

ITEM 3

Time commenced - 6:02pm
Time adjourned - 8:32pm
Time reconvened - 8:40pm
Time finished - 8.56pm

COUNCIL 23 November 2022

Present: The Mayor, Councillor Robin Wood, and Councillors Atwal, Barker, Bonser, Care, Carr, Cooper, Dhindsa, Eyre, Evans, A J Graves, A W Graves, Hassall, Hezelgrave, A Holmes, M Holmes, Hussain, C Ingall, P Ingall, Jennings, J Khan, S Khan, Kus, Lindsey, Lonsdale, Martin, Naitta, Nawaz, Pandey, Pattison, J Pearce, Peatfield, Poulter, Prosser, Rawson, Repton, Roulstone, Sandhu, Shanker, Skelton, Smale, Swan, Webb, West, Whitby and Williams.

61/22 Apologies

Apologies for absence were received from Councillors Froggatt, T Pearce, Potter and Lind.

62/22 Declarations of Interest

There were none.

63/22 Minutes of the Previous Meetings

The minutes of the meetings of the Council held on 21 September 2022 and 3 November 2022 were moved by Councillor J Pearce, and seconded by Councillor Eyre.

Resolved that the minutes of the meetings of the Council held on 21 September 2022 and 3 November 2022 be approved as a correct record, confirmed and signed by the Mayor.

64/22 Announcements from the Mayor

The Mayor dealt with procedural matters and informed councillors of two recent changes to the political composition of the Council.

It was reported that with effect from Friday 18 November 2022 Councillor James Testro was sitting as an ungrouped councillor. It was also reported that Councillor Robert Cooper had resigned his seat as a councillor for Chaddesden Ward, with effect from 23 November 2022. It was noted that as the resignation fell within six months of the next ordinary day of election, then the seat would remain vacant until the local elections scheduled for 4 May 2023.

The Mayor reported the recent deaths of Mr Richard Shaw and Mr Des Caffrey: two individuals who had made significant contributions to life in Derby. Councillor Wood noted that Mr Shaw was a lifelong advocate for equality and inclusion, having played

a leading role in the formation of local charity Disability Direct; Mr Caffrey was a drama teacher at the former Ralph Sherwin school, theatre critic for the Derby Evening Telegraph and a notable figure in Derby's amateur and professional theatrical scene.

Councillors Skelton, Hezelgrave, West and Hussain paid tribute to both individuals before a minute's silence was observed by those in attendance.

65/22 Statements from members of the Council Cabinet

There were none.

66/22 Questions from the public

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Joseph Giuliano	Cllr Hassall	Infrastructure Capital Programme Board
Greg Szemraj	Cllr Eyre	Street lighting and public safety
Mair Perkins (x2) Sarah Constable (x2) Dorothy Skrytek	Cllr Hassall	A38 expansion scheme
Helen Hitchcock	Cllr Pearce	Accessibility of games areas in parks and green spaces
Tony Mott	Cllr Pearce	Moorways Swimming Pool
Nick Northover	Cllr Barker	Mickleover Forum
Jakob Marshall	Cllr Eyre	Antisocial behaviour in Chaddesden and Derwent wards
Russell Armstrong	Cllr Pearce	Road surfaces repair timetable
Vanessa Boon	Cllr Webb	Domestic abuse service resources
Ruth Coates	Cllr Hassall	Bus service improvement plan
David Clasby	Cllr Hassall	A38 – local area congestion
Nikola Guthrie	Cllr Pearce	City centre tree planting
Clare Wood	Cllr Hassall	Speed limits
Pauline Inwood	Cllr Hassall	Climate Change Officer
Simon Bacon	Cllr Pearce	Kerbside recycling
Lucy Giuliano	Cllr Hassall	Kidical Mass
Patric Harting	Cllr Pearce	Speed limit policy
Dorothy Skrytek	Cllr Hassall	Bass' Rec pumping station
Vanessa Boon	Cllr Poulter	#FairChanceDerby motion
Ruth Coates	Cllr Hassall	Building regulation policies
Clare Wood	Cllr Williams	Mickleover school placements
Pauline Inwood	Cllr Hassall	Inland freeport
Simon Bacon	Cllr Pearce	Black bin waste management
Lucy Giuliano	Cllr Pearce	Removal of parking provision for pelican crossings

67/22 Questions relating to Derbyshire Fire Authority or Derby Homes

There were none.

