmes asked a question about Job Evaluation Investigations which was answered by Councillor Banwait;

64/15 Minutes of the Council Cabinet meeting held on 11 November 2015

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

Council approves the minutes of Council Cabinet dated 11 November 2015.

This was put to the vote and carried.

Resolved:

Council approves the minutes of Council Cabinet dated 11 November 2015.

**65/15 Minutes of the Licensing Committee held on 12
November 2015**

It was moved by Councillor Sandhu, and seconded, that:

Council approves the minutes of Licensing Committee dated 12 November 2015.

This was put to the vote and carried.

Resolved:

Council approves the minutes of Licensing Committee dated 12 November 2015.

66/15 Annual Report of Overview and Scrutiny 2014-5

Council received a report of the Monitoring Officer, which presented to Council the Annual Report of the Overview and Scrutiny Boards for the previous municipal year.

It was moved by Councillor Eldret, and seconded, that:

Council approves the Annual Report of Overview and Scrutiny for 2014-5.

This was put to the vote and carried.

Resolved:

Council approves the Annual Report of Overview and Scrutiny for 2014-5.

67/15 Urgent decision taken by the Chief Executive

A report of the Chief Executive detailed a decision that had been taken on 2 November 2015, following consultation with an unanimous consent from group leaders. The decision granted a leave of absence to Councillor Redfern 21 November 2015 to 26 November 2015, in order to provide Council with an opportunity to consider a motion on the same matter at its meeting on 25 November 2015. It was reported that the urgent decision prevented actions under Section 85(1) of the Local Government Act 1972 being triggered from 21 November due to Councillor Redfern not having attended a meeting of Council for six months.

The recommendation in the report was moved by Councillor Bayliss, and seconded. This was put to the vote and carried

Resolved to note the report and decision taken by the Chief Executive.

68/15 Amendments to the Council Constitution

A report of the Monitoring Officer on changes to the Council Constitution was considered. The report detailed changes made to Parts 1-8 to the Council Constitution and proposed the temporary retention of an extract of the previous Part 3 of the Council Constitution (Scheme of Delegations) while the senior management restructure was completed.

The recommendations in the report were moved by Councillor Tittley, and seconded. This was put to the vote and carried.

Resolved to:

- 1) Approve the new Parts 1-8 of the Council Constitution;**
- 2) Approve the temporary retention of an extract of the existing Scheme of Delegations (reflected as Part 3a) in respect of the Acting Strategic Director of Children and Young People and the Acting Strategic Director of Adults and Health, until such time as the Strategic Director of People Services commences in post; and**
- 3) To note an intention to bring a further updated version of the Financial Procedure Rules to Council in due course, following their consideration by Audit and Accounts Committee.**

69/15 Notice of Motion: Tax Credits

It was moved by Councillor Dhindsa, and seconded, that:

Council is deeply concerned at the Government's planned cuts to tax credits.

Council is appalled by the Chancellor's decision to punish three million working families, while at the same time offering tax relief to multinational corporations and Britain's wealthiest individuals.

Council notes evidence collated by the Child Poverty Action Group on the impact of cuts to tax credits on a range of professions. For example, a nurse with two children working at least 30 hours per week would stand to lose £2,498 per year.

Council also accepts the findings of the Institute for Fiscal Studies which stated that increases in the minimum wage and higher income tax thresholds will 'nowhere near' compensate for cuts to tax credits.

Council believes that the low paid do not deserve to see their incomes slashed and calls on the Government to reverse this punitive and pernicious policy.

Under CP53 of the Council Constitution, it was moved by Councillor Dhindsa that the motion be altered by the deletion of the first paragraph and replacement with two new paragraphs:

Council notes the capitulation of the Chancellor regarding proposed cuts to Working and Child Tax Credits.

However, Council also notes documents from the Treasury suggesting that £1 billion will still be taken from working families next year and over £3.2 billion by the end of the Parliament in the form of cuts to tax credits and universal credit.

The proposal additionally included the addition of the words “in full” at the conclusion of the original motion.

As required under Rule CP53, the alteration was made with the consent of the meeting.

