

Public Document Pack



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Ask for Michelle Archer

PUBLIC

To: Members of Council

Tuesday, 6 July 2021

Dear Councillor,

Please attend a meeting of the **Council** to be held at **2.00 pm** on **Wednesday, 14 July 2021** in Barcelona Suite, Casa Hotel, Chesterfield, S41 7JB, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink that reads 'Helen E. Barrington'.

Helen Barrington

Director of Legal and Democratic Services

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Apologies for absence
To receive apologies for absence (if any)
2. Declarations of interest
To receive declarations of interest (if any)
3. Chairman's announcements

4. Minutes (Pages 1 - 14)

To confirm the minutes of the meeting of the Council held on 26 May 2021.

5. Report of the Leader of the Council and Members' questions

To consider the report of the Council Leader and Members' questions on the report

6. Public questions (Pages 15 - 20)

To consider public questions (if any)

6 (a) Supplementary Questions (Pages 21 - 26)

7. Petitions

To receive petitions (if any)

8. To receive questions from Elected Members (Pages 27 - 32)

To receive questions from Elected Members (if any)

To consider reports on the following:

9. Appointment of Executive Director - Children's Services - Director of Organisation Development and Policy (Pages 33 - 40)

10. Honorary Alderman and Alderwoman - Managing Executive Director - Commissioning, Communities and Policy (Pages 41 - 46)

11. Decisions taken as a matter of Urgency and Key Decisions and Special Urgency - Director of Legal and Democratic Services and Monitoring Officer (Pages 47 - 58)

12. Notice of Motion proposed by Councillor J Dixon and seconded by Councillor A Hayes (Pages 59 - 60)

PUBLIC

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL** held on 26 May 2021 at the Casa Hotel in Chesterfield.

PRESENT

Councillor T Ainsworth (In the Chair)

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

35/21 **APPOINTMENT OF CHAIRMAN OF THE COUNCIL FOR 2021-22** Helen Barrington, Director of Legal and Democratic Services opened the meeting and sought nominations for appointment of the Chairman of the Council for the ensuing year. On the motion of Councillor B Lewis, duly seconded,

RESOLVED that Councillor T Ainsworth be appointed Chairman of the County Council for 2021-22.

Councillor T Ainsworth entered the room and took the Chair.

36/21 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors A M Clarke, A Foster and L Grooby.

37/21 **DECLARATIONS OF INTEREST** There were no declarations of interest.

38/21 **CHAIRMAN'S ANNOUNCEMENTS** The Chairman referred to the following points in his announcements:

- Welcomed the new elected members to their first Full Council meeting;
- Welcomed Chris Henning the newly appointed Director of Place to his first meeting;

- Thanked Mr Roy Ackrill, Democratic and Registration Services Manager, for his service to the Council and wished him well for his future retirement;
- Referred to the Coronavirus pandemic and the implications this had made for the Council and the fact that this Annual General Meeting was currently taking place at the Casa Hotel in Chesterfield in order to comply with regulations and current restrictions;
- Referred to the Council's many achievements over the past four years and specifically over the last twelve months in relation to how the Coronavirus pandemic had changed the way the Council and its staff had worked in relation to flexibility and a willingness to embrace change; and
- Touched on a few of the priorities and ambitions for the Council over the next four years.

39/21 MINUTES OF THE COUNCIL MEETING On the motion of Councillor B Lewis, duly seconded,

RESOLVED that the minutes of the meeting of the Council held on 24 March 2021 be confirmed as a correct record.

40/21 APPOINTMENT OF CIVIC CHAIRMAN FOR 2020-21 On the motion of Councillor B Lewis, duly seconded,

RESOLVED that Councillor Mrs J Wharmby be appointed Civic Chairman of the County Council for 2021-22.

41/21 APPOINTMENT OF CIVIC VICE CHAIRMAN FOR 2020-21 On the motion of Councillor W Major, duly seconded,

RESOLVED that Councillor D Wilson be appointed Civic Vice Chairman of the County Council for 2021-22.

42/21 APPOINTMENT OF LEADER OF THE COUNCIL On the motion of Councillor S A Spencer, duly seconded,

RESOLVED that Councillor B Lewis be appointed Leader of the Council for 2021-25.