68/22 Questions from non-Council Cabinet members

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Cllr A W Graves	Cllr J Pearce	Replacement of Fences on public land
Cllr Prosser	Cllr Hassall	Becketwell Performance Venue - contract
Cllr Lind	Cllr Eyre	Violence against women
Cllr Repton	Cllr Hassall	Traffic problems at Kingsway Retail Park
Cllr Shanker	Cllr Smale	Local Authority loans
Cllr Hezelgrave	Cllr Williams	Household Support Fund
Cllr Whitby	Cllr J Pearce	Ashbourne Road bus service
Cllr Peatfield	Cllr Barker	Photo ID at Local Elections
Cllr S Khan	Cllr Webb	Black Mould
Cllr Dhindsa	Cllr Eyre	Community Managed Libraries
Cllr Care	Cllr J Pearce	Blue Badges
Cllr A W Graves	Cllr J Pearce	Resurfacing of London Road
Cllr Repton	Cllr Hassall	Assembly Rooms update
Cllr Shanker	Cllr Smale	Becketwell Performance Venue – cost write-off
Cllr Peatfield	Cllr Smale	Sinfin Waste Treatment Plant
Cllr Dhindsa	Cllr J Pearce	Recycling rates
Cllr Care	Cllr J Pearce	Urban Forest costs
Cllr A W Graves	Cllr Hassall	Becketwell Performance Venue – asset valuation
Cllr Care	Cllr Hassall	Maximising energy generation
Cllr A W Graves	Cllr Hassall	Council resolution
Cllr Care	Cllr J Pearce	Defect costs
Cllr A W Graves	Cllr Webb	Anti-social Tenants
Cllr A W Graves	Cllr Barker	Remembrance Sunday

69/22 Minute extract 14/22 from the meeting of the Licensing Committee held on 15 September 2022

A minute extract of the Licensing Committee was considered. The minute related to the approval and adoption of a Street Trading Consent Policy, which allowed the Council to regulate where street traders could operate. It was noted that the Council's existing policy dated from 1984 and was therefore in need of review.

The Licensing Committee had previously considered responses to a public consultation and had approved a revised policy, with the intention of it taking effect from 1 April 2022. However, the Local Government (Miscellaneous Provisions) Act 1982 required that the Council give notice of its intention to pass a resolution to this effect. It was also recommended that contested applications under the policy be determined by the General Licensing Sub Committee.

It was moved by Councillor J Khan and seconded by Councillor Peatfield that the minute be approved. The recommendation was put to the vote and carried.

Resolved to approve minute 14/22 of the Licensing Committee

70/22 Motion: 'Derby Litter Free' Campaign

The following motion was moved by Councillor Pandey, and seconded by Councillor Barker:

A Motion to help us keep Derby City as clean and tidy as possible.

Council notes that, for an array of reasons, litter remains a pertinent issue in our city and across the country, and steps to tackle it must be ever evolving.

After the last three years of difficulties presented to us through Covid-19, Council would like to thank 'Streetpride' and PPO Teams for their constant hard work in tackling litter issues in the city centre and across Derby as a whole.

Council also acknowledges that we can only tackle the perpetual menace of litter build-up with everyone's help and recognises that, to keep Derby 'Litter Free', we need the support of local business owners and the public at large.