It was moved by Councillor Care, and seconded, that the motion be further amended by the addition of an additional paragraph as follows:

The Council agrees to write to the Prime Minister and Chancellor of the Exchequer to ask that they ensure that a full assessment is done on the financial impact on both the top and bottom 10 per cent of the population of any fiscal changes, and ensure that the bottom 10 per cent are not penalised.

The amendment was put to the vote and carried.

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 as altered and amended. The voting was as follows:

For the motion:

Councillors Afzal, Ashburner, Banwait, Bayliss, Bolton, Care, Carr, Dhindsa, Eldret, Froggatt, Graves, Harwood, Hezelgrave, Hussain, Jackson, Jones, J Khan, S Khan, MacDonald, Martin, Nawaz, Raju, Rawson, Repton, Russell, Sandhu, Shanker, Skelton, Stanton, Tittley, Turner, Webb, West, Whitby, Williams, Winter, Wood and the Mayor of Derby, Councillor Pegg (34).

Against the motion:

Councillors Barker, Grimadell, Hassall, Hickson, A Holmes, M Holmes, Ingall, Keith, Poulter, Roulstone, Webb, Williams and Wood (13).

Abstentions:

Harwood (1)

The motion as altered and amended was carried.

Resolved:

Council notes the capitulation of the Chancellor regarding proposed cuts to Working and Child Tax Credits.

However, Council also notes documents from the Treasury suggesting that £1 billion will still be taken from working families next year and over £3.2 billion by the end of the Parliament in the form of cuts to tax credits and universal credit.

Council is appalled by the Chancellor's decision to punish three million working families, while at the same time offering tax relief to multinational corporations and Britain's wealthiest individuals.

Council notes evidence collated by the Child Poverty Action Group on the impact of cuts to tax credits on a range of professions. For example, a nurse with two children working at least 30 hours per week would stand to lose £2,498 per year.

Council also accepts the findings of the Institute for Fiscal Studies which stated that increases in the minimum wage and higher income tax thresholds will 'nowhere near' compensate for cuts to tax credits.

Council believes that the low paid do not deserve to see their incomes slashed and calls on the Government to reverse this punitive and pernicious policy in full.

The Council agrees to write to the Prime Minister and Chancellor of the Exchequer to ask that they ensure that a full assessment is done on the financial impact on both the top and bottom 10 per cent of the population of any fiscal changes, and ensure that the bottom 10 per cent are not penalised.

70/15 Notice of Motion: Extended Leave of Absence

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

Council extends its support to Councillor Redfern as she continues her recovery from ill health. Council therefore resolves to extend Councillor Redfern's leave of absence from meetings of the authority to 25 May 2016.

The motion was put to the vote and carried.

Resolved:

Council extends its support to Councillor Redfern as she continues her recovery from ill health. Council therefore resolves to extend Councillor Redfern's leave of absence from meetings of the authority to 25 May 2016.

71/15 Notice of Motion: Junior Doctors Contracts

It was moved by Repton, and seconded, that:

This council urges the Secretary of State not to impose the proposed contract changes on junior doctors and instead return to real negotiations with the British

Medical Association (BMA). Council notes that the contracts as proposed have already been rejected in both Scotland and Wales and raise serious concerns for doctors and patients alike. The proposals are regressive, dangerous, unethical and threaten the future of the NHS in England.

Council is concerned at the impact they will have on residents in Derby. Council calls on the Government to re-negotiate the proposed contract with the BMA and provide Junior Doctors with the assurances they are seeking.

The motion was put to the vote and carried.

Resolved:

This council urges the Secretary of State not to impose the proposed contract changes on junior doctors and instead return to real negotiations with the British Medical Association (BMA). Council notes that the contracts as proposed have already been rejected in both Scotland and Wales and raise serious concerns for doctors and patients alike. The proposals are regressive, dangerous, unethical and threaten the future of the NHS in England.

Council is concerned at the impact they will have on residents in Derby. Council calls on the Government to re-negotiate the proposed contract with the BMA and provide Junior Doctors with the assurances they are seeking.

72/15 Notice of Motion: Show Racism the Red Card

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

In partnership with the Council and Derby County Football Club, Show Racism the Red Card recently held an anti-racism workshop at the iPro Stadium with 120 children from city schools. The children took part in exercises to learn about racism and hate crime in everyday life while also having an opportunity to question footballers and councillors about their own experiences. Council notes the positive feedback received from teachers and children who found the event inspirational.

