

PUBLIC

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL** held on 4 December 2013 at County Hall, Matlock

PRESENT

Councillor D J Wilcox (In the Chair)

Councillors D Allen, Mrs E Atkins, S A Bambrick, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, Mrs M W Booth, S J Bradford, S Brittain, W Burrows, K Buttery, Mrs D W E Charles, Mrs L M Chilton, D Collins, Mrs C M Cox, R Davison, J E Dixon, P Dunn, S J Ellis, M Ford, S Freeborn, J A Frudd, K Gillott, D T Greenhalgh, Mrs C A Hart, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, Mrs J M Innes, P Jones, T A Kemp, Mrs K D Lauro, A I Lewer, B Lewis, D W Lomax, M V Longden, S Marshall-Clarke, W Major, D McGregor, R R Mihaly, C R Moesby, C E Neill, J R Owen, R A Parkinson, Mrs J E Patten, Mrs I Ratcliffe, B Ridgway, P J Smith, T Southerd, S A Spencer, Mrs M Stockdale, Mrs J S Street, M Tomlinson, Mrs J A Twigg, D Walton, Ms A Western, Ms E S Wilcox, D A Williams, J G Williams and B Wright.

77/13 APOLOGIES FOR ABSENCE Apologies for absence were submitted on behalf of Councillors A Botham, J A Coyle and K P Morgan.

78/13 DECLARATIONS OF INTEREST There were no declarations of interest.

79/13 CHAIR'S ANNOUNCEMENTS The following announcements were made:-

(1) The meeting's proceedings were being filmed and would appear on the DCC website.

(2) Presentation of awards –

The Chair made a presentation to Ruth Aten-Shearwood who had received the national Newly Qualified Social Worker of the Year Award.

A presentation was also made to Andrew Milroy, Directorate lead on Social Worker development following the Adult Care Department's receipt of the Best Employer of the Year Award.

(3) The Chair announced that Martin Molloy was to retire shortly from the position of Strategic Director of Cultural and Community Services.

80/13 **MINUTES OF THE PREVIOUS MEETING** On the motion of Councillor D J Wilcox, duly seconded,

RESOLVED that the minutes of the meeting of Council held on 2 October 2013 be confirmed.

81/13 **REPORT OF THE LEADER OF THE COUNCIL**

Councillor Ms A Western, Leader of the Council, reported on the on-going discussions with NHS organisations in the county with the District Councils and with other public sector bodies, as well as voluntary organisations, with a view to ensuring the best possible provision of services to the people of this county through the difficult times facing the county. Also, the County Council was working with the Sheffield City Region LEP and putting forward a bid for Markham Vale to develop the Seymour side of the site at a cost of £14.2m. Members' attention was also drawn to a range of initiatives that had been taken recently aimed at helping families with cost of living pressures, tackling child poverty and tackling health inequalities.

82/13 **PUBLIC QUESTIONS**

(a) **Question to Councillor D Allen, Cabinet Member for Health and Communities from Mr I Potter** (In Mr Potter's absence, the question was read out by the Chair)

What will Derbyshire County Council's strategy now be to combat rural isolation and disadvantage, given the proposed axing of the mobile library service and the restriction and reduction of some bus routes?

Councillor Allen responded as follows:-

I think it is fair to say that we have only just started the consultation or we will start it in January next year on the options for the Mobile Library Service. We appreciate that it is a Service that is well loved by people. We have come up with four options and the fourth of those options will give the public the ability or opportunity to look if they can provide any library services so that we can ensure it for people in isolated communities. We will take very seriously any comments that come forward from that. I must also ensure that we will be looking to support a continued service for people who are housebound as a priority.

I would also mention that all these cuts are as a result of the Government's insistence on Derbyshire County Council cutting £157m from its budget and all parts of the service will find they will be affected.

(b) Question to Councillor Ms A Western, Leader of the Council from Ms W Phillips (In Ms Phillips' absence, the question was read out by the Chair.)

Please provide an itemised breakdown of the forecast 'saving' to Derbyshire County Council, consequent upon axing the mobile library service and the annual proposed salary of £108,087 - £118,895 for the holder of the new post of Director of Corporate Resources and a financially itemised and costed job description for this proposed new post.

Councillor Western responded as follows:-

In answer to the question the information about the Mobile Library savings is itemised in the Cabinet report that went to Cabinet yesterday and the job profile for the job in question is online. I would suggest in Ms Phillips's absence that we get copies of both those documents and send them to her so she can read the detail that is contained within.

