

PUBLIC

MINUTES of a meeting of **COUNCIL** held on Wednesday, 24 May 2023 in the Council Chamber, County Hall, Matlock.

PRESENT

Councillor T Ainsworth (in the Chair)

Councillors B Lewis, S Spencer, K S Athwal, R Ashton, D Allen, N Atkin, J Barron, B Bingham, J Bryan, S Bull, S Burfoot, A Clarke, D Collins, A Dale, C Dale, J Dixon, R Flatley, M Ford, E Fordham, A Foster, M Foster, R George, K Gillott, D Greenhalgh, L Grooby, C Hart, A Hayes, G Hickton, S Hobson, N Hoy, R Iliffe, J Innes, T Kemp, T King, G Kinsella, W Major, R Mihaly, P Moss, D Muller, D Murphy, G Musson, J Nelson, P Niblock, R Parkinson, J Patten, L Ramsey, C Renwick, P Rose, J Siddle, P Smith, A Stevenson, A Sutton, S Swann, D Taylor, D Wilson, B Woods, J Woolley and M Yates.

Apologies for absence were submitted for Councillor C Cupit, A Gibson, N Gourlay, R Redfern and J Wharmby.

Officers present: Emma Alexander (Managing Director), Helen Barrington (Director of Legal and Democratic Services), Alec Dubberley (Head of Democratic and Registration Services), Chris Henning (Executive Director - Place), Mark Kenyon (Director of Finance and ICT), Iain Little (Deputy Director of Public Health), Joe O'Sullivan (Executive Director - Corporate Services and Transformation) and Simon Stevens (Director Of Adult Social Care and Health).

39/23 APPOINTMENT OF THE CHAIRMAN OF THE COUNTY COUNCIL FOR 2023-24

The Director of Legal and Democratic Services opened the meeting to seek nominations for the Chairman of the County Council for the ensuing year.

On the motion of Councillor B Lewis, duly seconded it was

RESOLVED:

To elect Councillor T Ainsworth as Chairman of the County Council for 2023-24.

Councillor Ainsworth joined the meeting.

On taking the Chair, the Chairman spoke to reflect on some of the highlights and achievements over the past year.

40/23 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cupit, Gibson Gourlay, Redfern and Wharmby.

41/23 **DECLARATIONS OF INTEREST**

None received.

42/23 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman wished the best of luck to Councillor Gary Hickton who would be taking part in the Derby Marathon on 4 June, raising money for PASIC, a charity that gives cancer support to children and young people. There was a fundraising page if anybody wished to contribute.

The Chairman reported with sadness that Ronald Graham, the Independent Chairman of the Derbyshire Pension Board, had recently died. He had been the Chairman of the Board since it was established in 2015 and had recently been appointed for a further term. The Chairman conveyed condolences on behalf of the County Council to his family and friends and expressed thanks for his positive contribution to the governance of the Derbyshire Pension Fund.

A further piece of sad news was that retired Councillor Peter Riggott, elected member for Clay Cross between 2005 and 2015, had recently died. During his time as elected member he was the Cabinet Support Member for Environmental Services and served on the Planning Committee, Derbyshire Police Authority and various Scrutiny Committees.

Members stood in silent reflection and afterwards a number of members spoke to give their own tributes.

43/23 **MINUTES**

On the motion of Councillor B Lewis, duly seconded, it was

RESOLVED:

To confirm, as a correct record, the minutes of the meeting of Council held on 22 March 2023.

44/23 **APPOINTMENT OF THE CIVIC CHAIRMAN OF DERBYSHIRE COUNTY COUNCIL FOR 2023-24**

On the motion of Councillor J Nelson, duly seconded it was

RESOLVED:

To elect Councillor D Taylor as Civic Chairman of the County Council for 2023-24.

45/23 APPOINTMENT OF THE VICE CIVIC CHAIRMAN OF DERBYSHIRE COUNTY COUNCIL FOR 2023-24

On the motion of Councillor S Bull, duly seconded it was

RESOLVED:

To elect Councillor T Kemp as Vice Civic Chairman of the County Council for 2023-24.

