

ITEM 3

Time commenced - 6:03pm
Time finished - 9.25pm

COUNCIL 20 July 2022

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

23/22 Apologies

Apologies for absence were received from Councillors A J Graves, A W Graves, Nawaz, Pandey and Roulstone.

24/22 Declarations of Interest

Councillor Bonser reported that she was employed by a trade union, in relation to the notice of motion under consideration at minute 35/22. It was noted that the interest was non-pecuniary and that it did not preclude Councillor Bonser from voting on the motion under consideration.

It was noted that Council had previously resolved to link increases in councillors' basic and special responsibility allowances to the national local government pay award, which was due to be debated as part of the notice of motion at minute 35/22. The Monitoring Officer granted a dispensation under Section 31 of the Localism Act 2011 to allow councillors to participate in the debate and vote on the motion.

25/22 Minutes of the Previous Meeting

The minutes of the meeting of the Council held on 25 May 2022 were moved by Councillor Smale, and seconded by Councillor Barker.

Resolved that the minutes of the meeting of the Council held on 25 May 2022 be approved as a correct record, confirmed and signed by the Mayor.

26/22 Announcements from the Mayor

The Mayor reflected on the success of several recent events, including the celebration of Queen Elizabeth II's Platinum Jubilee, attendance at events in recognition of Refugee Week and the parade of the Second Battalion of the Mercian Regiment through Derby, who had been awarded Freedom of Entry to the City in 2007. The Mayor wished the Regiment well ahead of the forthcoming merger of the First and Second Battalions.

Councillor Wood also reported the recent successful takeover of Derby County Football Club under the ownership of David Clowes, after a period of administration.

The Mayor thanked members of Team Derby (which had included Members of Parliament, Group Leaders and Council Officers) who had been involved in protracted negotiations relating to the club's future and wished Mr Clowes well in his stewardship of the Rams.

The Mayor noted that Derby had been shortlisted alongside five other towns and cities to become the new home of Great British Railways, amongst more than 40 expressions of interest nationally. Councillors and residents were encouraged to vote for Derby as part of a public poll being conducted by the Department for Transport.

Before concluding, the Mayor reported to Council the deaths of two well-known local individuals:

- Mr Bish Wojcik was a founding member of the Derby Law Centre, having also worked for the Derby Racial Equality Council and served as Chair of the Derby Refugee Forum.
- Mr Mark Booton was a serving member of the Council's Independent School Admission Appeals Panel and the Independent Remuneration Panel. Prior to his retirement Mark had enjoyed a distinguished career in education, having spent 25 years as Headteacher of St Alban's Catholic Primary School in Chaddesden.

Councillors Wood, Hezelgrave and Hussain shared their recollections of Mr Booton and Mr Wojcik and placed on record their thanks for their public service; a minute's silence was then observed.

27/22 Statements from members of the Council Cabinet

There were none.

28/22 Questions from the public

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Patric Harting	Cllr Hassall	Local Cycling and Walking Infrastructure Plan
Lucy Giuliano	Cllr Hassall	Active Travel Fund
Simon Bacon	Cllr J Pearce	Bins left out on streets
Cecile Wright	Cllr Barker	Fossil fuel pension investment
Pauline Inwood	Cllr Hassall	Climate Change Committee report
Brendan Connelly	Cllr Smale	Council Tax increase
Ruth Coates	Cllr Hassall	Support for bus services
Clare Wood	Cllr J Pearce	Use of harmful pesticides
Sassi Stark	Cllr Hassall	Planning regulations
Simon Bacon	Cllr J Pearce	Waste strategy
Pauline Inwood	Cllr J Pearce	Forest for the Future
Brendan Connelly	Cllr Barker	Attendance at Cabinet Meetings

Ruth Coates	Cllr J Pearce	Public recycling bins
Clare Wood	Cllr Hassall	Climate change advice
Sassi Stark	Cllr Hassall	Preservation of heritage properties

29/22 Questions relating to Derbyshire Fire Authority or Derby Homes

There were none.

