



Council Meeting
Wednesday 28 February 2024

Public and Councillor Questions
and Responses



Derby City Council

COUNCIL – 28 February 2024
PUBLIC AND MEMBER QUESTIONS

	Questioner	Respondent	Subject
Public Questions			
A	James Mathers	Councillor Swan	Eastwood Drive road safety concerns
B	Simon Bacon	Councillor Shanker	Waste Treatment Centre - CO2 emissions
C	Simon Bacon	Councillor Shanker	Waste Treatment Centre - procurement timeframe
Councillor Questions			
D	Councillor J Wright	Councillor Dhindsa	A52 litter and fly-tipping
E	Councillor Morgan-Mcgeehan	Councillor Dhindsa	Sale of Allestree Hall and Allestree Park rewilding
F	Councillor Smale	Councillor Swan	Spondon bus service
G	Councillor Mulhall	Councillor Hezelgrave	Blue badge backlog
H	Councillor M Holmes	Councillor Swan	Uttoxeter road wall collapse
I	Councillor J Wright	Councillor Shanker	Future of libraries
J	Councillor Smale	Councillor Dhindsa	Lodge Lane North wall ownership
K	Councillor Mulhall	Councillor Martin	MMR vaccination take-up
L	Councillor J Wright	Councillor Shanker	AI implementation and governance
M	Councillor Smale	Councillor Whitby	St Clare's SEND places
N	Councillor Mulhall	Councillor Swan	A38 junction improvements mitigation
O	Councillor Mulhall	Councillor Peatfield	Public Space Protection Order
P	Councillor Mulhall	Councillor Dhindsa	City Centre summit

Public Questions

a) Question from James Mathers to Councillor Swan

Following changes to Manor Road the Highway Authority responsible, must provide the correct information and advise on the safe use of the Manor Road Gap / Eastwood Drive to Residents and daily users of the A5111 Manor Road who are not aware that Derby City Council stated that this gap is not designed for U-turns and confirmed 'the absence of a No U-turn signage at the gap, cannot be used / relied on as a defence in the event of accidents caused as a result of U-turning at this location.' The U-turn driver will be responsible for accidents which is a contradiction to the Eastwood Drive/Manor Road consultation January 2022 which endorsed "U-turns will still be available".

Derby Telegraph Front page "Russian Roulette" on the 7th August 2023 where Residents/Road User feared accidents from motorists who are currently using the Manor Road gap to perform in excess of 5,000 U-turns as recorded by Derby City Council which has led to Residents calling for a review of the Road Safety of the Manor Road gap with Eastwood Drive.

Derby City Council Leaders confirmed to Derby Telegraph "that the Road Safety Consultation of the gap had already been completed" Residents Freedom of Information Request FOI018506792 dated 5th September 2023 to Derby City Council - resulted in the Derby City Council statement that this Road Safety information is " NOT HELD"

When will Derby City Council Highways Authority carry out its Statutory Duty in accordance with Road Traffic Act 1988 Section 39 to Road Users and provide the accurate and correct Road Safety information for the use of the Manor Road Gap before any further accidents or fatalities occur?

There is no current evidence of a need to consider the junction as a priority location for further safety intervention. It will of course be monitored in line with current national guidance and local practice.

b) Question from Simon Bacon to Councillor Shanker

How much CO₂ will the Derby and Derbyshire Waste Treatment Centre on Sinfin Lane emit per year if the site reopens?

We don't know the exact figure at this stage, but based on a high level study, we expect the Derby and Derbyshire Waste Treatment Centre to emit 0.3 tonnes of CO₂ per tonne of waste, if the site reopens.

c) Question from Simon Bacon to Councillor Shanker

Please confirm the revised procurement timeframe for the Derby and Derbyshire Waste Treatment Centre on Sinfin Lane as referred to in Appendix 1 of the 2023/24 performance update from the Cabinet meeting of 14th Feb 2024. Please break this down into planned actions.