43/21 REPORT OF THE LEADER The Leader, Councillor B Lewis, gave a report which made reference to numerous issues including past achievements, future ambitions and included the following:

- Congratulated the newly appointed Chairman and Civic appointees;

- Mentioned the many elected members who had stepped down at the election or had lost their seats and expressed his thanks for their service and hard work;
- Welcomed the newly elected members and referred to the newly established Cabinet and associated decision-making bodies;
- Thanked Mr Roy Ackrill for his service to the Council and wished him a long and happy retirement;
- Made reference to the Council's achievements over the last four years;
- Referred to in detail the future commitments that had been pledged for the next four years of office;

The following question was raised by Councillor Fordham:

"You mentioned, Councillor Lewis, a closer working relationship with Councils and the Boroughs and Districts on highways. I wonder when many of us who are District and Borough Councillors as well, and many of us have come from that tradition, if one of the advantages of two-tier systems is, we have such local and close local government. I wonder if when members from Borough and District Councils report concerns over road speeding and road safety whether there could be a process that was more personalised than simply an email back, or perhaps put another way how many residents in my Ward have to die on Malvern Road before we act?"

Councillor Lewis responded as follows:

"This is the subject of a number of questions I think later on today, Chairman, so I am sure the Cabinet Member will pick up some of those relevant points and perhaps mention them, but it is an issue in terms of communication. We have done a lot to address that already. We do continue to speak to our District colleagues across the County Council as part of Vision Derbyshire. I am sure if there are any issues in that space that they will be addressed through that forum. We all want to make improvements in this situation, Chairman, and I am sure we will eventually."

44/21 SCHEDULE OF APPOINTMENTS AND MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES Council gave consideration to a report presented by the Director of Legal and Democratic Services and Monitoring Officer that requested the Council to note the Cabinet appointments and portfolio responsibilities and sought approval for the appointments to Council Committees and Outside bodies and the schedule of meetings.

Subject to the election of the Leader under the earlier agenda item, Cabinet appointments and portfolio responsibilities had been

determined by the Leader of the Council. Further details including Cabinet Support Member appointments were appended to the report at Appendix 2.

It was proposed that Council approved the establishment of an additional Improvement and Scrutiny Committee entitled the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction. The Terms of Reference of the Committee would be:

‘To review and scrutinise any matter relating to Climate Change, Biodiversity and Carbon Reduction.’

Consequently, it was also proposed that the responsibility for climate change and carbon management would be removed from the Terms of Reference of the Improvement and Scrutiny Committee – Places.

The allocation of seats on Committees to political groups had been determined in accordance with the principles of political balance as set out in the Local Government (Committees and Political Groups) Regulations 1990.

The schedule of appointments to Council Committees for 2021-22 was attached to the report at Appendix 3 for Council approval subject to the clarification that the Improvement and Scrutiny Committee for Climate Change, Biodiversity and Carbon Reduction is a ten member Committee with the addition of Councillor G Kinsella to that particular Committee.

Councillor Swann indicated that in relation to the Improvement and Scrutiny Committee for Health, the Vice Chairman should be Councillor M Foster and not Councillor J Woolley as detailed in the report.

The schedule of meetings for the forthcoming year was attached to the report at Appendix 4 for Council approval, subject to the amendment of the meeting of Cabinet scheduled to take place on 10th June 2021 to 17th June 2021.

The Council made appointments to a variety of outside bodies across the County. Council was asked to approve the appointments to outside bodies as detailed in Appendix 5 of the report and to note that any in-year changes to the list would be agreed by the Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change in accordance with the provisions of Appendix 1 to the Council's Constitution – Responsibility for Functions.

The changes to the Cabinet portfolio responsibilities and addition of a new Improvement and Scrutiny Committee required the amendment of the Council's Constitution. Council was therefore asked to authorise the Director of Legal and Democratic Services to make the necessary amendments.

Councillor J Dixon moved the following amendment to section 8 (a) of the report, which was duly seconded,

“That the Schedule of Cabinet Appointments and membership of Committees be accepted with the proviso that the overall cost in terms of Special Responsibility Allowances is not increased.”

The amendment was duly seconded, voted on and declared LOST.

In accordance with procedure, a recorded vote was taken on the amendment and recorded as follows:

For the amendment (12) Councillors D Allen, D Collins, C Dale, J E Dixon, R George, K Gillott, D Greenhalgh, A Hayes, J M Innes, R Mihaly, L Ramsey and M Yates.

Against the amendment (43) Councillors T Ainsworth, R Ashton, K S Athwal, N Atkin, J D Barron, S Bull, C Cupit, A Dale, D Du Celliee Muller, R Flatley, M Ford, M Foster, A Gibson, A Griffiths, N Gourlay, C A Hart, G Hickton, S Hobson, N Hoy, R Illiffe, T A Kemp, T King, B Lewis, W Major, P Moss, D Murphy, G Musson, J Nelson, R A Parkinson, J E Patten, R Redfern, C Renwick, P Rose, J R Siddle, P Smith, S A Spencer, A Stevenson, S Swann, A Sutton, D H Taylor, J Wharmby, D Wilson and J Woolley.