46/23 REPORT OF THE LEADER OF THE COUNCIL AND MEMBERS' QUESTIONS

The Leader of the Council began his report by offering congratulations to Councillor Ainsworth, the re-elected Chairman, the newly appointed Civic Vice Chair, Councillor Tony Kemp and thanked the outgoing Civic Chair, Councillor David Wilson, who had been excellent whilst carrying out his duties on behalf of the authority over the last twelve months. He congratulated Councillor David Taylor for his elevation to the Civic Chairman for the forthcoming civic year and paid tribute to the work he had undertaken in his previous role as Vice Chair.

He referred to the very successful Producers' Day event held in prior to the meeting at County Hall where producers from across Derbyshire had attended to showcase their products along with local artists who had exhibited their work.

He went on to mention the issue in relation to Luke Evans bakery and the strong public feeling in relation to them not re-securing the contract to provide bread for schools. He described the procurement process that had been followed and how the successful bidder had been selected. The tender and selection process had been fully compliant with public contract regulations and to change the decision would be a breach of the regulations and therefore the law. Councillor Lewis confirmed that he had asked the relevant teams to look at how we could strengthen our processes for buying goods and services locally. He reported that there was a new Procurement Bill going through Parliament currently that would introduce significant changes to the way the public sector could buy goods and services, and though these changes would not come into

force until early 2024, they would reform the way that public authorities can purchase goods, services and works by simplifying and modernising procurement rules and procedures, opening up public procurement to more small businesses and social enterprises which would enable them be able to compete and win more public contracts.

In response to a question from Councillor A Dale, Councillor Lewis advised that he hoped that the Producer's Event could be run again in the future. He also thanked officers involved in putting the event together.

In response to a question from Councillor Dixon about her not receiving a briefing on the situation with the Bread Contract, Councillor Lewis advised that he would ensure that she was provided with a briefing note.

In response to a question from Councillor Fordham about "food miles" in relation to procurement, Councillor Lewis advised that the necessary guidance and legislation were complied with when the Bread Contract went through the procurement process.

47/23 PUBLIC QUESTIONS

Question from Sue Owen, on behalf of the Derbyshire Pensioners Action Group to Councillor S Spencer, Cabinet Member for Corporate Services and Budget

"The government is intending to bring in legislation that would force Local Councils and Local Authority Pension Funds to make decisions about investments and procurement that must be in line with central government foreign policies. This means that Local Authority Pension Fund Committees would no longer be able to make their own ethical and responsible investment decisions.

This seems to totally undermine local democracy and the power of local authorities to make their own decisions on behalf of their local populations. Does Derbyshire County Council support this policy and if not, what actions are you taking to defend local democracy and the democratic rights of local people?"

Councillor Spencer responded as follows:

"The Government published a Green Paper transforming public procurement in December 2020 which set out proposed changes to the legal and operational framework for public procurement, with the aim of simplifying procurement processes putting value for money at their heart and unleashing opportunities for small businesses, charities, social

enterprises that innovate public service delivery. When the Green Paper was issued, the implied increase in Central Government involvement in public procurement processes was noted, together with the importance of local decision making with democratically elected Councils.

The subsequent Procurement Bill 2022-23 is currently making its way through Parliament. In advance of any assurance of the updated investment guidance or directions for the Local Government Pension Scheme following the introduction of the proposed boycotts, this Investment and Sanctions Bill, the Government has committed to engage extensively with Local Government Pension Schemes over a twelve week period of consultation. As the administering Authority for the Derbyshire Pension Fund, the Authority would consider the Government's proposals in respect of a Local Government Pension Scheme and, when they are published we will respond to the consultation in the appropriate way."