The Cabinet decision taken in February 2023 in favour of Option 1 – Fix and Operate, included the action of soft market testing and a procurement process. Indicative target dates for the associated procurement are:

- 1) Advert: Spring 2024
- 2) Review of business case Spring/Summer 2025
- 3) If approved, Preferred Bidder: Summer 2025
- 4) Review of Business case: Spring/Summer 2026
- 5) Final Award: Summer 2026
- 6) Target Plant Operation: 2028/2029

Councillor Questions

d) Question from Cllr J Wright to Cllr Dhindsa

The A52 into Derby is a disgrace with the amount of litter and fly-tipping on both the road and slip roads, is this the image of Derby you want to project?

I agree that littering and fly tipping is a disgrace and I want better for Derby which is why I took a paper to Cabinet in December to provide residents with better access to disposing of their waste by opening up the HWRC booking system on Sundays from April this year and providing some free bulky waste collections in Spring and Autumn.

In addition to this I have strengthened the Council's approach to enforcement by bringing in an external partner to work with us on fly tipping and waste on land offences.

The message is clear, we will help people dispose of their waste responsibly but enforce where people choose to fly tip.

We carry out cleansing on the A52 and will be seeking permission from Highways England as we near the Summer months for a closure to carry out cleansing.

e) Question from Cllr Morgan-McGeehan to Cllr Dhindsa

As a representative of Allestree Ward, I write to seek clarification on matters of significant concern to our community, which I raised previously with my Allestree Ward colleagues in our meeting on 1st August. During this meeting, you kindly committed to providing regular updates to Allestree Councillors regarding key developments in Allestree Hall and the rewilding of Allestree Park. However, since that meeting, there has been a discernible deficit in communication on these critical issues, and indeed, to date, there is no sign of the promised 'single source of truth' information channel that you agreed would be so important.

The absence of the 'single source of truth', a crucial initiative agreed upon in our previous discourse, has led to a proliferation of speculation and confusion among the residents of Allestree. This lack of clear and consistent information has placed Allestree Ward Councillors in a challenging position, as we are frequently approached by constituents seeking updates and clarity on these matters yet find ourselves without substantial information to provide.

Considering this, I respectfully request an update on the status of the Allestree Park rewilding project and the sale of Allestree Hall. Additionally, could you elucidate the measures being taken to establish a reliable and accessible source of information? This would greatly assist in addressing the uncertainties that are currently prevalent amongst our residents and would enable us to fulfil our duties as elected representatives more effectively.

Regarding the Allestree Park rewilding project, I understand you were invited to a briefing on 13 February, along with your fellow ward councillors, although unfortunately you could not attend. Officers gave an update on the project and specifically advance notification of the National Lottery Community Fund award that has since been made public. This was the first significant update following the series of community conversation events that took place in 2023 and which informed the successful lottery bid. As a result of those community conversations, the update on 13 February included the decision that extending cattle grazing and bespoke bike track facilities were not being pursued and which has been confirmed in the recent media release.

The Council and the Derbyshire Wildlife Trust are exploring options for potential uses of Allestree Hall, and associated funding streams, with the aim of developing some or all of the building in a way that could support and enhance

the rewilding scheme on the wider park. When this is progressed further I will ensure that ward councillors are informed.

f) Question from Cllr Smale to Cllr Swan

Can the Cabinet Member give an update regarding the negotiations between DCC & Trent Barton on providing a bus service for Spondon, especially as the BSIP funding has been unlocked by central Government to enable this?

As you say, the Bus Services Improvement Plan funding has previously been announced, however the Enhanced Bus Partnership must demonstrate how any funding will be used to the Department of Transport. We are required to provide more detail to be able to draw down funding for specific bus service improvements. The Council, as part of the statutory Enhanced Bus Partnership, will therefore be submitting a proposal to Government at the end of February 2024.

Changes for Spondon and frequency of bus connections to the city centre will be one element, along with a further proposal for a level of service within the Spondon village area. Alongside this will be proposals to support service improvements in Mackworth and connection via Ashbourne Road, along with improving frequencies along Uttoxeter Road, which will provide additional capacity for service links to the hospital.

Officers are working with the bus operating partners to agree the levels of service that are affordable within the funding, and the service design that is likely to have the best chance of becoming sustainable in the future.

g) Question from Cllr Mulhall to Cllr Hezelgrave

Has the blue badge backlog been cleared?