(c) Question to Councillor C Neill, Cabinet Member for Adult Care from Mrs E Potter (In Mrs Potter's absence, the question was read out by the Chair.)

What is the future schedule for the Cabinet Member for Adult Social Care, Councillor Neill's inspections of all the Derbyshire County Council Residential Care Homes that was announced would be carried out, including the report-back dates and the procedure and format for public consultations?

Councillor Neill responded as follows:-

I, my Deputies and Cabinet as a whole have visited a number of care homes across the length and breadth of Derbyshire. We have visited enough to know that the election commitment that we made in our manifesto of maintaining people independently in their own home for as long as possible, maintaining a direct provision of residential care, along with Extra Care, remains the right approach.

The Accommodation, Care and Support Review is now awaiting formal responses from partners on the constitution of any joint ventures and funding arrangements which would be required before a final decision could be taken on the way forward and when we have those we will be designing the consultation.

(d) Question to Councillor Ms A Western, Leader of the Council from Mr P Brett (In Mr Brett's absence, the question was read out by the Chair)

Can the Leader, Councillor Western, give a firm guarantee that the new post of Director of Corporate Resources that is to be recruited and is designed in Councillor Western's words as quoted in the Derby Telegraph to help the Council to 'avoid duplication' will not result in direct job losses or redundancy programmes and the loss of essential front line services?

Councillor Western responded as follows:-

I think it is quite apparent in times like these that I and other Council Leaders cannot give firm guarantees on anything particularly at the moment and that is the state of the world that we are in.

In terms of redundancies, it is this administration's intention to avoid, as far as humanly possible, any compulsory redundancies. That is not at the forefront of our thinking. We are trying to manage this situation without compulsory redundancies as far as possible and the intention of this post, and the reorganisation of services that flows from it, is to get better support for frontline services rather than the reverse so it will not lead to any loss of essential frontline services.

(e) Question to Councillor C Neill, Cabinet Member for Adult Social Care from Mrs G Ferguson (In Mrs Ferguson's absence, the question was read out by the Chair)

There was much publicity surrounding a Quality Care Commission award to Beechcroft. What about all the other care homes and staff living in uncertainty? These are real people's lives here not just statistics on a chart. I would like to know: are all – some – any other care homes to be saved? How much longer must they wait to receive this vital information?

Councillor Neill responded as follows:-

I would like to take this opportunity first of all to place on record again my congratulations to the staff at Beechcroft for such a good report from the Care Quality Commission. Secondly, I have to take exception to the inference in the question that I view people as "statistics on a chart". I am spending every waking minute at the moment working with partners across Derbyshire to try and mitigate the impact that the Government cuts are going to have on the people of Derbyshire, so that was actually very upsetting.

I mentioned earlier the visits that we have been making to care homes and I have said to all the staff there that when I have news I will be the one who comes out to tell them, I will not hide behind officers, so at this point in time no news is good news. As I said in answer to the earlier question, the accommodation, care and support review is awaiting formal responses from partners and the constitution of any joint ventures and funding arrangements which would be required before a final decision could be taken on the way forward.

(f) Question to Councillor Ms A Western, Leader of the Council from Mr M Redford

The Council is having to deal with £157m in cuts being imposed upon it by the Conservative/Lib Dem Coalition Government. Council will also be aware that the Derbyshire Fire and Rescue Service has to implement similar draconian cuts that will see a 40% reduction in its grant funding by 2016/17. These cuts could see the loss of 16 fire engines, the closure of 11 fire stations, the loss of over 100 firefighters and numerous forced redundancies of part-time firefighters. It could also see new fire stations being closed and rebuilt in similar areas very soon after their opening at huge cost to the tax payer. Does the leader of the Council have any concerns about the extent of these cuts, and their impact upon her manifesto commitment to “build a safer Derbyshire”?

Councillor Western responded as follows:-

You mentioned the £157m cuts that this Council is facing, that is 32% of our budget, and the Derbyshire Fire and Rescue Service is facing a 40% cut in its budget, a 40% cut to an emergency service. I find that incredible that we have to stand here and even contemplate such cuts. Added to that the NHS in Derbyshire, I am told, is facing over £250m worth of cuts in the near future, despite David Cameron’s assurances that the NHS would be safe in his hands.

