



Council Meeting
Wednesday 27 November 2019

Public and Member Questions
and Responses



Derby City Council

COUNCIL – 27 November 2019
PUBLIC AND MEMBER QUESTIONS

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Public Questions

a) Question from Dorothy Skrytek to Councillor Webb

In relation to the question I asked at the last meeting on 25 September regarding incineration and Derbyshire county council's contract partnership with Derby City - which ward suffered the cancer spike, in Derby?

Cancer incidence and mortality are measured through a number of different indicators and these were reviewed in September for the previous question. In summary:

- For the latest mortality data available (2015-17) Derby has shown a gradual reduction in deaths in people less than 75 years from cancer considered preventable, and all cancers, in line with national trends.
- The proportion of deaths with an underlying diagnosis of cancer showed a slight increase, but this was within the limits of variation we have seen over recent years and could not be described as a spike.
- The incidence of cancer (new diagnoses) increased slightly from 15/16 to 16/17 for all of Derbyshire but again this could not be described as a spike.

We are not clear whether the question relates to new diagnoses of cancers or deaths from cancers and we are also not clear on the source of the concern that there has been a spike. Our routine monitoring of this data has not demonstrated any areas of concern and we have seen no evidence of a spike in any of the indicators.

Analysing rates of new cancer diagnoses or cancer deaths by ward is subject to significant variation simply due to the small numbers involved and so is not something routinely undertaken. When rates of conditions for each ward are small we are also unable to share these due to confidentiality issues, the results are often non-disclosable. As there have been no concerns within the routine data this analysis has not been undertaken.

b) Question from David Thompson to Councillor Webb

On what grounds can the Council make over the use of the Aspect building to vulnerable children when it is in receipt of firm proposals that require negotiations to be carried out as part of a mitigation exercise contained in the Equality Action Plan to be carried out under the Equality Impact Assessment that exists on the building?

Why has the Council not taken note of its own legal advice contained in the EIA about the position that would be taken if the matter were to be taken to judicial review?

The Equalities Impact assessment being referred to was not specifically about the future use of the building in question – rather it was assessing the potential negative impacts on individuals currently using a range of Council care services that were subject to significant change and re-provision. One of the 19 recommended mitigating actions included:

“Council to consider any proposals around Community Asset Transfer that may come forward for Aspect, or other facilities as appropriate”.

Discussions have taken place with a number of interested parties about the future use of the building formerly known as “Aspect” and proposals considered. However, the Council is under no obligation to enter into any commercial negotiations with any party about its assets. An alternative use for the building is required as a business priority for the Council and this is now being taken forward. This relates to Special Educational Needs (SEND), and options for additional capacity for primary special school places.

c) Question from Simon Bacon to Councillor Smale

Prior to the return of the blue bin scheme to areas it was previously removed from how many properties in the city did not have a blue bin service and how many have now signed up for the blue bin service the Council launched earlier this year?

Prior to the inner city blue bin scheme, there were 6133 properties in these areas without a kerbside recycling service. As of 19 November 2019, 303 properties have registered for a blue bin collection.

d) Question from Bernadette Grosse to Councillor Roulstone

Why is it so difficult to get through to welfare rights advice by telephone, being told constantly that, 'All our advisers are busy', when the suffering caused by this so called benefit is an acknowledged national disgrace?

We are sorry that Ms Grosse was unable to access the welfare rights advice service in this instance. The Welfare Rights Team experiences a high demand for its services from the public, and last year the team dealt with 9,994 enquires.

Demand for welfare rights advice has increased since the roll out by the Department for Work and Pensions (DWP) of Universal Credit, and the team continue to support Derby residents, who are experiencing difficulties as a result of this change.

The team aims to triage all enquiries within 48 hours. At this initial call we assess the customers' enquiry or issue, and identify the most appropriate support or advice to offer the customer.