Ms Owen asked the following supplementary question:

"You may be aware that 60 civil society organisations have signed a document opposing these Government proposals to outlaw boycotts on any issues of justice, human rights or environmental concerns, including a number of religious, human rights, anti-poverty, international legal and environmental organisations. Some of our most progressive advances such as the abolition of slavery, the abolition of apartheid, women's right to vote, issues which no one would disagree with now have come about partly as a result of peaceful boycotts.

Derbyshire's responsible investment framework very clearly states that investment decisions must take environmental, social and government's issues into account. Derbyshire Pension Fund has a climate strategy which however weak does aim to be in line with the Paris Agreement. Central Government foreign policy continues to support high levels of investment in fossil fuels which will make it impossible to achieve their commitment set out in the Paris Agreement.

If this legislation is passed how will Derbyshire Council and the Pension Fund react when Government foreign policy is in direct contradiction to Derbyshire's own climate strategy and responsible investment framework?"

Councillor Spencer responded to the supplementary questions as follows:

"It is impossible for me to really answer that question until we have been through the consultation process and we know what those consultation

questions are going to be and as I have said earlier in my response today we will respond accordingly to the questions that are tabled and obviously await with interest the outcome of that consultation process and the legislation that is drawn up off the back of it.”

Question from Wendy Bullar to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“In response to a previous public question, the Leader talked about the impacts of lithium and cobalt extraction, stating these may be as bad as the impacts caused by fossil fuels. I assume he was referring to batteries for electric cars. While experts agree there are impacts, these are nowhere near as catastrophic for climate and biodiversity as those caused by fossil fuels. The solution is to reduce car use, through car or lift sharing, more public transport and active travel and more tele-working.

We must however reduce energy demand – full stop. We must also generate more renewable energy across the UK and Derbyshire. Does the Leader accept the need to reduce demand for fossil fuels for transportation, residential and commercial energy use and what is the council doing to support this?”

Councillor Lewis responded as follows:

“Of course the Council recognises that action to tackle climate change is needed on an unprecedented scale and that we as local authorities have a crucial role to play in this. Reducing energy demand is the focus of the Derbyshire County Council’s Climate Change strategy achieving net zero which is over the period 2021-2025 which the previous questioner described as “weak”, which I would wholly refute it is. Actually it is one of the best that you will find out there I believe in the world of local authorities what we have set out in terms of our ambition in particular. It sets out how the Council will play its part in reducing energy demand in transport, in housing and in commercial industrial sectors across the county to enable us to be a net zero county by 2050 or sooner.

Regarding that aspect of transport the Council is taking action to ensure the county has a sustainable and integrated system that enables everyone to make their journeys, to have that ability to make their working journeys through Active Travel, walking, cycling, public transport or decarbonised vehicles, whether that be individuals or for businesses. The Local Transport Plan that is under development will include climate change consideration as its central plank of that plan setting out the requirements for quantifiable carbon reduction assessment and a plan for Derbyshire’s transport sector as well.

The Council is working in partnership with other Councils across the region to adopt a D2N2 local cycling and walking infrastructure plan which contains strategic proposals for improving and expanding Derbyshire's Cycle Network, including the White Peak Loop which is a key ambition of this administration as well I might add. The Council has also been successful in securing funding from Active Travel England's Capability Fund to build capacity and develop business cases for Active Travel schemes in market towns. We will also get to hear more about that later I dare say as well.

The Council has secured £47m from the Department of Transport to deliver its BSIP Improvement Plan, Bus and Services Improvement Plan, which will help improve bus services and infrastructure right across the county through means such as fair discounts for young people and unemployed people and the introduction of new ticketing arrangements, improvement to service information, the development of transport hubs and the introduction of some new and enhanced bus services. I am sure you have probably seen the headlines about that relatively recently as well.

In relation to housing the Derbyshire Healthy Homes Programme continues to replace inefficient carbon intensive domestic systems with modern gas boilers and provide insulation for eligible households. You have probably heard in this Chamber before we have spoken about some of the great work that has been done across Derbyshire by my colleagues like Councillor Dale over there when he was Leader of North East Derbyshire District Council. A very efficient well-run programme there.