This all comes at a time when fire safety is uppermost in our thoughts after the devastating fire in North Wingfield in the last couple of weeks, and that follows on from fires in Hlland Ward, Fairfield, Victory Road in Derby, which you will be very familiar with. All those incidents involved the death of children in the most tragic of circumstances.

The Fire and Rescue Service is not just about fire fighting though, and I think we do all appreciate that, although it tends to get overlooked. Importantly in Derbyshire it is about response to road traffic accidents as well. In Derbyshire we have the M1, we have other major trunk roads and roads, particularly in the west of the county that people in

cars and motorbikes sometimes use as a race track. We rely on the Fire Service to respond to those incidents and we rely on them as well to work with officers at the County Council to improve road safety. We do value very much what you do and the risks you take in doing the jobs you do, so yes, I do have major concerns about the extent of these cuts.

Derbyshire County Council has statutory responsibilities for children's safeguarding in its broadest sense, for road safety and for community safety in general. We did make a manifesto commitment to a "Safer Derbyshire" and you can see that reflected in the signs at the side. We take those pledges very seriously but beyond that, beyond the concern about the extent of the cuts, we do have concerns about the specific proposals as well that are out at the moment for consultation. These concerns were contained in a Cabinet report that was approved yesterday, concerns about fire station closures; the move away from whole time staff to more retained firefighters and so on. Copies of that Cabinet report are online if you want to read it in detail.

Be in no doubt, though, that these plans were not developed by the current Labour administration at the Fire Authority. It would have been impossible in the short time between May's elections and the release of these proposals for such a detailed plan to have been worked out and developed. These plans have been in development for a long time under the previous Conservative administration and I have to say that some members of the Conservative Group are still arguing that these proposals do not go far enough and would like to see mergers of the Derbyshire Force with the Nottinghamshire Force and so on.

Our Council response to the consultation has been made and the Fire Authority will consider it, along with all the other responses, and whatever conclusions the Fire Authority comes to there will still remain the massive and unacceptable problem of 40% budget cuts to a vital emergency service.

A supplementary question was asked as follows:-

Will the Leader of the Council commit to working with Derbyshire Fire and Rescue Service, the Fire Brigades Union and the people of Derbyshire to press for a fairer funding arrangement for public service in Derbyshire and until that happens to mitigate the worst effects of these cuts on the provision of Fire and Rescue Services in Derbyshire?

Councillor Western responded as follows:-

The simple answer to that is yes, we will. You will have heard me mention earlier on about working with the broader public sector providers of service across Derbyshire, and that includes the Fire and

Rescue Service. We see the only way that public services are going to survive this next year or two is for us to work together and to stand together because if we try and tackle this separately we will all fail, so we are working very closely with other organisations. I would be very happy to do that with the Fire Authority as well. We are already starting those discussions in terms of trying to look at how we could share property, how we can share back office services and that sort of thing so that we can reduce costs. That was in the Cabinet report as well yesterday in terms of an offer from this Council to the Fire and Rescue Service and the Fire Authority that we are willing to work with them, as we are with other partners, to try and find a way through it for all of us.

We started a campaign before the election and certainly we have followed it up since we have been in office for a Fair Deal for Derbyshire. That is about recognising the needs of the people who live in the county and trying to meet their expectations of a decent service. It feels very much as if current Government policy is to just tear apart the fabric of a civilised society. They need to be reminded that this is still the seventh richest nation on earth and why are we even talking about cuts to services that people rely on?

In terms of mitigating the worst effects, again I am sorry to have to do this but I do have to refer back to the previous administration who ran the Fire Authority and did run this Council because the worst of the effects could have been mitigated to some extent if they had not insisted on taking the Council Tax Freeze Grant from the Government and if they had levied a reasonable and moderate Council Tax rise which could then have been built into the base budget to make sure there was a sustainable budget for the future. Sometimes the easy thing to do is not the right thing to do. I do have to make that point.

I would also like to suggest that again, going back to where I started, the issue here is about Government decisions on the funding of public services and we need to work together to make sure we *all* take the arguments to the place where the decisions are being made, which is Parliament. I struggle when I see some MPs in the county who are offering you support (one was on the television on Sunday saying that he opposed these cuts) when those self-same MPs have voted these cuts through in Parliament, so whatever we can do to work together we must do it.

83/13 RECEIPT OF PETITIONS No petitions had been received.