30/22 Questions from non-Council Cabinet members

Questions and responses were heard as follows:

Questioner	Respondent	Summary
Cllr A W Graves	Cllr Smale	Swimming lesson payments
Cllr Prosser	Cllr Smale	Council Tax enquiries
Cllr Martin	Cllr Webb	Health inequality
Cllr Skelton	Cllr Smale	Sale of Allestree Hall
Cllr Lind	Cllr J Pearce	King George V Pavilion
Cllr Naitta	Cllr Smale	Reducing energy demand and prices
Cllr Shanker	Cllr Hassall	Becketwell Arena
Cllr Repton	Cllr Eyre	Libraries
Cllr Dhindsa	Cllr J Pearce	Compactor Days
Cllr Peatfield	Cllr J Pearce	Relocation of the Forest for the Future
Cllr Care		
Cllr S Khan	Cllr Smale	Shaftesbury Sports Centre
Cllr S Khan	Cllr Webb	Assured Tenancies
Cllr Care	Cllr J Pearce	Use of Glyphosate
Cllr A W Graves	Cllr J Pearce	Alvaston Park Waterside Cafe
Cllr Martin	Cllr Barker	Appointment waiting times
Cllr Lind	Cllr Eyre	Public Protection Officers
Cllr Shanker	Cllr Smale	City Centre market offer
Cllr Dhindsa	Cllr Williams	Holidays Activity Fund
Cllr Peatfield	Cllr Smale	£150 Council Tax payment
Cllr Care	Cllr Hassall	Biodiversity Action Plan
Cllr A W Graves	Cllr J Pearce	Use of fireworks
Cllr Martin	Cllr Webb	Workforce Retention and Recruitment Fund
Cllr Shanker	Cllr Smale	2021/2022 Revenue Budget
Cllr Dhindsa	Cllr J Pearce	Raynesway Household Waste Centre
Cllr Care	Cllr Webb	Advice to minimise the spread of infections
Cllr A W Graves	Cllr Hassall	Active Travel Funding

Cllr Care	Cllr Hassall	Impact of the Forest for the Future
Cllr A W Graves	Cllr J Pearce	Bonfires
Cllr Care	Cllr Poulter	Levelling Up consultation

31/22 Minute extract 7/22 from the meeting of the Audit and Governance Committee held on 15 June 2022

A minute extract of the Audit and Governance Committee was considered. The minute recommended the committee's annual report from the preceding municipal year to Council for approval.

It was moved by Councillor West and seconded by Councillor Hezelgrave that the minute be approved. The recommendation was put to the vote and carried.

Resolved to approve minute 7/22 of the Audit and Governance Committee.

32/22 Local Government Boundary Review

A report of the Strategic Director of Corporate Resources was received in relation to the review by the Local Government Boundary Commission for England (LGBCE) of the Council's area.

It was reported that the Council had previously made a submission to the LGBCE in February 2022 relating to a proposed warding pattern for the local authority. The Commission had since published its draft recommendations following the consideration of the Council's submission, together with those from residents and other local stakeholders.

The report noted that although the LGBCE's draft recommendations did not fully reflect the warding pattern previously submitted by the Council, it did meet the three statutory criteria of electoral equality, community identity and effective local government. The LGBCE had proposed that 51 councillors were split across 19 wards, comprising of one single councillor wards and four two councillor wards.

The report recommended that Council note the overall proposal, whilst encouraging political groups and ward councillors to make local submissions as they pertain to the areas they represent. The report included a draft consultation response which suggested three minor amendments to the LGBCE's recommendations, where a ward boundary would isolate individual properties from its community or bisected a known site for future development.

It was moved by Councillor Barker and seconded by Councillor Poulter that the recommendations in the report were approved. The recommendations were put to the vote and carried.

Resolved:

- 1. To note the warding pattern proposed by the LGBCE**

2. **To approve the administrative amendments detailed at paragraphs 4.7 to 4.10 of the report as part of the Council's submission to the LGBCE's public consultation**
3. **To encourage the Council's political groups to make their own submissions to the LGBCE's public consultation in relation to the overall warding pattern and ward names.**

33/22 Constitutional Review

Council considered a report of the Strategic Director of Corporate resources, in relation to a proposed constitutional review.