Abstention (5) Councillors B Bingham, S Burfoot, E Fordham, G Kinsella and Niblock.

Absent (4) Councillors A M Clarke, A Foster, L Grooby and B Woods.

On the original motion of Councillor B Lewis, duly seconded

RESOLVED to (1) note the Leader's appointments to Cabinet and the portfolio responsibilities;

(2) approve the establishment of an additional Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction, its Terms of Reference and the amendment to the Terms of

Reference of Improvement and Scrutiny Committee – Places as set out in the report;

(3) approve the appointments to Committees and Sub-Committees as set out in Appendix 3 of the report subject to the Improvement and Scrutiny Committee for Climate Change, Biodiversity and Carbon Reduction comprising ten members with the addition of Councillor G Kinsella to that particular Committee and the replacement of Councillor J Woolley with Councillor M Foster as Vice Chairman for the Improvement and Scrutiny Committee for Health;

(4) approve the schedule of meetings as set out in Appendix 4 of the report, subject to the amendment of the meeting of Cabinet scheduled to take place on 10th June 2021 to 17th June 2021;

(5) approve the appointments to serve on outside bodies as set out in Appendix 5 of the report and to note that any in-year changes to the list will be agreed by the Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change; and

(6) authorise the Director of Legal and Democratic Services to make the necessary changes to the Council's Constitution.

45/21 PUBLIC QUESTIONS

Question from Keith Thomas, Quarndon Community Group (not in attendance) to Councillor K Athwal – Cabinet Member for Highways Assets and Transport.

Extensive data from across England shows that 20 mph road traffic speed limits in residential streets and villages deliver many benefits, including:

- reduced road accidents and casualties;
- reduced pollution;
- stimulation of active travel;
- reduced social and racial inequality;
- the right to safe mobility for the vulnerable;
- improved well-being

DCC previously rejected use of “signed only” 20 mph limits following the Padfield trial. However, this **single** trial has no statistical significance, unlike the data from across England where “signed only” 20 mph speed limits have been successful.

DCC's approach of considering 20 mph speed limits piecemeal

under the Highways Safety Schemes' budget is highly inefficient. The cost of changing 30 mph signs to 20 mph for a local area may be only £5k, but design, regulation and consultation costs for each individual scheme may exceed £50k.

By thinking holistically and generically, some County Councils - such as Lancashire - have eliminated the waste involved in a piecemeal approach and have successfully, affordably, and rapidly introduced 20 mph speed limits.

Will the new DCC Cabinet think differently about introduction of 20 mph speed limits and establish an efficient generic mechanism to allow 20 mph "signed only" limits to be rapidly introduced where strong support is demonstrated by local communities?

Councillor Athwal responded as follows:

"Derbyshire County Council is always open to the use of 20 mph speed limits where appropriate. There are already 23 20 mph zones, including physical traffic calming measures within the county and three "signed only" 20 mph speed limits.

This Authority's policies on the implementation of 20 mph speed limits are based on the Department for Transport's latest national research published in November 2018. This research generally tallies with the outcomes of our Padfield trial. As the case studies contained in the national research are all urban areas the Padfield trial provided further evidence in a village setting.

Considering a 20-mph speed limit as a specific measure alone is not always the appropriate intervention given that every casualty of the reduction scheme is different based on collision types, environment etc. It is part of the toolbox, along with other measures, for use when and where appropriate.

"Derbyshire County Council always tries to work in collaboration with other local authorities and is an advocate of information sharing. Having liaised with Lancashire County Council about their roll-out of 20 mph speed limits this was achieved over a five-year period 2011-16 and covered 242 separate residential areas at a cost of just under £5.8m.

Collision figures measured in 2017 following the implementation showed a small decrease in 'slight' injury collisions but a small increase in 'killed' or 'seriously injured'. Derbyshire County Council is developing a proposal for two further 20 mph trial sites and these will be evaluated alongside national data. This will help to shape the Authority's policies going forward.

To clarify: 20 mph zones use traffic calming measures such as road humps or build-outs to reduce vehicle speeds making the area largely self-enforcing, whereas 20 mph limits on roads where the speed limit has been reduced to 20 mph there are no physical measures to reduce vehicle speeds within these areas. Drivers are alerted to a speed limit with boundary signs and repeater signs”

There was no supplementary question.

46/21 PETITIONS There were none received.