84/13 APPROVAL OF NON-ATTENDANCE AT MEETINGS
The Local Government Act 1972 provided that, where a council member failed throughout a period of six consecutive months from the date of

their last attendance to attend any meeting of the authority, then, unless the non-attendance was approved by the authority, they would cease to be a member of the authority.

Councillor K P Morgan was to undergo surgery in the New Year and, as a result, it was anticipated that he may not be in a position to attend any meeting of the Council (including committees and sub-committees) during a period of six consecutive months. Councillor Morgan's last attendance at a Council meeting was in October 2013. Approval by the Council of Councillor Morgan's non-attendance at meetings until the meeting of the Council on 4 June 2014 was considered to be appropriate.

On the motion of Councillor Ms A Western, duly seconded,

RESOLVED to approve the non-attendance at meetings of Councillor K P Morgan until the Council meeting on 4 June 2014.

85/13 WAIVER OF CALL-IN PROVISIONS On the motion of Councillor Ms A Western, duly seconded,

RESOLVED to note the report on the agreements to waive the call-in provisions.

86/13 PRESENTATIONS There were no presentations.

87/13 REPORT OF CABINET AND MEMBERS' QUESTIONS ON THE REPORT Councillor Ms A Western, Leader of the Council, presented a report on the decisions that had been taken at meetings on Cabinet held on 1 and 22 October and 12 November 2013. No questions on the report had been received from Members.

On the motion of Councillor Ms A Western, duly seconded,

RESOLVED that the report be noted.

88/13 COUNCILLOR QUESTIONS

(1) Question to Councillor B Ridgway, Cabinet Member for Council Services from Councillor M V Longden

Will the Cabinet Member for Council Services provide me with an update on the progress of the pilot scheme being undertaken to decide whether to implement the Councillor Casework Management System.

Councillor Ridgway responded as follows:-

Members will be aware that the Member Casework System has been on-going for a little while now. There have been a few delays in this. Hopefully everyone will have received an email, as Councillor Longden has already indicated, regarding the outcome and we have now gone live. The Casework System is in operation, everyone has been allocated a casework officer, and hopefully we will move forward with some good information from the people of Derbyshire who come to us with all their queries, we are able to casework it, look at it, file it and identify areas we need to address.

A supplementary question was asked as follows:-

That does not really answer the question as to what progress there is with the pilot scheme, but reading the emails I have mentioned it states that the pilot scheme was effectively abandoned. I am disappointed by that because it deprives this Council of the opportunity to evaluate whether this system will deliver benefits, additional benefits in the area that it is intended to be implemented and it also would at the same time, I assume, have dealt with the real cost of managing that system, but because that pilot outcome is not available we are deprived of that.

The question I would like to ask then is depending on whether the system is prescriptive for all members, will the Cabinet Member reassure me that those members who do not participate in this new scheme will not be disadvantaged in any way and that the casework information that will be collected through this new system will not be used in any way as performance management information for members?

Councillor Ridgway responded as follows:-

In view of the delays that I indicated a little earlier the system was rigorously tested on various pilot issues and it is thought it is so robust that we would launch it full-on. The member must already know that the pilot scheme is not a prelude to making the decision, the decision has already been made anyway.

The question of whether a member would be disadvantaged by not using the scheme, I prefer to think that you would be disadvantaged because unless you can properly interrogate the information that is coming from your client in Derbyshire, unless that information is turned round, fed into our systems so that departments have a good robust idea of where the issues are coming from, you are going to be disadvantaged because you are not going to be able to plan ahead and look for where those issues may pop up again.

As far as using the system for political ends, that has never entered my head in any way, shape or form and I cannot see that any member on *this* side would. Perhaps it is an indication of your way of thinking that you should ask that question at all.

(2) Question to Councillor A Western, Leader of the Council from Councillor S J Bradford

Does the Leader of the Council believe that the urgent or more correctly, hasty, paper dated 3 December titled Derbyshire Fire and Rescue Service Consultation has damaged public confidence in her administration to consult on proposals that were put forward by her own party members, and what does this say about how her administration treats the Derbyshire public's views and wishes on this matter?

Councillor Western responded as follows:-

I think some of these questions are quite revealing, aren't they?

The report did come late. It was not "hasty" and it was not particularly "urgent" either. It was a standard timetabled response to a consultation by another statutory organisation to which we are entitled, and some would say morally obliged to respond. When an organisation puts out a consultation (and it is an organisation we work closely with in the way I outlined earlier) it would be remiss of us not to have responded to that, so I deny categorically that it was "hasty".