It was reported that the adoption of whole-council elections from May 2023 and the implementation of revised ward boundaries presented a unique opportunity to review the Council Constitution, to ensure constitutional processes and procedures remained efficient, transparent and accountable to local people. It was noted that a wholesale review of the Constitution had not been undertaken for a significant period of time.

The report sought authority to proceed with a constitutional review and identify appropriate external support to undertake the exercise, as well as establishing a cross-party working group to oversee the process. The report proposed that the review would be undertaken on the basis of the Council's current Strong Leader and Cabinet governance model and would include within its scope a full review of several areas of the Constitution, including the Articles, Scheme of Delegation and Procedure Rules.

It was moved by Councillor Barker and seconded by Councillor Poulter that the recommendations in the report be approved. It was moved on the motion of the Mayor and seconded that under Council Procedure Rule CP59(d) that the question was put immediately. The recommendations were put to the vote and carried.

Resolved:

1. **To agreed to undertake a Constitutional Review, with the intention of adopting a refreshed Council Constitution at the Annual General Meeting in May 2023.**
2. **To delegate authority to the Director of Legal, Procurement and Democratic Services and Monitoring Officer to commission external support to scope and undertake a review.**
3. **To delegate authority to the Director of Legal, Procurement and Democratic Services and Monitoring Officer to establish a cross-party councillor working group, constituted in accordance with political proportionality rules, to oversee the review.**

34/22 Motion: Bus service improvement plan

The following motion was moved by Councillor Peatfield, and seconded by Councillor Whitby:

Council notes that since the end of the last lockdown Derby City bus services have been severely impacted including but not exclusively;

- *The loss of the Number 9 in Mackworth*
- *The loss of the Spondon Flyer*
- *The loss of the 17a Darley Abbey/ Broadway service*
- *Reduced service to Royal Derby Hospital from every 15 minutes to every 30 minutes (hourly on Sundays)*
- *Reduced service of the Number 38 to Sinfin from every 12 minutes to every 20 minutes*
- *Oakwood/Chaddesden services reduced from every 5 minutes to every 20 minutes*
- *The Pride Park/Wyvern Park Arena link cut to afternoon peak times only*

Council notes with concern the knock on effects including over-crowded buses, students, shoppers, workers/shift workers unable to use bus services, elderly people afraid of being stranded and people resorting to car use.

Given the need for regular, reliable and available bus services to help Derby achieve its carbon reduction targets and ongoing efforts to ensure our city centre is once more a vibrant hub, council resolves to use its influence as partners in the Enhanced Partnership to prioritise it's recent award of £7.2m BSIP funding as follows:

- 1. Commission a report into bringing Derby's buses back into local control of Derby City Council by franchising the service.*
- 2. A full review and deep delve consultation of current services, travel mapping and assessment of community needs.*
- 3. Bring back full services that have been reduced or removed from communities*
- 4. Introduce methods that make bus journeys the easiest, quickest and most affordable way to travel.*

The motion was put to the vote and carried.

Resolved:

Council notes that since the end of the last lockdown Derby City bus services have been severely impacted including but not exclusively;

- **The loss of the Number 9 in Mackworth**
- **The loss of the Spondon Flyer**
- **The loss of the 17a Darley Abbey/ Broadway service**
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- 3. Bring back full services that have been reduced or removed from communities**
- 4. Introduce methods that make bus journeys the easiest, quickest and most affordable way to travel.**

35/22 Motion: Local Government pay award

The following motion was moved by Councillor Shanker, and seconded by Councillor Bonser:

This Council notes:

Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. UNISON research found that councils in England had to fill a combined funding gap of £3 billion when setting budgets for 2022/23.

Over the last two years, councils have led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But Covid has led to a massive increase in expenditure and loss of income, and as we emerge from the pandemic, local authorities and schools need far more support from Westminster.