Consequently, Council resolves to:

- 1. Ask business owners to keep the front and back area of their shops clean, jointly working with the city centre BIDs Teams.*
- 2. Look to use posters and signage to stop litter and dissuade people from littering, working alongside Clear Channel to use their bus shelters for Comms messages in the city centre and wider ranging areas.*
- 3. Encourage business owners to use recyclable materials for packaging wherever possible and encourage customers to recycle.*
- 4. Ask businesses to promote 'stop litter' messages on their packaging and marketing material wherever possible and collaborate with the council/campaign groups wherever possible.*
- 5. Work with private car park owners on how litter build up can be prevented on their properties.*
- 6. Look at ways to increase interaction with schools and students to raise awareness about litter problems and consequences of littering, especially to wildlife.*
- 7. Work with businesses on supporting 'stop-litter' campaigns.*

8. *Look into the possibility of a digital campaign to spread the 'Litter Free' message across the city.*
9. *Continue efforts to introduce sensors in on-street bins across the city.*
10. *Recognise the volunteers and 'Friends Groups' who give their own time to clean litter from our parks and the streets.*

It was moved by Councillor Dhindsa, and seconded by Councillor Peatfield that the motion be amended as follows:

By the addition of the following words at the conclusion of the second paragraph:

'and steps to tackle it have been missed due to decisions made by Derby's Conservative administration:

1. *Raynesway Domestic Household Waste Recycling Centre not being easily accessible to all residents because of the money saving policy decision of the Conservative Cabinet to continue to impose an online pre-booking system for its access.*
2. *The failure to sort out the costly £34 million Sinfin Incinerator mess*
3. *Not having a clear alternative strategic plan to improve our recycling collection rates with the Sinfin Incinerator not made operational and then 'mothballed'*
4. *Cutting bulky waste collection funding from Streetpride.'*

The addition of the following words at the start of the third paragraph:

'In the last three years this has added to the challenges faced by our Council Officers to tackle the litter and fly tipping issue.'

and, the addition of the following words at the conclusion of the third paragraph:

'Streetpride have been innovative to develop the use of bin sensors to more efficiently remove overused bins, with Neighbourhood Boards educational awareness initiatives in schools and neighbourhoods; promoted litter pick campaigns with friends of parks volunteers and others. With a proactive Cabinet much more could have been done.

Consequently, Council resolves to:

Charge the Council Cabinet to be more proactive to tackle Derby's litter and fly tipping issues and request that they review their policy decisions on litter and fly tipping to aid this.'

The amendment was put to the vote and lost.

The substantive motion was put to the vote and carried.

Resolved:

A Motion to help us keep Derby City as clean and tidy as possible.

Council notes that, for an array of reasons, litter remains a pertinent issue in our city and across the country, and steps to tackle it must be ever evolving.

After the last three years of difficulties presented to us through Covid-19, Council would like to thank ‘Streetpride’ and PPO Teams for their constant hard work in tackling litter issues in the city centre and across Derby as a whole.

Council also acknowledges that we can only tackle the perpetual menace of litter build-up with everyone’s help and recognises that, to keep Derby ‘Litter Free’, we need the support of local business owners and the public at large.

Consequently, Council resolves to:

- 1. Ask business owners to keep the front and back area of their shops clean, jointly working with the city centre BIDs Teams.**
- 2. Look to use posters and signage to stop litter and dissuade people from littering, working alongside Clear Channel to use their bus shelters for Comms messages in the city centre and wider ranging areas.**
- 3. Encourage business owners to use recyclable materials for packaging wherever possible and encourage customers to recycle.**
- 4. Ask businesses to promote ‘stop litter’ messages on their packaging and marketing material wherever possible and collaborate with the council/campaign groups wherever possible.**
- 5. Work with private car park owners on how litter build up can be prevented on their properties.**
- 6. Look at ways to increase interaction with schools and students to raise awareness about litter problems and consequences of littering, especially to wildlife.**
- 7. Work with businesses on supporting ‘stop-litter’ campaigns.**
- 8. Look into the possibility of a digital campaign to spread the ‘Litter Free’ message across the city.**
- 9. Continue efforts to introduce sensors in on-street bins across the city.**
- 10. Recognise the volunteers and ‘Friends Groups’ who give their own time to clean litter from our parks and the streets.**

71/22 Motion: East Midlands Combined County Authority

The following motion was moved by Councillor A W Graves, and seconded by Councillor Kus:

Council resolves to request that an advisory referendum is held under the provisions of the Local Government Act 2003 to ask the public their opinion on whether the Council should enter into the East Midlands Combined County Authority.