As regards "damage to public confidence" again, I struggle to understand that. I do not think it is a matter of affecting public confidence it is our responsibility to respond to consultations and that is what we did.

I have addressed the issue earlier about proposals put forward by my own Party members as you have said, Councillor Bradford. You seem not to understand that we are dealing with two separate statutory organisations here. We have the Fire Authority on the one hand and we have the County Council on the other hand. It may have been your practice in the previous four years to lean on, or dictate to one Authority from the other, but that is certainly not the way it works now. This has been an open consultation process. You could debate whether or not it should have gone out to consultation given that it was the plan of the previous administration, but nevertheless I think in good faith the Fire Authority put it out there so the public were aware of the issues that the Fire Authority is facing (and it goes back to the 40% cut again) because until the public are aware that that is what this Government is doing to public services then they won't respond, so it was to raise awareness

and it was also to put out there some proposals and to get a genuine feedback.

In answer to the last part of the question, "What does this say about how my administration treats the Derbyshire public's views and wishes" it does reflect very much on how this administration values the views and wishes of the Derbyshire public. We *do* go out to open consultation and we *do* take note of what they say. You will have heard Councillor Allen refer to the Mobile Library consultation which has four options in it. I don't recall any consultations previously from your side that had four options in it. People went out to consult and were pretty much told what they were going to get whether they liked it or not in the previous four years. It is something you are trying to make politics out of but really it is a process that has been done openly and transparently and we have responded to it as a Council. The Fire Authority will consider that along with every other response and then they will do what they think is best with the knowledge they have and we will respect the views they come to. I am sure they will do the right thing and take note of what the public and Fire Service employees and other bodies have said, but it still goes back to the issue of Government cuts, I am afraid, and there is no getting away from it.

A supplementary question was asked as follows:-

I am just thinking back to yesterday's Cabinet meeting and the primary decision taken by Cabinet to oppose the proposals in the consultation process or programme conducted or issued by the Derbyshire Fire and Rescue Service, that is the primary decision. Listening to your response in relation to separate Authorities, which of course they are, can you inform members or confirm to members that the Labour controlled Fire Authority and the Chairman still retain your full confidence?

Councillor Western responded as follows:-

There is an easy and very simple answer to that and that is yes, 100%. I think the Fire Authority as it is currently constituted and led is doing a sterling job and is listening to, and consulting with, and talking with, and visiting fire stations and so on in a way that the previous Authority never did so yes, they do have my 100% support. Bringing the response I made to the previous question from Mr Redford into play I think there is a much better chance of this Fire Authority working with other partners to get a resolution to these difficulties that we all face now than there has ever been under the previous four years.

Just going back to the issue of consultation, Councillor Bradford might want to reflect - and even the distance I am from Amber Valley -

might want to reflect on the lack of consultation there has been about the Ripley Gateway; the lack of consultation there has been about the Police base in Ripley and the control of the Fire Authority from Matlock under the previous regime.

(3) Question to Councillor D Allen, Cabinet Member for Health and Communities from Councillor Mrs J S Street

What steps will this administration take to work with partners to secure the future of all or the greater part of the mobile library service, given its critical significance especially to those in rural areas?

Councillor Allen responded as follows:-

I start off by saying, as I ended before on the previous question, the reason we are going through this process is because of your Government and the Liberal Coalition Government insisting on £157m of cuts for this Authority and I do not think we can get away from that. There is no pleasure from me, or Ellie who leads on Libraries, to do any of this sort of process. It does not sit well with me. I do not like to see people losing any services, particularly things like library services, but we have to do something, we have to cut this certain amount of money.

To start with we are going out to a consultation which has not started yet, it will start in January. We are going out, as has been said, for four options: (1) removal of all the services. (2) retaining one of the large vehicles and one of the smaller ones, and (3) and (4), the fourth option would include any voluntary sector, any community group who wished to provide some sort of services, and there are examples around the country where these have happened, so we are very open to listen to what is being talked about. We will respond to that in a two stage process before a final decision is made in September next year.

I think it is fair to say that the crocodile tears we hear from the Tories, let me just say a few words about what is happening in other County Councils where the Tories are in power. In Devon they are proposing to reduce the fleet from eleven to four. In Hampshire they have gone from 18 to four with further reductions this summer. North Yorkshire, they have had ten, they are down to one. Northamptonshire reduced by 50%. Suffolk, gone from 50% reduction and again looking at further reductions. Surrey, they are a star there, they have gone from five to none. That to me just shows where the Tory Party are cutting their own services in their areas. We will listen to what the public say. We have already said we will protect housebound services, because I think the people are extremely vulnerable, and we will look very closely at the consultation that comes back and see what we can do, but the bottom line is we have to make cuts because of your government.