Council and school workers kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing 27.5 per cent of their value since 2009/10. Staff are now facing the worst cost of living crisis in a generation, with RPI forecast by the Office for Budgetary Responsibility (OBR) to average at 9.8% across 2022 and currently running at 11.1%. Many staff are having to make impossible choices between food, heating and paying for other essentials. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.

There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Recent research shows that if the Government were to fully fund the unions' 2022 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This Council believes:

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone and who were not offered adequate support through the Covid-19 pandemic.

This Council resolves to:

- *Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of £2,000 or RPI (whichever is greater).*
- *Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim*
- *Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government*
- *Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can support the campaign*
- *Encourage all local government workers to join a union.*

The motion was put to the vote. It was moved by Councillor Shanker 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, Bonser, Care, Carr, Dhindsa, Hezelgrave, Hussain, J Khan, S Khan, Lind, Lonsdale, Martin, Naitta, Peatfield, Prosser, Rawson, Repton, Sandhu, Shanker, Skelton, Swan, Testro, West and Whitby (24).

Against the motion: None (0).

Abstentions: Councillors Barker, Cooper, Evans, Eyre, Hassall, A Holmes, M Holmes, Jennings, Kus, Lindsey, Pattison, J Pearce, T Pearce, Potter, Poulter, Smale, Webb and Wood (18).

The motion was carried.

Resolved:

This Council notes:

Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. UNISON research found that councils in England had to fill a combined funding gap of £3 billion when setting budgets for 2022/23.

Over the last two years, councils have led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But Covid has led to a massive increase in expenditure and loss of income, and as we emerge from the pandemic, local authorities and schools need far more support from Westminster.

Council and school workers kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing 27.5 per cent of their value since 2009/10. Staff are now facing the worst cost of living crisis in a generation, with RPI forecast by the Office for Budgetary Responsibility (OBR) to average at 9.8% across 2022 and currently running at 11.1%. Many staff are having to make impossible choices between food, heating and paying for other essentials. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.

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This Council resolves to:

- **Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of £2,000 or RPI (whichever is greater).**
- **Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim**
- **Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government**
- **Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can support the campaign**
- **Encourage all local government workers to join a union.**

36/22 Motion: Ambulance response times

It was moved by Councillor Lonsdale under Council Procedure Rule CP53 that the motion of which they had previously given notice be altered by:

- The replacement of reference to the 'City of Derby' with 'East Midlands' in the first, third and fourth paragraphs.
- The amendment of the third and fourth paragraphs to reflect East Midlands Ambulance response times at June 2022, instead of December 2021.

The following motion was moved by Councillor Lonsdale, and seconded by Councillor Lind:

Derby City Council notes with concern the increase in average Ambulance Response times in the East Midlands – which in the last quarter of 2021 were at their highest since records began in 2017.

Derby City Council would like to record its gratitude to local ambulance staff – who work flat out to keep our community safe every day of the year. However, Derby City Council believes the Government has failed to act on warnings that ambulance services are struggling to maintain a safe and timely service.

The target response time for a 'Category 1' incident (immediately life threatening) is 7 minutes. However, the latest figures from June 2022 showed the average response time in the East Midlands for Category 1 callouts is 17.12 minutes.

The target response time for a 'Category 2' incident (major incidents such as strokes or potential heart attacks) is 18 minutes, but in June 2022 the average response time in the East Midlands for a Category 2 callout was 1 hour and 12 minutes.

Council believes the response times for Category 2 callouts are particularly concerning. Those who suffer serious emergencies such as strokes, severe chest pains and severe burns need to be treated urgently.

Council gives its support to the Ambulance Waiting Times (Local Reporting) Bill, moved by Liberal Democrat MP Daisy Cooper, which is currently being considered in Parliament. The bill would make it a requirement for NHS Trusts to publish regular localised reports into Ambulance response times for Category 1,2,3 and 4 callouts and to provide explanations for targets not being met.