On this particular occasion we were having issues with the answerphone messaging service. This would normally allow the customer to leave a message and they would also hear a message that prompts them to go the website and/or email us. This has now been resolved. We would like to apologise for any difficulties or inconvenience that this caused.

In addition, Derby Homes has recognised the increasing demands for access to the welfare rights service and has invested resources to increase the triage function to enhance responses to incoming enquiries.

e) Question from Dorothy Skrytek to Councillor Smale

It is being reported that the brown bin (for low-carbon organics/foodwaste) is being 'missed' across the city. Instead of actively promoting sustainable composting, Derby City Council appear to be placating contractual concerns. Any incinerator operator will look at the quantity of organic waste (which people across the city are now forced to throw into the black bin, due to brown bin loss) which they need for destruction, instead of sustainable, carbon sequestering composting 'waste' management. Yet the Council have agreed that the brown bin (and blue) is also cheaper than the black bin. Brown bin registration is vital to the council's declared climate emergency principles and UK Sustainability Objectives, on conserving world resources - how is the brown bin take-up going across the city and how many 'missed' brown bins have there been?

56,162 customers are registered for the brown bin service – this number is steadily increasing and we will continue to promote the scheme. We will also continue to enable customers to compost their food and garden waste by providing bins and collections, so long as they tell us they want to participate and place the correct materials in the bin. We have also recently reviewed the content of our website to actively promote home composting.

There are 110,510 homes in the city, however not all of these will have a garden/are suitable for the scheme/are able to accommodate the brown bin service, so take-up will not be 100%.

Since the new service commenced in April, 1442 customers have logged a missed bin with us. This means that out of an approximate 954,754 collections, 99.85% have taken place as scheduled.

f) Question from Simon Bacon to Councillor Smale

In this financial year how many tonnes of garden and food waste have been collected and how does this compare to the previous financial year?

For the period 01/04/19 to 31/10/19 we have collected 10,264 tonnes from the kerbside.

For the period 01/04/18 to 31/10/18 we collected 3,786 tonnes from the kerbside.

For the period 01/04/18 to 31/03/19 we collected 4,028 tonnes from the kerbside. We did not collect for the winter months – starting again in April.

Councillor Questions

g) Question from Councillor Hezelgrave to Councillor Poulter

It is now 12 months since Full Council unanimously agreed to the adoption of the Charter against Modern Slavery. The motion contained specific points which needed to be addressed in order for the Council to be in complete alignment with this commitment. What progress has been made?

As a key member of public sector and a member of the Derby & Derbyshire Modern Slavery Partnership, the council is committed to improving its practices to identify and combat the crime of Modern Slavery. The Council recognises its responsibility to take a robust approach to modern slavery and human trafficking as an employer, commissioner and contractor of other bodies, and acknowledges its duty to notify the Secretary of State of suspected victims of slavery or human trafficking as required by section 52 of the Modern Slavery Act 2015.

The Council is absolutely committed to preventing and taking action against identified slavery and human trafficking in its corporate activities, its supply chains and the wider community, and ensuring these are free from slavery and human trafficking.

Regarding the commitments made in adopting the Charter against Modern Slavery we have made progress.

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
 - a. Due to the cost that would be incurred, we have had a senior member of the Procurement team undertake the CIPS training and are producing in-house training to commence early January 2020. We have our own internal course for modern slavery both e-learning and face to face which members of the procurement team have attended.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
 - a. The standard question is included in every process and our standard terms and conditions have been updated to include termination as a sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.