The motion was put to the vote. It was moved by Councillor A W Graves and seconded by at least ten members that under Council Procedure Rule CP71a the votes of councillors on the motion were noted and recorded.

For the motion: Councillors Atwal, Care, Carr, Evans, A J Graves, A W Graves, Kus, Lindsey, Lonsdale, Naitta, Prosser and Skelton (12).

Against the motion: Councillors Barker, Eyre, Hassall, A Holmes, M Holmes, Jennings, Pandey, Pattison, J Pearce, Poulter, Roulstone, Smale, Webb, Williams and Wood (15).

Abstentions: Councillors Bonser, Dhindsa, Hezelgrave, J Khan, S Khan, Martin, Nawaz, Peatfield, Rawson, Repton, Sandhu, Shanker, Swan and Whitby (14).

The motion was lost.

72/22 Motion: Insulating Homes

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

This Council believes that a green recovery from the pandemic is not only possible but imperative if we are to meet our carbon reduction targets as a local authority. However, up to now much of the proposed actions are little more than rhetoric. We need to turn rhetoric into action.

We note that melting ice caps and forest fires can often seem like someone else's crisis when many are taking effect so far from our homes. But we also note that crises closer to home affecting thousands of local families cannot be separated from those further afield. Thirty-eight per cent of children across Derby are living in poverty and up to 30,000 Derby households are struggling with fuel stress. Across the UK there are more than 24 million homes leaking heat. It is clear that in Derby, retrofitting homes will not only help the planet but also help people out of the fuel poverty crisis.

There is no route to decarbonising the economy without retrofitting more than 24 million homes across the UK. Doing so would not only help to protect our planet, but can improve housing, lead to cheaper energy bills and create hundreds of thousands of good quality jobs.

Derby City Council calls upon the Prime Minister to call for a Great Homes Upgrade and a commitment to retrofit 19million homes by 2030. We also call on the Chancellor to use the Spring Budget to commit to spending £11.7bn over the next three years to begin a Great Homes Upgrade, that the Government will commit to working with housing associations, private rental properties and owner occupiers to upgrade properties for net zero and commits to setting up a retrofitting taskforce to target resources now to achieving net zero through upgrading properties.

The motion was put to the vote and carried.

Resolved:

This Council believes that a green recovery from the pandemic is not only possible but imperative if we are to meet our carbon reduction targets as a local authority. However, up to now much of the proposed actions are little more than rhetoric. We need to turn rhetoric into action.

We note that melting ice caps and forest fires can often seem like someone else's crisis when many are taking effect so far from our homes. But we also note that crises closer to home affecting thousands of local families cannot be separated from those further afield. Thirty-eight per cent of children across Derby are living in poverty and up to 30,000 Derby households are struggling with fuel stress. Across the UK there are more than 24 million homes leaking heat. It is clear that in Derby, retrofitting homes will not only help the planet but also help people out of the fuel poverty crisis.

There is no route to decarbonising the economy without retrofitting more than 24 million homes across the UK. Doing so would not only help to protect our planet, but can improve housing, lead to cheaper energy bills and create hundreds of thousands of good quality jobs.

Derby City Council calls upon the Prime Minister to call for a Great Homes Upgrade and a commitment to retrofit 19 million homes by 2030. We also call on the Chancellor to use the Spring Budget to commit to spending £11.7bn over the next three years to begin a Great Homes Upgrade, that the Government will commit to working with housing associations, private rental properties and owner occupiers to upgrade properties for net zero and commits to setting up a retrofitting taskforce to target resources now to achieving net zero through upgrading properties.