Council instructs the Chief Executive to write to the Secretary of State for Health and Social Care to:

- *Express the Council's support of the Ambulance Waiting Times Bill.*
- *Request that the Secretary of State commission the CQC, under powers laid out in Section 48 of the Health and Social Care Act 2008, to conduct an urgent investigation into the causes and impacts of ambulance service delays.*

Council further agrees for a report to be brought to the next Adults and Health Scrutiny meeting to provide further analysis of ambulance response times in Derby, causes of response targets not being met and what support the Council can give local NHS services to improve local ambulance response rates.

It was moved by Councillor Martin and seconded by Councillor Dhindsa that the motion be amended by the deletion of the sixth, seventh and eighth paragraphs in their entirety and the addition of the following words in their place:

"Council calls on the government to take immediate action to begin to reduce ambulance waiting times by addressing the causes of these unacceptably high risk waiting times.

Council instructs the Chief Executive to write to the Secretary of State to:

- *Express Council's view that ambulance waiting times are putting lives at risk*
- *Urge that NHS and social care funding is increased*
- *Ensure that funding is allocated appropriately, via consultation with the local Integrated Care Board, to underfunded and understaffed services that are contributing to increased waiting times, including those in primary and social care*

Council further agrees for a report to be brought to the next Adults and Health Scrutiny meeting to provide further analysis of where funding and staffing shortages exist, and how the local ICB, the Derby and Burton Hospital Trust and the Council can work together to improve local ambulance response times.”

The amendment was put to the vote and lost.

It was moved by Councillor Webb and seconded by Councillor Poulter that the motion be amended by the deletion of the following words: “However, Derby City Council believes the Government has failed to act on warnings that ambulance services are struggling to maintain a safe and timely service”.

And, the deletion of the sixth, seventh and eighth paragraphs in their entirety, and the addition of the following words in their place:

“Council asks the Chief Executive and Strategic Director of People Services to continue to work with partners on improvements that will directly affect Ambulance response times and expresses its general support for the principles of the Ambulance Waiting Times Bill, which would make it a requirement for NHS Trusts to publish regular localised reports into Ambulance response times for Category 1,2,3 and 4 callouts and to provide explanations for targets not being met.

Council notes the entitlement of all councillors under Overview and Scrutiny Procedure OS15 to have an item included on the agenda of an Overview and Scrutiny Board, where written notice is given to the Proper Officer, and recognises that as the statutory health scrutiny committee, the Adults and Health Board is the appropriate forum for Ambulance response times to be considered.”

The amendment was put to the vote and carried.

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

Resolved:

Derby City Council notes with concern the increase in average Ambulance Response times in the East Midlands – which in the last quarter of 2021 were at their highest since records began in 2017.

Derby City Council would like to record its gratitude to local ambulance staff – who work flat out to keep our community safe every day of the year.

The target response time for a ‘Category 1’ incident (immediately life threatening) is 7 minutes. However, the latest figures from June 2022 showed the average response time in the East Midlands for Category 1 callouts is 17.12 minutes.

The target response time for a ‘Category 2’ incident (major incidents such as strokes or potential heart attacks) is 18 minutes, but in June 2022 the average response time in the East Midlands for a Category 2 callout was 1 hour and 12 minutes.

Council believes the response times for Category 2 callouts are particularly concerning. Those who suffer serious emergencies such as strokes, severe chest pains and severe burns need to be treated urgently.

Council asks the Chief Executive and Strategic Director of People Services to continue to work with partners on improvements that will directly affect Ambulance response times and expresses its general support for the principles of the Ambulance Waiting Times Bill, which would make it a requirement for NHS Trusts to publish regular localised reports into Ambulance response times for Category 1,2,3 and 4 callouts and to provide explanations for targets not being met.

Council notes the entitlement of all councillors under Overview and Scrutiny Procedure OS15 to have an item included on the agenda of an Overview and Scrutiny Board, where written notice is given to the Proper Officer, and recognises that as the statutory health scrutiny committee, the Adults and Health Board is the appropriate forum for Ambulance response times to be considered.

MAYOR