47/21 ELECTED MEMBER QUESTIONS

(a) Question from Councillor E Fordham to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“Of the trees that are due to be planted as part of our commitment to tackle climate change, how many will be fruit trees and how many community orchards will be created in Derbyshire with such planting?”

Councillor Lewis responded as follows:

“We, as you know, anticipate that by 2030 we hope to have a million trees planted across our communities and so on across Derbyshire. I would be extremely pleased to see as many community orchards come forward as possible. Our role is much more about facilitating and working with communities to bring forward their plans so if there are plans for community orchards we would be very happy to support them if there are plans for planting of apples trees etc or fruit trees generally, also very happy to support them as it is a topic that is particularly close to my heart. I have my own orchard of 50-odd trees so yes, we would be very keen to support that as part of a plan to sequester carbon, but also simply because it can do so much more for people’s mental health and so forth.

We are also planning as part of this that tree planting will take other forms such as memorial parks etc. We have plans to look at planting a number of trees to recognise the deaths of the people who have passed as a consequence of Covid-19 over the recent pandemic or working up plans for such plantings. We will be pleased again to see fruit orchards as part of that“.

Councillor Fordham asked the following supplementary question:

“The reason I am so keen on fruit trees is because I think they are

part of the cultural change of reuse and maintenance rather than simply of demolish and improve. In that sense I wonder whether we might in the context of creating community orchards also explore using perhaps village green legislation to enable community orchards to be protected going forward so that residents not only have them but own them, enhance them and care for them on an ongoing basis?”

Councillor Lewis responded to the supplementary question as follows:

“Ideas that we can explore in the fullness of time over the course of the next four years and as part of the new Committee as well, the Climate Change, Biodiversity and Carbon Reduction Committee, that could be an idea to be explored in more detail there, for example.

(b) Question from Councillor E Fordham to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“What measures will the Council take to review links with its sister city in Yangon District, Shanghai, given the ongoing repression of the Uyghur people which includes forced re-education, forced labour, forced sterilisation and imprisonment?”

Councillor Lewis responded as follows:

“This is obviously a complex area we have entered into here around international trade. International trade is important for the country. We do have links with certain parts of China. It is, however, not the Yangon District as described in the question which is actually in Myanmar. I think he may have been referring to an old relationship which I think was the Yangpu region, a District of Shanghai. Some educational links were being explored there a number of years ago with schools in Derbyshire. Things have moved on and our relationships are with the region of Anhui Province and Hebei Province. I can tell Councillor Fordham that over the course of the last twelve months things have cooled a little bit not because of the Uyghur and the Hong Kong question, which is as yet to be addressed in any kind of dialogue with our local regions, but because of the Covid-19 situation more particularly.

Councillor Fordham does raise a particular issue around this and it is one that does beg some worry for I think all members of this particular Chamber around the Uyghur people, the treatment of Uyghur Muslims which is quite clearly not something we would ever want to be seen to be supporting in any way shape or form, the same as it with the situation in Hong Kong as well. It is a deeply complex area and it is one

that we have to consider carefully.

I can tell Councillor Fordham that my colleague Councillor King will be leading a Committee, an International Relationships Review Board which will explore all our links with countries such as Japan, the United States and Europe more generally obviously as a consequence of Brexit to see what we can do both positively and negatively to work in a constructive way with those areas.

I will say there is something about the point around soft diplomacy to support what we do to get that point across to Anhui Province and other regions in China which makes clear our thoughts on the Uyghur Muslim situation and that of Hong Kong whilst still maintaining some form of link there because I think it is important that there is a dialogue and that they understand that we are not in support of that particular situation.”

There was no supplementary question.

(c) Question from Councillor R George to Councillor K Athwal, Cabinet Member for Highways Assets and Transport

“I was pleased to see that the Conservatives’ manifesto stated that they “commit to working with residents and partners to improve road safety throughout Derbyshire.”

Unfortunately that has not been my experience and that of communities in Whaley Bridge over the last four years. Even road safety improvements recommended by formal risk assessments to protect our School Crossing Patrol staff at both Whaley Bridge and Furness Vale have been refused in recent months.

Our School Crossing Patrol staff have to practically take their lives into their own hands to protect our children and families on dangerous roads, and even they are being refused recommended road safety measures.

This experience is mirrored by communities across Derbyshire who request road safety improvements and find assessments are not being done, even in areas of multiple accidents, or their concerns are dismissed.

How will this administration improve on the very poor experience of communities in Whaley Bridge who have requested road safety reviews where improvements have been refused?”