The Parking Services team have carried out a large process review and implemented new ways of working, which means that the backlog now sits at 21 days, from what was 21 weeks back in November. It is envisaged that by the end of March 2024, the backlog will be cleared.

h) Question from Cllr M Holmes to Cllr Swan

On 20 October 2023, during Storm Babet, a stone built wall to the side of Uttoxeter Road in Mickleover partially collapsed.

This resulted in a temporary road closure and subsequent installation of barriers and temporary traffic lights to re-open one side of the road. The road is busy transport and pedestrian route.

Since then, ward councillors have enquired and received updates from council officers and Derbyshire Building Control (acting on behalf of the council). We were also given a council email contact email to pass on to residents who have queries and questions. This is greatly appreciated.

However, after four months, we are concerned that a firm commitment (and plan) to repair / reinstate the wall has not been forthcoming.

Could the Cabinet Member confirm:

- If ownership of and therefore responsibly for the wall has been formally established / agreed?**
- If proactive work been carried out to assess the wall in regard to repair / replacement / reinstatement options?**
- If there is an estimate of when this section of Uttoxeter Road road is expected to be able to fully reopen?**

The ownership of the retaining wall in question on Uttoxeter Road has not yet been formally established. Derbyshire Building Control Partnership carried out initial investigations, under their powers in the Building Control Act, but these only extend to making safe.

Taking on board the effect of the temporary restrictions on highway users, the Council has agreed it would be more appropriate to deal with the issue using powers under the Highways Act. This would give the City Council, as Highway Authority, the ability to directly pursue a resolution that allows the road to be fully re-opened.

Officers are now able to pursue the ownership issue whilst carrying out work to assess the extent of the repairs needed. This must be done to be able to serve legal notices.

The Council needs to determine ownership of the wall in order to pursue the next steps, so I am not currently in a position to give a definite date when Uttoxeter Rd will be fully re-opened. You are fully aware, however, that these matters are complex and take time to work through. I am pleased to hear, therefore, your appreciation of the support that both residents and local Councillors have received from officers.

i) Question from Cllr J Wright to Cllr Shanker

Why has it taken 10 months and consultants fees to come to the same conclusion regarding the future of our libraries as was in place in May last year?

There is a distinct difference from the previous proposals as the Council will now be seeking one organisation to operate all 10 of its Community Libraries. The advice contained within the legal report that has been obtained has ensured that the Council has a legal basis to move forward in this way.

During this period the community libraries have continued to operate as libraries – in some cases extending the opening hours. There has been an increased number of volunteers coming forward to support the community library services.

j) Question from Cllr Smale to Cllr Dhindsa

It transpires that after a lot of work in trying to track down the legal owner of the Lodge Lane North wall in Spondon, it has once again come back with a negative result, with no identified owner. What are the next steps the Council will take, and will it proceed with any court action to resolve this issue? Residents on the Gascoigne Drive estate have had to be incredibly patient in opening up the road fully and I feel we are in danger of having a section of road that could be another situation to the historical issue of Church Street in Alvaston.

Temporary traffic management measures have been in place restricting Lodge Lane North. This followed the retaining wall being determined to be in a dangerous condition and posing a serious risk to traffic using Lodge Lane. Since August Council Officers, supported by Derbyshire Building Control Partnership, have been working to trace the owner of the wall through Land Registry and Company Records. While these avenues have been unsuccessful to date, and mindful of the Council's financial position, officers are now working with specialist legal support to identify the owner to enable us to serve legal notice requiring work to be carried out to return the wall to a safe condition.

k) Question from Cllr Mulhall to Cllr Martin

With cases of Measles rising across the UK what measures is the cabinet member taking to promote the uptake of the MMR vaccination amongst communities where uptake is low?

MMR vaccination uptake has been lower than the recommended 95% locally and nationally for some time. Measles is highly contagious, with each case potentially infecting 15 to 18 others if they are not vaccinated, and we have seen over 580 cases nationally since 1st October last year. MMR vaccination is the best protection and is safe and effective, with two doses reducing the risk of catching Measles by 99%.