Council is proud that Derby is a diverse city and welcomes the many benefits for our children and young people of living in multicultural communities.

Council therefore resolves to continue to tackle racism and hate crime in Derby through an on-going campaign in the wider community. Council moves that Show Racism the Red Card are invited to return to Derby to host further events so that more children can benefit in future.

Council calls on all members to support the Show Racism the Red Card campaign by holding up the Show Racism the Red Card poster to show our solidarity in tackling racism and hate crime in our city.

The motion was put to the vote and carried.

Resolved:

In partnership with the Council and Derby County Football Club, Show Racism the Red Card recently held an anti-racism workshop at the iPro Stadium with 120 children from city schools. The children took part in exercises to learn about racism and hate crime in everyday life while also having an opportunity to question footballers and councillors about their own experiences. Council notes the positive feedback received from teachers and children who found the event inspirational.

Council is proud that Derby is a diverse city and welcomes the many benefits for our children and young people of living in multicultural communities.

Council therefore resolves to continue to tackle racism and hate crime in Derby through an on-going campaign in the wider community. Council moves that Show Racism the Red Card are invited to return to Derby to host further events so that more children can benefit in future.

Council calls on all members to support the Show Racism the Red Card campaign by holding up the Show Racism the Red Card poster to show our solidarity in tackling racism and hate crime in our city.

73/15 Notice of Motion: Bus Services

It was moved by Councillor Ashburner, and seconded, that:

Recent changes to Arriva bus services in the south and west of Derby are causing concern to local people due to issues including:

- Pedestrian and vehicle congestion on Babington Lane,*
- Failure to provide an adequate service to district shopping areas,*
- No longer providing a service to the bus station or lower part of the city centre, and*
- Unnecessary and confusing duplication of service numbers within Derby.*

Derby City Council agrees to write to Arriva to raise these concerns and urge them to urgently review their routes 5/5A, 6/6A and 7, including welcoming input from local people with a view to putting forward new route proposals which address concerns in time to be introduced with other changes at the end of January.

The council recognises that reliable bus services encourage people to leave their cars at home, so reducing congestion. The council therefore further confirms its support for appropriate bus priority measures, like bus lanes and bus detector loops at traffic lights, as a way to help bus services run to timetable.

It was proposed by Councillor Tittley, and seconded, that the motion be amended by the deletion of the words "the south west of", "on Babington Lane", "their routes 5/5A, 6/6A and 7" and "in time to be introduced with other changes at the end of January", and by the insertion of the words "the changes" and "of bus passengers" and

the insertion of the following paragraph:

Council also reaffirms its commitment to working in partnership with bus operators and representatives of bus passengers through the Strategic Bus Partnership and in accordance with the Bus Charter in order to ensure that any support provided enables services that best meet the needs of local people.

In considering potential Devolution for the East Midlands the council will seek to ensure that any new bus powers that may be available under this process, such as bus franchising powers and service registration functions are further used to the benefit of local people enabling comprehensive, cost effective and sustainable bus services to be delivered in partnership with bus operators.

The amendment was put to the vote and carried.

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

Resolved:

Recent changes to Arriva bus services in Derby are causing concern to local people due to issues including:

- **Pedestrian and vehicle congestion,**
- **Failure to provide an adequate service to district shopping areas,**
- **No longer providing a service to the bus station or lower part of the city centre, and**
- **Unnecessary and confusing duplication of service numbers within Derby.**

Derby City Council agrees to write to Arriva to raise these concerns and urge them to urgently review the changes including welcoming input from local people with a view to putting forward new route proposals which address concerns of bus passengers.

The council recognises that reliable bus services encourage people to leave their cars at home, so reducing congestion. The council therefore further confirms its support for appropriate bus priority measures, like bus lanes and bus detector loops at traffic lights, as a way to help bus services run to timetable.

Council also reaffirms its commitment to working in partnership with bus operators and representatives of bus passengers through the Strategic Bus Partnership and in accordance with the Bus Charter in order to ensure that any support provided enables services that best meet the needs of local people."

In considering potential Devolution for the East Midlands the council will seek to ensure that any new bus powers that may be available under this process, such as bus franchising powers and service registration functions are further used to the benefit of local people enabling comprehensive, cost effective and sustainable bus services to be delivered in partnership with bus operators.

