

Time commenced - 6:02pm

Time finished - 8.03pm

## **COUNCIL**

**20 September 2023**

The Mayor, Councillor Alan Graves and Councillors Amin, Ashby, Atwal, Bolton, Bonser, Care, Chambers, Dhindsa, Eyre, Evans, Fowke, Hassall, Hezelgrave, A Holmes, M Holmes, C Ingall, P Ingall, Kaur, J Khan, S Khan, Kozlowski, Kus, Lakin, Lonsdale, Lindsey, Martin, Morgan-McGeehan, Mulhall, Nawaz, Onuoha, Pandey, Pattison, Pearce, Peatfield, Potter, Poulter, Prosser, Rawson, Repton, Roulstone, Shanker, Smale, Swan, Trehwella, Whitby, Wilson, C Wright and J Wright.

### **34/23      Apologies**

Apologies for absence were received from Councillors Hudson and Sandhu.

### **35/23      Declarations of Interest**

There were none.

### **36/23      Minutes of the Previous Meeting**

The minutes of the meeting of the Council held on 19 July 2023 were moved by Councillor Shanker and seconded by Councillor P Ingall.

**Resolved that the minutes of the meeting of the Council held on 19 July 2023 be approved as a correct record, confirmed and signed by the Mayor.**

### **37/23      Announcements from the Mayor**

The Mayor reported to councillors highlights from several events they had attended over the course of Summer 2023, including meeting delegations of Chinese visitors to Derby, attending the British BMX championships in Alvaston Park and enjoying various summer fetes and fun days in Derby's parks and green spaces. Councillor Graves also thanked those Derby City Council employees involved with hosting the Darley Park Weekender, which had seen thousands of residents and visitors attend the annual three-day outdoor music event.

The Mayor shared a message of peace and international co-operation from Mayor Matsui Kazumi of the Mayors for Peace initiative, supporting nuclear disarmament and shared solutions to global challenges. It was noted that Derby was a member of Mayors for Peace, alongside more than 8,000 other cities from across the world.

Before concluding, the Mayor reported that under the provisions of Council Procedure Rule CP42(r) they had agreed to the consideration of a late item on grounds of urgency. The Leader of the Council had requested the consideration of an urgent motion relating to a recently reported three-year production gap at Alstom's Litchurch Lane factory in Derby. The Mayor had agreed to the request having accepted that it would not be in the public interest to delay consideration until the next scheduled meeting. The Mayor stated that the motion would be considered at the conclusion of the published agenda.

## 38/23 Statements from members of the Council Cabinet

There were none.

## 39/23 Questions from the public

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Tony Mott (x2)	Cllr Swan	A6 Cycle Path
Lucy Giuliano Jane Hardstaff Clare Wood Pauline Inwood Mair Bain (x2) Adrian Howlett (x2)	Cllr Swan	Questions related to the A38 junction improvement scheme
Sophie Beck	Cllr Swan	Double-yellow line enforcement
Vanessa Boon	Cllr Shanker	Use of bailiffs
James Lampert	Cllr Swan	Climate Emergency - plant based eating
Ruth Coates	Cllr Swan	Bus Service Improvement Plan (BSIP)
Simon Bacon	Cllr Shanker	Sinfin Waste Treatment Facility – Inter-Authority Agreement
Emma Jones	Cllr Hezelgrave	City of Sanctuary
Lucy Giuliano	Cllr A Holmes	40 Arthur Street Licensing Application
Vanessa Boon	Cllr Hezelgrave	Socio-Economic Duty - community engagement
Jane Hardstaff	Cllr Swan	Public transport links to Royal Derby Hospital
Clare Wood	Cllr Swan	Climate Emergency - website information
Pauline Inwood	Cllr Swan	Climate Emergency - Sustainability Board
Ruth Coates	Cllr Swan	Climate Emergency - car reduction
Simon Bacon	Cllr Shanker	Sinfin Waste Treatment Facility - legal settlement
Emma Jones	Cllr Peatfield	Artistic and cultural identity

## 40/23 Questions relating to Derbyshire Fire Authority or Derby Homes

There were none.

## 41/23 Questions from non-Council Cabinet members

Questions and responses were heard as follows:

<b>Questioner</b>	<b>Respondent</b>	<b>Summary</b>
Cllr Smale	Cllr Shanker	Sinfin Waste Treatment Facility - soft market testing
Cllr Eyre	Cllr Dhindsa	Traveller encampments
Cllr Hassall	Cllr Shanker	Loans and expenditure
Cllr Prosser	Cllr Hezelgrave	Customer contact
Cllr Poulter	Cllr Swan	Darley Abbey Bridge - communication with residents
Cllr M Holmes	Cllr Shanker	Sinfin Waste Treatment Facility - non-disclosure agreement
Cllr Pattison	Cllr Swan	Pelican crossing costs
Cllr Care	Cllr Dhindsa	Maintaining hedgerows
Cllr Smale	Cllr Shanker	Pay award
Cllr Eyre	Cllr Peatfield	Festive Derby
Cllr Hassall	Cllr Shanker	Chief Executive
Cllr Prosser	Cllr Hezelgrave	Financial hardship
Cllr Care	Cllr Swan	Highways maintenance publicity
Cllr Smale	Cllr Whitby	EHCP waiting time
Cllr Eyre	Cllr Dhindsa	Brown bin waste
Cllr Care	Cllr Whitby	Capacity of maintained nursery schools
Cllr Eyre	Cllr Peatfield	Cycling events in Derby
Cllr Smale	Cllr S Khan	Dangerous dogs
Cllr Care	Cllr Dhindsa	'No Mow May'
Cllr Smale	Cllr Swan	Darley Abbey Bridge - structural condition report