A supplementary question was asked as follows:-

Cuts are having to be made because we have huge debt problems. However I personally am not concerned other than with the people of this county. The Mobile Library Service is a key and intrinsic part of life in our rural and remoter communities. They do not receive many services. It is a hugely important part of our elderly and frail residents' lives. Young mothers and schools depend on the service. People who have worked in it have seen the effect on the youngsters who came and now bring theirs. In particular with reference to Option 4 there are always choices. Partnerships must be a way forward, but I am concerned that in Option 4 in specifying the availability of library vehicles to partnership organisations at full cost to them an avenue is being closed which may lead to better working. Can you confirm that this is a fact?

Councillor Allen responded as follows:-

I come back to what I said first: we genuinely want to go out to consult. We will look at any groups who come up with other options but let me remind you, it is not just rural areas who will be losing this. If you look at the actual planned routes - if you took the time to have a look - you will see the vast majority of those services, those stops are in urban areas, areas of small communities of older people who still have the same problems as in rural areas.

All I can say is we will take very seriously those comments and if we can find alternative uses then you put your proposal forward from your community to run that Library Service and we will look at that and try and consider it, but I come back to say this is not our desire or our wish and to suggest it is our fault because of the debt we are in is a total red herring and absolute rubbish.

89/13 QUESTIONS ON THE FUNCTIONS OF THE DERBYSHIRE FIRE AUTHORITY No questions had been received.

90/13 NOTICES OF MOTION

(1) Moved by Councillor J Owen, duly seconded:-

Derbyshire County Council is deeply concerned by revelations that major construction companies have been involved in "blacklisting" in order to deny employment to workers who have engaged in trade union activity, or have reported breaches of health and safety.

The Information Commissioners' Office (ICO) found that a blacklist of over 3,200 individual workers was maintained, traded for profit and used to vet individuals and deny people employment for being a member of a trade union, or for having raised health and safety concerns. This blacklist was used by over 40 construction companies and included information about workers' personal relationships, trade union activity and employment history.

Blacklisting has devastating effects, including lengthy periods of unemployment and financial hardship for the person blacklisted and their dependents. Blacklisting has been unlawful since the beginning of 2010, with legislation being put in place to prohibit its use.

The ICO list of companies which used the blacklist service includes companies contracted by Derbyshire County Council. The use of blacklists is unacceptable, unlawful and cannot be condoned, having a negative impact on the access to employment and the rights of workers in Derbyshire and throughout the country.

The Council resolves, wherever lawful to do so, to:

- Request that the Authority updates its tender documentation and commercial questionnaire to explicitly mention 'blacklisting' activity.
- Require companies tendering for contracts with Derbyshire County Council to demonstrate that they are not using blacklists.
- Require companies tendering for Council contracts to demonstrate that they have processes in place to encourage the reporting, by their employees, of workplace concerns, particularly in respect of health, safety and welfare.
- Exclude companies involved in the blacklisting of workers from securing Council contracts.
- Seek to not renew existing contracts if the Authority believes a contractor has been blacklisting workers, until a time when all related disputes are resolved and it is clearly proven that fair and transparent recruitment process have been put in place.
- Examine existing contracts with any of the companies listed by the ICO and ask for reassurances that the company uses no form of blacklisting to inform their employment decisions.

The Council declares its support for campaigns by the GMB, Unite and other trade unions to end the scandalous practice of blacklisting.

The motion was debated, put to the vote and declared to be carried.

RESOLVED wherever lawful to do so, to:

- Request that the Authority updates its tender documentation and commercial questionnaire to explicitly mention 'blacklisting' activity.
- Require companies tendering for contracts with Derbyshire County Council to demonstrate that they are not using blacklists.
- Require companies tendering for Council contracts to demonstrate that they have processes in place to encourage the reporting, by their employees, of workplace concerns, particularly in respect of health, safety and welfare.
- Exclude companies involved in the blacklisting of workers from securing Council contracts.
- Seek to not renew existing contracts if the Authority believes a contractor has been blacklisting workers, until a time when all related disputes are resolved and it is clearly proven that fair and transparent recruitment process have been put in place.
- Examine existing contracts with any of the companies listed by the ICO and ask for reassurances that the company uses no form of blacklisting to inform their employment decisions.