74/15 Notice of Motion: Energy Policy

It was moved by Councillor Care, and seconded, that:

Derby City Council is concerned about the lack of an effective national energy policy, recently demonstrated by the National Grid calling on its 'last resort' option to prevent electrical blackouts early in November and leaked memos indicating that the UK is unlikely to meet its 30 per cent energy from renewables target for 2020.

Council notes that, since the general election, the government is:

- *Scrapping zero-carbon home standards meaning households will have higher energy bills,*
- *Cutting solar subsidies, and support for community clean energy,*
- *Seeking to sell the Green Investment Bank and remove the requirement for it to invest in green technologies,*
- *Scrapping windfarm subsidies,*
- *Taking nearly £1 billion from the renewable energy sector by changing the climate change levy,*
- *Removing tax exemptions for low emission cars, spending the money on new road building, and*
- *Being the only G7 country increasing subsidies for fossil fuels.*

Derby City Council recognises that energy security is important for existing homes and businesses and key to attracting new business into Derby.

Council also reaffirms its commitment to work with others to reduce the city's carbon footprint.

The city council therefore agrees to develop a local electricity security strategy, working with the private sector to include energy efficiency, renewable electricity generation and electrical power storage.

To achieve this, Council agrees to form a member-led, cross-party group with four to eight members, and working with other partners, to report back by March 2016.

It was proposed by Councillor Rawson, and seconded, that the motion be amended by the deletion of the words "agrees to form", "four to eight" and "to report" and replacement with the words "notes the existence of", "seven", "called the Regenerating Our City Overview and Scrutiny Board", "requests that", "it considers this matter and reports".

The amendment was put to the vote and carried.

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

Resolved:

Derby City Council is concerned about the lack of an effective national energy policy, recently demonstrated by the National Grid calling on its 'last resort' option to prevent electrical blackouts early in November and leaked memos

indicating that the UK is unlikely to meet its 30 per cent energy from renewables target for 2020.

Council notes that, since the general election, the government is:

- Scrapping zero-carbon home standards meaning households will have higher energy bills,
- Cutting solar subsidies, and support for community clean energy,
- Seeking to sell the Green Investment Bank and remove the requirement for it to invest in green technologies,
- Scrapping windfarm subsidies,
- Taking nearly £1 billion from the renewable energy sector by changing the climate change levy,
- Removing tax exemptions for low emission cars, spending the money on new road building, and
- Being the only G7 country increasing subsidies for fossil fuels.

Derby City Council recognises that energy security is important for existing homes and businesses and key to attracting new business into Derby. Council also reaffirms its commitment to work with others to reduce the city's carbon footprint.

The city council therefore agrees to develop a local electricity security strategy, working with the private sector to include energy efficiency, renewable electricity generation and electrical power storage.

To achieve this, Council notes the existence of a member-led, cross-party group with seven members, called the Regenerating Our City Overview and Scrutiny Board, and requests that, working with other partners, it considers this matter and reports back by March 2016.

75/15 Notice of Motion: Social Isolation and Loneliness

It was moved by Councillor Hassall, and seconded, that:

In the light of the consultation undertaken by the Authority earlier this year on the subject of tackling social isolation and loneliness faced by older people, Council resolves to ask Council Cabinet to set up a cross party working group so that this important issue can be discussed in detail, using the breadth of knowledge from across the Chamber, with a view to putting forward recommendations to Cabinet that will enable the Authority to direct help to those residents affected by this most debilitating of conditions.

It was proposed by Councillor Repton, and seconded, that the motion be amended by the deletion of the words "Council Cabinet to set up a cross-party working group" and replacement with the words "the Protecting Vulnerable Adults Overview and Scrutiny Board to consider this matter".

The amendment was put to the vote and carried.

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

Resolved:

In the light of the consultation undertaken by the Authority earlier this year on the subject of tackling social isolation and loneliness faced by older people, Council resolves to ask the Protecting Vulnerable Adults Overview and Scrutiny Board to consider this matter so that this important issue can be discussed in detail, using the breadth of knowledge from across the Chamber, with a view to putting forward recommendations to Cabinet that will enable the Authority to direct help to those residents affected by this most debilitating of conditions.

MAYOR