## 42/23 Minute extract 06-23 of the Standards Committee held on 8 August 2023

Council received a minute extract of the Standards Committee proposing the appointment of two Independent Persons under Section 28 of the Localism Act 2011. The minute noted that Independent Persons were appointed for the purposes of assisting the Monitoring Officer and the Standards Committee with determining complaints received under the Councillor Complaints Procedure.

It was noted that an advert had been placed on the Council's website and a shortlisting exercise undertaken, prior to the Standards Committee recommending the appointment of Alistair Davies and Graham Knight. Both individuals had demonstrated significant experience in similar voluntary public service roles.

The minute was moved by Councillor S Khan, seconded by Councillor Peatfield, put to the vote and carried.

**Resolved to approve minute 06-23 of the Standards Committee.**

## 43/23      Minute extract 07-23 of the Standards Committee held on 8 August 2023

Council considered a minute presenting the Standards Committee's Annual Report for 2022-23. The report summarised the role of the Standards Committee and the consideration of complaints under the Councillor Complaints Procedure during the preceding municipal year.

The minute was moved by Councillor S Khan and seconded by Councillor Shanker. The minute was put to the vote and carried.

**Resolved to approve minute 07-23 of the Standards Committee.**

## 44/23      Minute extract 22-23 of the Audit and Governance Committee held on 26 July 2023

Council received a minute extract recommending the appointment of Independent Members to the Audit and Governance Committee. It was noted that the committee were intending to increase the number of Independent Members from two to four, to provide a broad range of expertise and assurance in areas relating to the committee's terms of reference. An advert had been placed on the Council's website and applications had been shortlisted by the Director of Financial Services, Head of Internal Audit and Head of Democracy, prior to consideration by the committee.

The minute was moved by Councillor Morgan-McGeehan and seconded by Councillor Mulhall, put to the vote and carried.

**Resolved to approve minute 22-23 of the Audit and Governance Committee.**

## 45/23      Annual Report of Overview and Scrutiny 2022-23

Council received a report of the Statutory Scrutiny Officer presenting the Annual Report of Overview and Scrutiny for 2022-23 to Council for approval. The report included a foreword by the Chair of the Executive Scrutiny Board, summarising the activity of the Council's five scrutiny boards over the preceding municipal year. The report presented data relating to the role of the Executive Scrutiny Board in examining Council Cabinet decisions, as well as the range of topics examined by the Council's five thematic Scrutiny Review Boards.

The recommendations were moved by Councillor Repton and seconded by Councillor Shanker.

**Resolved to agree the Annual Report of Overview and Scrutiny for 2023-24.**

## 46/23      Motion: NHS@75

The following motion was moved by Councillor Martin, and seconded by Councillor Hezelgrave:

*Full Council congratulates the National Health Service on reaching its 75<sup>th</sup> birthday in 2023. The founding principles of the NHS – universal healthcare free at the point of need, funded by a national insurance system – remain as strong and relevant as ever. Over the decades, the NHS has been sustained by the tremendous work of its staff and the unflinching will of the British people to embed in their health system the values and ethics that cement their social bonds.*

*The new Integrated Care Systems recognise the significance of social and care workers to the nation's health and wellbeing. Full Council equally pays tribute to social and care workers, both here in Derby and nationally, who have also been guardians of citizens' wellbeing.*

*Derby and Derbyshire's Integrated Care Strategy sets out a plan to render the work of health and care services ever more integrated. Full Council notes that, in order to implement the plan fully with the aim of improving people's health and wellbeing, more funding is needed, along with a comprehensive workforce plan.*

*Full Council therefore supports the Cabinet Member in:*

- 1. Writing to the CEO of the Derby and Derbyshire Integrated Care Board, to express members' congratulations to the NHS@75.*
- 2. Writing to the Secretary of State to call for both more funding for the NHS and social care, and a workforce plan for social care.*

The motion was put to the vote and carried.