We have been working with our District and Borough colleagues and communities to understand how Councils and communities can work together to improve energy efficiency of their homes to make them fit for the future and following extensive consultation exercises across the county a draft action plan has been developed which has undergone consultation with interested community groups and individuals and is now in the process of being finalised. The action plan sets out a series of key actions that can be co-delivered with residents and other stakeholders and includes proposals around an advice service to support homeowners to decarbonise their own homes and reduce energy consumption.

We also continue to support the decarbonisation of the industrial and commercial sectors as well through the Green Energy Entrepreneur's Fund. The Council is helping businesses to reduce their environmental impact to drive innovation and to create sustainable growth

opportunities. We are also working in partnership with energy intensive industries to decarbonise their operations and you will hear more about that over the coming weeks and months in this Chamber. I do encourage you to do that. This includes a recent establishment of a memorandum of understanding between the Council and the minerals and quarrying sector to explore opportunities for decarbonisation, low carbon skills, employment development and renewable energy generation.

The Council is committed to supporting the appropriate growth in renewable energy generation across the county in appropriate support in this context and as such we have supported the Derbyshire Spatial Energy Study which was completed in 2022 and is now on the Council's website. That identifies opportunities for increased renewable and low carbon energy generation across the county. Climate change, planning guidance and associated assessments have all now been developed by the Council and is also published on the website. Those resources provide the Council with the evidence and the opportunities to influence local plan reviews and updates and the wider low carbon planning and development landscape across Derbyshire, so a huge amount of work has gone into that. That has been driven by this administration because that is something we wholly and strongly believe in that is key to driving down carbon emissions.

The strategic framework for Council action to deliver net zero energy in Derbyshire is also in development, a focus of which is close working with the National Grid and other partners including Community Energy Groups to understand and address the issues around grid constraints and future demand modelling scenarios; to expand the capacity and connection and with the move to a more decentralised energy system that growth and renewable energy's generation and growth and viable community energy projects will be enabled.

Finally on this particular point, in developing sustainable planning policy the Council always aims to deliver places where people can work, play and live in close proximity to those solutions. This will help to decarbonise transport, promote Active Travel, support public transport and reduce air pollution in neighbourhoods across the county.

To return to your original point in your question, if I may, that is an important point you raise in there. I did raise it in the last full Council meeting because it is an issue. It is something I actually feel quite passionate about. We do challenge hydrocarbon companies on their emissions and their business model and Climate Action Groups etc do that with quite a high degree of intensity, even to the point where they just don't see the investment that hydrocarbon companies are making

into greening their own operations but also leading that green technological revolution. There is investment. They are some of the biggest investors out there in green technology. We must work with that not against it. I think that is something that is important for us and yet at the same time these same groups are quite incredulous at some of the issues that surround some of the global mining transnationals and some of their activities when it comes to mining lithium, cobalt and various other rarer minerals around the world and the exploitation of workforces in that industry. We can't be blind to both, we have to make sure that we are looking at the bigger picture with regard to hydrocarbon industries as well as the renewable energy industries. I think that makes for a better society in the end."

Ms Bullar asked the following supplementary question:

"Thank you, councillor, for that response. I sincerely hope that this county can reach net zero long before 2050. That is a good while off, isn't it? But, going back to the impact on extracting minerals for batteries versus damage done by mining of fossil fuels can I recommend a book called "No Miracles Needed. How Today's Technology Can Save Our Climate and Clean our Air." It is by Prof Mark Jacobson at Stanford University. It is published this year. In particular I would suggest you look at pages 314 and 315 as it comprehensively describes the impact that the extraction of special minerals will have. I would like to present you with this as a gift from the Derbyshire Climate Coalition." (*Book handed to Cllr Lewis*)

Councillor Lewis responded to the supplementary question as follows:

"I thank Ms Bullar for the book. I shall indeed read it. I am always ready to learn and I hope Ms Bullar is the same."

48/23 **PETITIONS**

None received.