- a. In line with Public Contract Regulations 2015, these will be challenged and we shall reject the tender where we have established that the tender is abnormally low because it does not comply with applicable obligations referred to. To date, there have been no occurrences of low cost tenders.
- 4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
 - a. Not specifically but we refer to equality and non-discrimination within tenders and contract agreements
- 5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
 - a. The Council's Whistle Blowing Policy has been revised and includes details of Section 52 of the Modern Slavery Act 2015 – Duty to Notify
- 6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
 - a. Not actioned
- 7. Review its contractual spending regularly to identify any potential issues with modern slavery.
 - a. Not actioned
- 8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
 - a. No instances identified
- 9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
 - a. No instances have arisen
- 10. Report publicly on the implementation of this policy annually.
 - a. Derby City Council voluntarily complies with Section 54 (Transparency in Supply Chains) of the Modern Slavery Act 2015 which requires commercial organisations with an annual turnover of £36 million or more to develop a slavery and human trafficking statement each year. The slavery and human trafficking statement sets out what steps organisations have taken to ensure modern slavery is not taking place in their business or supply chains. Our statement for 2019 has been prepared and will be placed on the council's website.

h) Question from Councillor Pegg to Councillor Barker

When the Conservatives took control of the Council in 2018 you made a big shout about turning the fountain in the Market Place back on. Six months later you switch it off because of Health & Safety issues with regards safe working practices i.e. breathing equipment required by staff entering the pit to carry out routine maintenance.

I also believe you told this chamber that to get round this you were going to move the control panels to the Council House.

Can you tell me what is the cost of the proposed works, when will it happen, what will be the cost of the monthly purification of the water be if and when you get it running again?

The works have now been completed at a cost of £16,000 and a further £1,865 will be incurred prior to the planned switch, after winter, in April 2020. The monthly cost for the contractor to monitor water quality will be £900.

i) Question from Councillor Peatfield to Councillor M Holmes

What progress has been made in recruiting a climate emergency officer?

The Post of Climate Change Co-ordinator was offered and verbally accepted last week. The successful candidate should be starting with us before Christmas, subject to the standard pre-employment checks.

j) Question from Councillor Shanker to Councillor M Holmes

Please give me an update on the Assembly Rooms Refurbishment in terms of cost timescales and scope.

The project is on budget with no change to the scope or timescale.

k) Question from Councillor Ashburner to Councillor Smale

How has the brown bin service changed since the new scheme was introduced in terms of:

- **Tonnage of compostable waste collected per month or four week period.**
- **Number of brown bins being collected per month or four week period.**
- **Number of households being collected from, and how this has changed since the new system was introduced.**
- **Change in quantity of waste for landfill (black bin waste).**
- **Assumed reduction in compostable waste to landfill.**

| Month | Tonnage | Month | Tonnage |
|--------|----------|--------|---------|
| Apr-19 | 1,205.90 | Apr-18 | 419.00 |
| May-19 | 1,254.71 | May-18 | 859.84 |
| Jun-19 | 1,371.36 | Jun-18 | 669.24 |
| Jul-19 | 1,901.68 | Jul-18 | 393.78 |
| Aug-19 | 1,814.58 | Aug-18 | 435.56 |
| Sep-19 | 1,480.32 | Sep-18 | 494.26 |
| Oct-19 | 1,224.03 | Oct-18 | 514.60 |

We know the number of customers who have signed up to the scheme. We do not know how many bins are being collected each week as not every bin is out every fortnight.

We currently have 56,162 households who have signed up for the brown bin scheme. At the end of 2018 we had 13,652 households who had signed up for the charged for scheme.

Our current forecasting is showing a 7,878 reduction in black bin tonnages for the year. We generally see a one or two per cent waste growth in disposal – most of which is as a result of new properties in the city so the actual diversion from black to brown could have been higher but has been reduced by this growth.

I) Question from Councillor Peatfield (i) and Councillor Carr (ii) to Councillor Smale

- (i) In spite of the recent floods in the city and the threat of more to come, the Cabinet are reducing the number of officers in the flood and drainage team from 7 down to 4. How do you justify this cut?**
- (ii) In view of the recent issues with serious flooding in the city, do you consider it wise to reduce the numbers in the Land Drainage Team?**

The proposed changes in this team are in combination with moving the Land Drainage and Flood Defence team from Streetpride over to the Engineering Design Team. This is to promote closer working across the Council's engineering disciplines and deliver efficiencies. This will provide greater resilience across engineering and deliver savings that contribute to a balanced budget for 2020/21.