**Resolved:**

**Full Council congratulates the National Health Service on reaching its 75<sup>th</sup> birthday in 2023. The founding principles of the NHS – universal healthcare free at the point of need, funded by a national insurance system – remain as strong and relevant as ever. Over the decades, the NHS has been sustained by the tremendous work of its staff and the unflinching will of the British people to embed in their health system the values and ethics that cement their social bonds.**

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**47/23      Motion: Diverse Councils Declaration**

The following motion was moved by Councillor Onuoha and seconded by Councillor Kaur:

*This Council commits to being a Diverse Council. We agree to:*

- 1. Provide a clear public commitment to improving diversity in democracy.*
- 2. Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct.*
- 3. Set out a local Diverse Council Action Plan ahead of the next local elections. Including:*
  - Appoint Diversity Ambassadors for each political group on the council to work with each other and local party associations to encourage recruitment of candidates from under-represented groups.*
  - Encourage and enable people from under-represented groups to stand for office through the provision of activities such as mentoring and shadowing programmes and information and learning events for people interested in standing as official candidates.*
  - Proactive engagement and involvement with local community groups and partner organisations supporting and representing under-represented groups*
  - Ensure that all members and candidates complete a candidates' and councillors' survey distributed at election time.*
  - Set ambitious targets for candidates from under-represented groups at the next local elections*
- 4. Work towards the standards for member support and development as set out in the LGA Councillor Development Charter and/or Charter Plus.*
- 5. Demonstrate a commitment to a duty of care for councillors by:*
  - providing access to counselling services for all councillors having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.*
  - taking a zero-tolerance approach to bullying and harassment of members including through social networks.*
- 6. Provide flexibility in council business by:*
  - regularly reviewing and staggering meeting times*
  - encouraging and supporting remote attendance at meetings*
  - agreeing recess periods to support councillors with caring or work commitments.*
- 7. Ensure that all members take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all members receive fair remuneration for their work and that the role of member is not limited to those who can afford it.*
- 8. Ensure that the council adopts a parental leave policy setting out members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.*
- 9. Ensure that councillors from under-represented groups are represented whenever possible in high profile, high influence roles.*

It was moved by Councillor Shanker and seconded by at least 10 members that under Council Procedure Rule CP71a the votes of councillors on the motion were noted and recorded.

For the motion: Councillors Amin, Ashby, Bolton, Bonser, Chambers, Dhindsa, Hezelgrave, Kaur, J Khan, S Khan, Kozlowski, Martin, Nawaz, Onuoha, Peatfield, Rawson, Repton, Shanker, Swan, Whitby, Wilson and C Wright (22).

Against the motion: Councillors Care, Evans, Eyre, Fowke, Hassall, A Holmes, M Holmes, Kus, Lindsey, Lonsdale, Morgan-Mcgeehan, Mulhall, Pandey, Pattison, Pearce, Potter, Poulter, Prosser, Roulstone, Smale, Trehella and J Wright (22).

Abstentions: Councillor Graves (1).

The Mayor declined to use their casting vote. The motion was lost.

## 48/23      Urgent motion: Support for Alstom

The Mayor invited the Leader of the Council to introduce the late item that they had earlier agreed to consider on grounds of urgency.

The following motion was moved by Councillor Shanker and seconded by Councillor Hassall:

*Council is deeply concerned to note recent media coverage regarding a potential three-year production gap at Alstom's Litchurch Lane factory in Derby, risking the jobs of two thousand directly employed staff and seventeen thousand more within its wider supply chain.*

*As the future home of Great British Railways, Derby is rightly proud of its rail heritage with rolling stock having been built in the city since 1839. Today, Litchurch Lane is the only factory in Britain that can design, develop, build and test trains for both domestic and export markets. Were the factory to close, the United Kingdom would become the only country within the G7 without the ability to design and manufacture its own trains.*

*This Council calls on the Government to take swift and decisive action to support Alstom as it seeks to ensure the future sustainability of its Derby site.*

*Council further resolves:*

- 1. To work alongside Alstom and Trade Unions to ensure Derby jobs and livelihoods are protected.*
- 2. To request that the rail sector is afforded the same priority as other strategic industries in the Government's industrial strategy.*

It was moved by Councillor Care and seconded by Councillor Shanker that the motion be amended by the addition of the following words to the final paragraph:

*'3. To ask the Government to plan the scheduling of new railway rolling stock for the UK network in a manner that ensures the long-term survival of a train building industry in the UK'*

The amendment was put to the vote and carried.

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

**Resolved:**

**Council is deeply concerned to note recent media coverage regarding a potential three-year production gap at Alstom's Litchurch Lane factory in Derby, risking the jobs of two thousand directly employed staff and seventeen thousand more within its wider supply chain.**

**As the future home of Great British Railways, Derby is rightly proud of its rail heritage with rolling stock having been built in the city since 1839. Today, Litchurch Lane is the only factory in Britain that can design, develop, build and test trains for both domestic and export markets. Were the factory to close, the United Kingdom would become the only country within the G7 without the ability to design and manufacture its own trains.**

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**Council further resolves:**

- 1. To work alongside Alstom and Trade Unions to ensure Derby jobs and livelihoods are protected.**
- 2. To request that the rail sector is afforded the same priority as other strategic industries in the Government's industrial strategy.**
- 3. To ask the Government to plan the scheduling of new railway rolling stock for the UK network in a manner that ensures the long-term survival of a train building industry in the UK.**

MAYOR