Our Public Health team have been working with the UK Health Security Agency and the NHS locally since the autumn, to both increase the coverage of MMR vaccination and increase awareness of the symptoms and signs of measles infection. This work has included communications through the Derby Health Inequalities Partnership (DHIP), with headteachers and parents through schools and early years settings, along with specific communications with groups who may be more vulnerable. Through DHIP we are supporting work with community connectors in minority ethnic communities to promote accessible, accurate information through existing community networks.

The situation has been declared a national incident and there are national communications being issued, including a text message to all parents of Primary School aged children who are not vaccinated. We have been working with the Integrated Care Board and local GP practices to support this response.

I) Question from Cllr J Wright to Cllr Shanker

The Council's adoption of AI to improve services to residents is welcome but needs to be implemented with care, so will there be an 'AI Compliance Board' set-up to foster resident trust, monitor the ethical use of the technology, mitigate risks, protect data privacy, promote innovation and adoption, enforce transparency and accountability, and comply with legislation?

Yes, this has been specifically cited and defined within all proposals and presentations concerning the AI programme.

m) Question from Cllr Smale to Cllr Whitby

After hearing that the St Clare's SEND project is on pause, can the Cabinet Member confirm that regardless of how or if the strategy changes, that the 35 places that were created under a Conservative administration will remain in place?

It is the ambition of the Council to support the growth in specialist school places identified in December 2022, whether in mainstream or special school provision, and where possible continue to grow that offer, so that we meet the needs of our children and young people.

n) Question from Cllr Mulhall to Cllr Swan

Can the Cabinet Member update us on any mitigation planning the council has undertaken for when the A38 road improvements are given the go ahead?

As you are aware this scheme is led by National Highways. We are waiting for the conclusion of the legal process and, subject to the outcome of this, if it goes ahead, we expect National Highways to provide their refreshed construction details. We will then be able to consider what mitigating measures we may take.

o) Question from Cllr Mulhall to Cllr Peatfield

Has the PSPO been updated to include the enforced dismounting of E-Scooters and E-Bikes on St Peters Street?

No. Any changes to the Public Space Protection Order (PSPO) would require a public consultation period and would require the Council to meet a necessity test.

PSPOs can be used to restrict a broad range of activities. Under Section 59 of the 2014 Act, local authorities must be satisfied on reasonable grounds that the activity subject to an Order:

- has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect)
- is (or is likely to be) persistent or continuing in nature
- is (or is likely to be) unreasonable
- justifies the restrictions being imposed.

When assessing what is 'unreasonable' activity, councils will need to balance the rights of the community to enjoy public spaces without anti-social behaviour, with the civil liberties of individuals and groups who may be affected by any restrictions imposed.

p) Question from Cllr Mulhall to Cllr Dhindsa

Has the new City centre summit taken place yet and if so, what were the outcomes of that summit?

There have been several meetings that have focused on crime, disorder, and anti-social behaviour in the city centre. The meeting involves a number of different services and partners with a shared aim of improving the safety of residents and reducing the perception of crime.

The city centre summit meetings have already delivered a coordinated strategy for addressing various issues, including antisocial behaviour, street drinking, and rough sleepers, among different organisations. This collaborative effort will implement a more efficient meeting structure, chaired by a Council officer, to streamline coordination of support for individuals in need. Additionally, it will agree and target enforcement measures against individuals who persist in causing a nuisance to citizens.

The meetings have facilitated the integration of cleansing services with enforcement teams, ensuring that the city centre can remain vibrant, clean and safe. This collaboration has meant that there has been an increase in local intelligence being reported, recorded, and shared with other organisations. In addition, the meetings have provided oversight to ensure that all needs are considered when conducting cleansing and enforcement operations in the city area.

The city centre summit has been briefed on several successful policing operations aimed at disrupting and deterring unwanted behaviours within the city centre. These updates ensure that all organisations are informed and connected with the operations that have taken place, promoting collaboration and coordination among stakeholders.

Following the establishment of the city centre summits, both Business Improvement Districts and the Business Crime Reduction Partnership have reported an enhanced perception of safety. Furthermore, local intelligence suggests that issues around St. Peter's Cross have seen improvements.

The meetings are quarterly, and outcomes will continue to be monitored and shared.