

## Official Complaint

I would like to register an official complaint against the Mayor, Cllr Wood, and Monitoring Officer, Emily Feenan, for demonstrating considerable bias in the chamber, misrepresenting the motion for vote and for abusing their positions to stop debate assisting in its passage through the chamber.

Meeting in question: Extraordinary Meeting of the Council Nov 2<sup>nd</sup>

The purpose of the motion was described as *"1.4 Council is asked to approve the draft Proposal and agree to formally consult upon it with the residents and other stakeholders of Derby and the wider EMCCA area for a period of 8 weeks from November 2022 to January 2023."*

The recommendations for the motion were as follows:

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*"That Council agrees to:*

*2.1 approve the draft Proposal....*

*2.2 formally consult upon the draft Proposal with the residents and other stakeholders...*

*2.3 the approach to the consultation as set out in Appendix 2 to this report; and*

*2.4 delegate authority to the Chief Executive to approve any typographical or technical amendments to the draft Proposal which the Chief Executives of the other three Councils also agree on, on behalf of Derby City Council prior to the commencement of consultation. This delegation is to be exercised following consultation with the Leader of the Council and is conditional upon such amendments being agreed by all four upper tier Council Leaders."*

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I therefore expected, like most in the chamber, that debate would revolve around the draft proposal. Cllrs in general appear to have prepared speeches reflecting this. After years of negotiations by officers and even the signing of the deal, Cllrs have still not been given the opportunity to debate, scrutinise or input into the proposal.

## The Meeting

The Meeting started with Cllr Barker opening the motion and extolling the draft proposals great benefits.

Cllr Graves then started to question the sensibilities of the proposal before the Mayor interrupted:

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*“Cllr Graves, Can I just interrupt, the motion is about consulting the public of Derby it’s not about the merits or demerits of the proposal, somebody will be debating that at a much later date. I do ask you to address your speech to the question of whether or not we should consult the people of Derby.”*

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This is factually incorrect and stops debate on the bulk of the substantive motion for the evening. He’s also just allowed a long speech by his own party in the motions favour. Cllr Graves tried challenging this.

Cllr Graves then tried discussing the format of the consultation and was shutdown again by the Mayor and Emily Feenan. The Mayor then refused to allow Cllr Graves to finish his speech claiming it was outside of the scope of the meeting and not legal. He was assisted in shutting down Cllr Graves by the Monitoring Officer. As the Mayor had shut down debate on the bulk of the substantive motion members of Reform Derby left in protest. It was clear that further debate as prepared for the evening would also be shutdown.

The floor was then passed to Cllr Shanker. Cllr Shanker spoke about the draft proposal and reflected many of Cllr Graves points. Upon completion of the speech The Mayor reinforced his position by saying the following.

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*“I’ve been very tolerant as you went off on a number of political points, but please future speakers can you restrict this to whether or not we should consult the people of Derby.”*

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This again refuses the right to debate the bulk of the motion and discuss the draft proposal. The monitoring officer should have corrected him by now but did not.

Following speeches were hastily adapted by other speakers who sought to placate the Mayor but were clearly shortened for fear of being shutdown. After Cllr Cares speech the Mayor insisted that *“the proposal would be subject to scrutiny”*. He was trying to reassure the room to ensure that it would be passed however this is too late, the proposal will have been agreed and consulted upon. Cllr Peatfields speech straight afterwards highlighted this point and that the consultation guidelines may have already been breached.

As a closing speech, Cllr Poulter spoke about the proposal but said “because that’s not what we’re here for tonight. What we are here for tonight is to agree to take that proposal.....”. He was also deliberately misrepresenting the motion.

At the close the Mayor opened the vote with *“Cllr Barker has moved the recommendations collectively so the vote will be taken on them collectively”* This is a clear admission that he knew the

purpose of the meeting was not solely the question of consulting the public but that the meeting was to agree the draft proposal and hand powers to the executive to amend the document. Nobody would disagree with consulting the public, the point is with what and how, and that discussion had been shut down and stifled.

Further emails to Emily Feenan since have resulted in her claiming that all was above board and she reinforces that the substantive decision was to consult and that the mayor allowed broad discussion. This is clearly not true. I would argue that the substantive decision was much more.

The email states.

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*“Whilst Cllr Wood did encourage councillors to keep their contributions on the substantive decision as to whether to consult, he allowed broad discretion for members to comment on a range of issues relating to the proposal, as you will have seen from the recording.”*

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As the proposal was part of the motion it should not have been at the Mayors broad discretion but part of the open focus of the meeting for full debate.

### Conclusion

The above description of the meeting clearly demonstrates an attempt to stifle debate and force through the approval of a document, under the radar of many councillors, that will not be allowed to be challenged in future. It was not even mentioned once that the vote would also approve the draft proposal, sealing it as an agreed document and allowing the executive to later alter it's contents.

Both the Mayor and Monitoring Officer have misrepresented the meeting, stifled debate and abused their positions for political and other purposes showing bias and contempt for the constitution and democratic process. I therefore ask that this must be investigated by an outside body with no stake in the combined authority as all the leading figures in Derby City Council are heavily invested in this motion.

Cllr Timothy Prosser