49/23 **COMMITTEE MEMBERSHIPS, SCHEDULE OF MEETINGS AND
OUTSIDE BODY APPOINTMENTS FOR 2023-24**

The Director of Legal and Democratic Services introduced a report, which had been circulated in advance of the meeting in relation to the Committee Memberships, Schedule of meetings and Outside Body Appointments for 2023/24.

The Director of Legal and Democratic Services reported the following changes to the published report:

- In relation to Appendix 2, Committee Membership for the Peak District National Park Authority, Councillor R George should read Councillor B Woods;
- In relation to Appendix 4, Outside Bodies, Councillor Atkin should be removed as the second appointee to the Derbyshire Association of Local Councils as the organisation only requires one member to be nominated by Derbyshire County Council; and
- In relation to Outside Bodies, Councillor Lewis should be replaced with Councillor Renwick as the Council's representative on the D2N2 Local Enterprise Partnership Board and the D2N2 Investment Board.

On the motion of Councillor B Lewis, duly seconded, it was

RESOLVED to:

- 1) Appoint the Chair, Vice-Chair and Members of the Council's Standing Ordinary Committees, Sub-Committees and Improvement and Scrutiny Committees as set out at Appendix 2 of the report, subject to the amendments detailed above;
- 2) Approve the schedule of meetings, attached at Appendix 3 to the report, for the 2023/24 Municipal Year; and
- 3) Appoint representatives to outside bodies as detailed in Appendix 4 of the report, subject to the amendments detailed above.

50/23

NOTIFICATION OF PORTFOLIO HOLDERS AND MEMBERSHIP OF THE CABINET

The Leader of the Council introduced a report, which had been circulated in advance of the meeting, which notified the Council of the identities of Cabinet Members, Cabinet Support Members and their respective portfolios and sought approval for amendments to the Constitution to incorporate Cabinet delegations.

On the motion of Councillor B Lewis, duly seconded, it was:

RESOLVED:

To note the information, provided at Appendix 2 to the report, in relation to Cabinet and Cabinet Support Members for the ensuing year and approve the record of delegations to be included in the Council's scheme

of delegation at Appendix 1 to the Constitution.

51/23 **DERBYSHIRE PENSION BOARD - APPOINTMENT OF NEW BOARD MEMBERS**

The Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting, that sought approval for the appointment of two new members of the Derbyshire Pension Board.

On the motion of Councillor D Wilson, duly seconded, it was

RESOLVED to approve:

- 1) The appointment of Lisa Seeley as an Employer Representative on Derbyshire Pension Board for a term of four years to May 2027, subject to her employer maintaining its participation in the Pension Fund; and
- 2) The appointment of Mark Wrehitt as a Member Representative on Derbyshire Pension Board for a term of four years to June 2027.

52/23 **DECISIONS TAKEN AS A MATTER OF URGENCY AND KEY DECISIONS AND SPECIAL URGENCY**

The Director of Legal and Democratic Services and Monitoring Officer introduced a report, which had been circulated in advance of the meeting, which reported to Council those executive decisions that had been taken as a matter of urgency and key decisions and special urgency.

On the motion of Councillor B Lewis, duly seconded, it was

RESOLVED: to note:

- 1) The key decisions taken where special urgency provisions were agreed as detailed in Appendix 2 of the report; and
- 2) The urgent decisions taken where the call-in procedure was waived under the Improvement and Scrutiny Procedure Rules as detailed in Appendix 3 of the report.

53/23 **ELECTED MEMBER QUESTIONS**

Question from Councillor J Siddle to Councillor A Dale, Cabinet

Member for Education

“Will the Cabinet Member for Education please provide Council with an update on the recent OFSTED inspection of the Derbyshire Adult Community Education Service (DACES)?”