However, since the recent flooding events a proposal to protect two out of the three at risk posts has been developed by officers. This is only sustainable for two years but will give the time for the team and their processes to be reviewed for potential efficiencies.

The proposal is an indirect result of the additional £9.2million that has been identified for highway infrastructure works in 2020/21 and 2021/22.

m) Question from Councillor Pegg to Councillor Potter

Can the Chair or Cabinet member responsible for the Personnel Committee please tell us how many meeting have been changed over the last municipal year since the schedule was agreed?

There have been four meeting changes for the Personnel Committee in the current Municipal Year. This has been for a variety of reasons including:

- The availability of the Chair
- Achieving quoracy due to Councillor availability
- Due to the previous meeting being postponed to avoid inquoracy, the subsequent meeting was also deferred, at the recommendation of officers, to ensure the committee had new information to consider.
- There are some policies which require approval earlier than the next scheduled meeting and therefore at the request of officers, the meeting has been brought forward.

n) Question from Councillor Care to Councillor M Holmes

Six months ago there was all party support for Derby to address the Climate Emergency. This included setting up a working group and agreeing a plan by the end of the year. The time to do this is now very tight. How do you expect this to be achieved?

We have recently recruited a dedicated post to co-ordinate our work in this area and the person should be starting with us soon, subject to the necessary pre-employment checks.

The recruitment process is key to moving forward with purpose and a plan. I am sure that you will agree it is important to also ensure we take some time to build a shared understanding of this complex area and the city's current position to inform that plan.

However, I would stress that we are continuing our work to keep up the momentum through various projects and programmes including the recently launched De-Carbonise initiative which provides environmental support and grants to local businesses to reduce their carbon footprint throughout the city and the wider county.

o) Question from Councillor Skelton to Councillor Smale

Some time ago improvement works were scheduled for the Stenson Road / Ring Road roundabout. After that had been done, the Littleover Lane / Stenson Road / Village Street crossroads was due to be signalised. Why have neither of these yet been done?

The proposed changes to the roundabout at Stenson Road and the inner ring road were part of highway improvements negotiated as an element of a residential development in South Derbyshire. The designs were re-tested over time however, and were shown to have marginal benefit without additional works being carried out to improve the inner ring road.

Further study over the past few years has suggested that a wider scheme to improve the inner ring road is required. This would be a significant scheme and the Council has made submission to Government to try to access major road scheme funding. In the meantime the Council has negotiated with the developers to secure a financial contribution, which will be part of a funding package for a future wider scheme with additional benefits.

The signalisation of Village Street has also been assessed and again, without the changes to the inner ring road and the roundabout, the signals would increase congestion in the area during peak traffic times.

The whole package of schemes needs to be considered as part of a wider more significant re-design. The Council will continue to seek funding opportunities for the larger and more effective scheme to be delivered.

p) Question from Councillor Care to Councillor Webb

Screens in the Council House have been encouraging staff to partake of full English breakfasts on Fridays. How does this fit with Council aims to improve health, reduce obesity and cut climate change?

The restaurant operator has re-introduced full English breakfast on a Friday to widen the service they are offering and customers like the breakfast offering. We are advertising it as it is a change that has been put in place – and letting people know that it is in place.

All ingredients are good quality products, meat / Quorn products and hash browns are oven cooked rather than fried. Eggs are fried to order – limited fat – but poached eggs are available upon request. They offer toast instead of fried bread. As such you can have a hearty but healthy breakfast. Customers can choose which items they purchase.

Every day they offer porridge, yoghurts, fruit, Danish pastries so there is a good choice for people who have different tastes and maybe following different eating habits. They also offer breakfast baps each day.

q) Question from Councillor Care to Councillor M Holmes

**Consultation on Part 2 of the Local Plan has been awaited for months.
When is it now expected to start?**

I envisage that consultation on a draft of the LP2 plan will take place early summer next year.