73/22 Motion: Household Support Vouchers and Holiday, Activities and Food Programme Inclusion

The following motion was moved by Councillor Skelton and seconded by Councillor Atwal:

This Council notes that:

- *There are vulnerable children in Derby from low-income families who are not attending Derby City schools due to issues arising from their special educational needs and or disability. This means that although they may otherwise be entitled to free school meals and eligible for the Holiday Activity and Food Programme and Household Support Scheme here in Derby, they are not, through no fault of their own. This widens the gap of inequality in Derby. Some of these families do not have the support networks that are provided in schools and may be struggling with the cost of living crisis more so than others.*
- *The Council expects to receive a credit of £144K in Jan 2023 for expired vouchers.*
- *The Government allows local authorities the discretion to use up to 15% of their HAF funding to provide free or subsidised holiday club places for children who are not in receipt of benefits-related free schools meals, such as these children.*

Council resolves to:

1. *Ensure that this gap of inequality is addressed, and that support is reaching all those most in need by extending the Household Support Scheme vouchers and the Holiday, Activity and Food Programme to Derby children who meet the criteria for Free school meals, but are not currently in receipt of them due to circumstance arising from their Special Educational Needs and or Disability, this includes those Derby children who receive education otherwise than at school, Derby children in alternative provision, Derby children not in school and Derby children who go to out of area schools as documented in section I of their EHCP (including out of boundary maintained schools).*
2. *Request that the Leader of the Council writes to the Secretary of State for Education and the Children and Families Minister respectively, asking them to acknowledge this group of children in all funding decisions, and include them by appropriately funding their needs in the substantive HAF funding, rather than add as a discretionary element, and further to this, urge them to undertake and publish an Equality Impact Assessment and instil equality, fairness and inclusion across all Government policy to ensure all children thrive.*

It was moved by Councillor Hezelgrave and seconded by Councillor Bonser that the motion be amended by the addition of the following words at paragraph two of the resolution:

‘Authorise the Strategic Director of Peoples Services to commission an application form to be submitted by families of children and young people who attend Independent Educational Settings, are Electively Home Educated or in any other setting that disqualifies them from receiving free school meals. The form will ascertain their eligibility for access and, if eligible, will facilitate access to the HAF programme and the Voucher element of the Household Support Fund. This form can then be made available on DCC web page and advertised widely so that as many families that are eligible can be supported regardless of the educational setting they attend.’

and, the replacement of paragraph two as paragraph three of the resolution.

The amendment was put to the vote and carried.

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

Resolved:

This Council notes that:

- **There are vulnerable children in Derby from low-income families who are not attending Derby City schools due to issues arising from their special educational needs and or disability. This means that although they may otherwise be entitled to free school meals and eligible for the Holiday Activity and Food Programme and Household Support Scheme here in Derby, they are not, through no fault of their own. This widens the gap of inequality in Derby. Some of these families do not have the support networks that are provided in schools and may be struggling with the cost of living crisis more so than others.**

- The Council expects to receive a credit of £144K in Jan 2023 for expired vouchers.
- The Government allows local authorities the discretion to use up to 15% of their HAF funding to provide free or subsidised holiday club places for children who are not in receipt of benefits-related free schools meals, such as these children.

Council resolves to:

1. **Ensure that this gap of inequality is addressed, and that support is reaching all those most in need by extending the Household Support Scheme vouchers and the Holiday, Activity and Food Programme to Derby children who meet the criteria for Free school meals, but are not currently in receipt of them due to circumstance arising from their Special Educational Needs and or Disability, this includes those Derby children who receive education otherwise than at school, Derby children in alternative provision, Derby children not in school and Derby children who go to out of area schools as documented in section I of their EHCP (including out of boundary maintained schools).**
2. **Authorise the Strategic Director of Peoples Services to commission an application form to be submitted by families of children and young people who attend Independent Educational Settings, are Electively Home Educated or in any other setting that disqualifies them from receiving free school meals. The form will ascertain their eligibility for access and, if eligible, will facilitate access to the HAF programme and the Voucher element of the Household Support Fund. This form can then be made available on DCC web page and advertised widely so that as many families that are eligible can be supported regardless of the educational setting they attend.**
3. **Request that the Leader of the Council writes to the Secretary of State for Education and the Children and Families Minister respectively, asking them to acknowledge this group of children in all funding decisions, and include them by appropriately funding their needs in the substantive HAF funding, rather than add as a discretionary element, and further to this, urge them to undertake and publish an Equality Impact Assessment and instil equality, fairness and inclusion across all Government policy to ensure all children thrive.**

MAYOR