Councillor Dale responded as follows:

“I am delighted to inform you that following an Ofsted visit earlier this year between the 31 January and the 3 February they found our Adult Education Service to be ‘good’ in terms of its overall judgment as well as being ‘good’ in all 7 of the categories upon which they focus their inspection activity. These are:

- Quality of education
- Behaviour and attitudes
- Personal development
- Leadership and management
- Education programme for young people
- Adult learning programmes
- Apprenticeships

I just want to take the opportunity to highlight some of the actual feedback verbatim from the Ofsted report, if that is okay. Ofsted said that:

“Most learners and apprentices make good progress on their courses or apprenticeships. They feel safe and protected. They choose to study at DACES because it feels like a community and staff treat them with respect.”

Ofsted noted:

“A significant number of our learners face substantial barriers to their learning but with staffs’ dedicated support, learners and apprentices gain qualifications and improve their wellbeing and this helps them move closer to achieving their personal and career goals.

A number of our younger learners in particular are vulnerable and have a history of not attending school or college.”

Ofsted noted:

“Learners’ attendance is improving and learners steadily develop their employability skills and gain vital knowledge of sectors such

as hospitality and construction before they complete their upcoming industry placements.”

They noted:

“Adult learners on community learning courses increasingly improve their mental and physical health and wellbeing. Most apprentices develop the skills they need to be successful at work.”

They highlighted that:

“Leaders very carefully considered their programmes for young people, adults and apprentices.”

They noted:

“Leaders were ambitious to provide meaningful learning programmes so that learners can improve their future career prospects and their lives. That includes those vulnerable younger learners and in particular those who have special educational needs and/or disabilities.”

They highlighted:

“Workers and tutors benefit from a range of useful training and this helps develop staffs’ teaching skills further and ensures that most learners and apprentices receive a high standard of education.”

They noted that:

“Staff are very proud to work at DACES and that leaders recognise that we are not a perfect Service and there are still areas of further improvement that requires strengthening.”

They highlighted:

“Board members and the Governance Board have a clear understanding of the strength and areas for improvement and that members of the Board routinely challenge senior leaders to improve the quality of education.”

There is evidence of that impact in the Ofsted report. Finally they highlighted that:

“Safeguarding arrangements are effective within the Service and that learners and apprentices feel safe when they are learning with

us.”

I am sure all members across the Chamber will want to join me in praising DACES on a really positive inspection outcome having been steadfast in their perseverance on their improvement journey since the last inspection. DACES benefit from an incredibly dedicated, hardworking, kind and caring workforce from the tutors right the way up to its senior management team and Governance Board and on behalf of the Council I would thank everyone involved in helping to achieve this really positive inspection outcome.

What remains for the Service now is to continue striving for further improvements and ensuring we offer the best possible education, training and upskilling for our learning community, many of whom face significant challenges and barriers and frankly would be in a much more disadvantaged position were it not for the efforts of this wonderful Service.”

Councillor Siddle asked a supplementary question as follows:

“Can I join you in thanking everybody who has worked so hard to achieve this result. I particularly note the work that DACES have done with some of our most challenging students. This has given those students an excellent opportunity to aspire and given many of them valuable apprenticeships into their own chosen career paths.

Councillor Dale may also be aware for those who wish to pursue a more academic route that my own area of Bolsover currently has no post-16 education and hasn't done since 2016. Many of our students have no option but to travel outside of our area for this. The Bolsover MP Mark Fletcher has championed a bid by Redhill Academy Trust to the Department for Education for the three schools in his constituency. Can I ask what steps Derbyshire County Council and the Cabinet Member have taken to support this bid please?”

Councillor Dale responded to the supplementary question as follows:

“I absolutely agree with you that it is a real travesty that the whole of Bolsover District does not benefit from post-16 education of its own. That means that most of the kids growing up in the Bolsover area know that they either have to go to Chesterfield or to North Nottinghamshire to access relevant provision.