The Council declares its support for campaigns by the GMB, Unite and other trade unions to end the scandalous practice of blacklisting.

At the request of at least 5 Members, a recorded vote was taken and recorded as follows:-

For the motion (43) – Councillors D Allen, Mrs E Atkins, S A Bambrick, Mrs G Birkin, Ms C Bisknell, Mrs S L Blank, Mrs M W Booth, S Brittain, W Burrows, Mrs D W E Charles, D Collins, Mrs C M Cox, R Davison, J E Dixon, P Dunn, S Freeborn, J A Frudd, K Gillott, D T Greenhalgh, Mrs Janet A Hill, Ms Julie A Hill, R L Hosker, Mrs J M Innes, P Jones, Mrs K D Lauro, D Lomax, S Marshall-Clarke, D McGregor, R R Mihaly, C R Moesby, C E Neill, J R Owen, Mrs I Ratcliffe, B Ridgway, P J Smith, T Southerd, Mrs M Stockdale, Ms A Western, D J Wilcox, Ms E S Wilcox, D A Williams, J G Williams and B Wright.

Against the motion (0)

Abstained from voting (18) - Councillors S J Bradford, K Buttery, Mrs L M Chilton, S J Ellis, M Ford, Mrs C A Hart, T A Kemp, A I Lewer, B Lewis, M V Longden, W Major, R A Parkinson, Mrs J E Patten, S A Spencer, Mrs J S Street, M Tomlinson, Mrs J A Twigg and D Walton.

(2) Moved by Councillor W Major, duly seconded:-

This Council accords respite care and the provision of half day and full day breaks for carers a high priority and will protect the funding it receives in the budget.

The motion was debated.

An amendment to Councillor Major's motion was moved by Councillor C Neill, duly seconded,

That the motion be amended to read:-

This Council accords respite care and the provision of half day and full day breaks for carers a high priority. This Council also supports the recommendation from page 29 of Mencap's Short Breaks report that 'government funding must also be given to local authorities for the provision of short breaks via social care services'.

Councillor Neill's amendment was put to the vote and declared to be carried. The substantive motion was debated further, put to the vote and declared to be carried.

RESOLVED that this Council accords respite care and the provision of half day and full day breaks for carers a high priority. This Council also supports the recommendation from page 29 of Mencap's Short Breaks report that 'government funding must also be given to local authorities for the provision of short breaks via social care services'.

(3) Moved by Councillor A I Lewer, duly seconded:-

This Council resolves only to waive standing orders when awarding contracts in circumstances that are exceptional and not for political or other inappropriate reasons.

The motion was debated.

An amendment to Councillor Lewer's motion was moved by Councillor Ms A Western, duly seconded,

That the motion be amended to read:-

This Council resolves to continue to only waive standing orders when awarding contracts in circumstances that are exceptional and not for political or other inappropriate reasons.

Councillor Western's amendment was put to the vote and declared to be carried. The substantive motion was debated further, put to the vote and declared to be carried.

RESOLVED to continue to only waive standing orders when awarding contracts in circumstances that are exceptional and not for political or other inappropriate reasons.

91/13 MINUTES OF MEETINGS OF COMMITTEES AND OTHER BODIES On the motion of Councillor D J Wilcox, duly seconded,

RESOLVED that the minutes of the following meetings be received:-

- (1) Regulatory – Licensing and Appeals Committee held on 21 October 2013.
- (2) Regulatory – Planning Committee held on 14 October and 11 November 2013.
- (3) Audit Committee held on 15 October 2013.
- (4) Standards Committee held on 9 October 2013.
- (5) Pensions and Investment Committee held on 9 October 2013.
- (6) Improvement and Scrutiny Committee – Places held on 6 November 2013.
- (7) Improvement and Scrutiny Committee – People held on 25 September 2013.
- (8) Improvement and Scrutiny Committee - Resources held on 19 September and 14 November 2013.
- (9) Improvement and Scrutiny Committee – Health held on 4 November 2013.
- (10) Improvement and Scrutiny Management Committee held on 20 September 2013.

92/13 MINUTES OF THE MEETING OF THE POLICE AND CRIME PANEL On the motion of Councillor P J Smith, duly seconded,

RESOLVED that the minutes of the meeting of the Police and Crime Panel held on 19 September 2013 be received.