I think there is something very symbolically important about that. How do we promote aspiration in all of our communities when they know that there isn't a local Sixth Form there to really help them get on? So we

have been very supportive of Mark Fletcher's campaign. As you will know it is a manifesto commitment for this administration to support that campaign for post-16 provision. Mark has been an absolute stalwart, a real local champion and advocate for that campaign. I have had many meetings with Mark and I know he has been lobbying the Department for Education as well. We have written. We have been working with Redhill Trust, so our department has provided them with numerous statistics and evidence to really support their case to the Department for Education to help it be as strong as possible. I have also written a letter of support that goes with the bid that goes to the Secretary of State to outline why it is so important that we support this bid and get the post-16 education that Bolsover really deserves and help really increase that level of aspiration for young people in that area. I hope that answers the question. We will continue to support that campaign whatever the outcome and work in partnership with the MP there."

Question from Councillor G Kinsella to Councillor K Athwal, Cabinet Member for Highways Assets and Transport

"Every week we are told of the number of potholes repaired. However, this data is not helpful without a wider context. For example:

- Apart from emergency fixes and necessary temporary repairs, how many pothole repairs need to be revisited within a 12-month period?
- What is the balance between planned and reactive repairs? If we continually patch road surfaces, rather than carry out the fundamental repairs necessary, reporting that more potholes have been repaired is a negative and not a positive.

Will this additional information be provided and if not, how can residents hold the Council to account when it displays such a poor grasp of performance data?"

Councillor Athwal responded as follows:

"We are proud of the way that we have increased investment in our highways over the lifetime of this administration. However, despite the £120m three year capital programme the long-term conditions of our roads and the frequent severe weather conditions we face mean that the work filling potholes and other defects is a constant battle.

The prevalence of such large numbers of potholes reflects the national issue faced by all Highways Authorities in England. Whilst we do monitor and record the number of potholes we fill it is not possible to

report the number of pothole repairs that have to be revisited within a twelve month period. We do utilise data showing roads where we have attended to repair potholes. However, identifying if these are new defects or something that has been previously repaired is not easily discerned at present.

Often the existing carriageway will fail directly adjacent to a previously filled defect. In the last financial year reactive repairs required to fill potholes on the network cost a little over £4m. Over the same period a highways delivery programme was over four times this amount with circa £18m of planned repairs to carriageways including resurfacing, surface dressing and micro asphalt schemes.

We recognise and agree that planned and proactive maintenance is preferred to reactive works such as filling potholes. That is why we embarked on a £120m highways capital programme back in 2021. However, the Authority has little choice but to deal with hazards and risks as they present themselves on the network to keep it safe and offer a robust defence against any third party claims.

As regards being held to account, all Councils are ultimately held to account by the electorate but in continuing the improvement journey to transform Derbyshire's highways we are embarking on a research project to look at our existing approach to reactive maintenance including materials, techniques and training.

Moving forwards I am sure that my successor, Councillor Cupit, will lead our Highways Teams to further improve both Council reporting methods on Derbyshire's roads for all but the high number of potholes filled thus far (and you alluded to that Mr Chairman, circa 50,000 this year) is most certainly a positive measure of our good performance to address potholes as they appear."

Councillor Kinsella as a supplementary question as follows:

"I am not sure what to pick out there really in terms of the answer to the question. I am not sure it did answer specifically the question. I would really just ask for those two further pieces of information to be provided to all councillors along with the number of potholes being repaired. I don't think it is just myself, I am sure we all get our mailbags and I am sure we all get this issue raised and even the friend of the Conservative Party, the *Daily Mail*, featured Derbyshire County Council in a recent article about potholes, so I would just ask and implore that that additional information if not provided on a weekly basis is certainly provided on an annual basis to help us make sense of how the Council is performing."

Councillor Athwal responded to the supplementary question as follows:

“I think Councillor Kinsella needs to understand that Derbyshire Highways is not a candy shop which sells sweets, we are a responsible Authority which has to keep its roads safe for all users and that is what we endeavour to do”

The question from Councillor G Kinsella to Councillor C Renwick, Cabinet Member for Infrastructure and Environment was withdrawn.

54/23 **NOTICE OF MOTION**

None received.

The meeting finished at 3.00 pm