Councillor Athwal responded as follows:

“I have to say I am a little bit surprised at your question because it was your administration that was cutting back school crossing patrols. If my memory serves me correctly Labour cut 40 crossing patrols back in 2015, along with proposing further cutbacks in the region of £300,000 which this administration scrapped in the last term.

This administration and this Authority take road safety very seriously. Each year we have been successful in attracting funds to target those roads which have a history of reported injury accidents. Our annual casualty report highlights accident records in Derbyshire and every year schemes are promoted to address these accident sites. This financial year we have £2m approved for local safety schemes to address those roads with a known history of reported injury collisions. We have also appointed a project manager to ensure that these schemes are implemented by March next year.

School crossing patrols carry out risk assessments at their sites on a regular basis and put forward suggestions on what they feel might help. This can include double yellow lines, dropped kerbs, new slow markings and even additional road signs. Professional officers in the Traffic and Safety Team will always work with school crossing patrols and will promote safety measures as and when appropriate.

However, there may be occasions where officers *may* reject requests from the school crossing patrol based on a full consideration of road and traffic conditions and constraints and their professional expertise.”

Councillor George asked the following supplementary question:

“Will you be working with us and our communities over the next four years, as I hope you will, to address these serious safety concerns proactively?”

Councillor Athwal responded to the supplementary question as follows:

“The answer to your question is very short. The answer is yes. I will look forward to working with all of our communities, all our members as I have already said in looking at safety measures. I have a very competent team of officers who will assist me in this and I assure you it is something we will be looking at.

48/21 HONORARY ALDERMAN AND ALDERWOMAN

The Director of Legal and Democratic Services and Monitoring

Officer presented a report which sought Council's consideration in principle of those former Members to whom the Council wishes to confer the roles of Honorary Alderman and Alderwoman at a specially convened meeting. Following the recent election, the political groups had been invited to put forward nominations for those former Members that they would wish to be considered as Honorary Alderman and Alderwoman. The Council was permitted to confer these titles on persons who had in the opinion of the Council rendered eminent service as past members.

The following nominations had been received to add to the roll held by the Director of Legal and Democratic Services and Monitoring Officer.

- The Conservative Group Leader had nominated to confer the titles on former councillors Kevin Buttery, Linda Chilton, Pat Murray, Judith Twigg and George Wharmby;
- The Labour Group had nominated former councillors Irene Ratcliffe, Paul Smith, Anne Western and David Wilcox; and
- The Liberal Democrat Group had nominated former councillor Beth Atkins.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to:

(1) support the proposal in principle;

(a) to confer the title of Honorary Alderwoman upon former Councillors E Atkins, L Chilton, I Ratcliffe, J A Twigg and A Western; and

(b) to confer the title of Honorary Alderman upon former Councillors K Buttery, P Murray, P Smith, D Wilcox and G Wharmby.

(2) agree to convene a special meeting of the Council on 14 July 2021 to formally consider the nominations.

49/21 APPROVAL OF A WRITTEN RECORD OF DELEGATIONS TO BE INCLUDED IN THE COUNCIL'S SCHEME OF DELEGATION

The Director of Legal and Democratic Services and Monitoring Officer presented a report that sought consideration and approval of the written record of delegations to be included in the Scheme of Delegation within the Council's Constitution as required by the Cabinet Procedure Rules.

On the motion of Councillor Lewis, duly seconded,

RESOLVED to (1) approve the delegation by the Leader as detailed in Appendix 2 to the report for insertion in Appendix 1 to the Constitution; and

(2) authorise the Director of Legal and Democratic Services to make the necessary changes to the Council's Constitution.

50/21 **MOTION** Council considered a Notice of Motion, as set out below:

Motion submitted by Councillor E Fordham

This Council notes:

1. The widespread ambition to end all single use plastic in Derbyshire, the UK and globally;
2. The climate change commitments this Authority has made;
3. That Buxton Spring can be locally sourced in recycled and recyclable bottles;

This Council resolves:

1. To source locally, preferably within Derbyshire, when purchasing food, drink and all hospitality;
2. To stipulate that such procurement will cease any purchase of non-recycled plastic and to follow this up with 100% recycling of such bottles;
3. To seek to end the procurement of any plastic in this context and to cease the culture of single use plastic water bottles;

Councillor Lewis proposed the following amendment to the original motion, which was duly seconded:

- 1 To continue to source locally, preferably within Derbyshire, on the relatively rare occasions when food and drink is purchased for hospitality...”;

That is something we continue to always try to do.

- 2 To continue to avoid the purchase of non-recycled and single use plastics; and

- 3 To carry on offering extensive recycling facilities throughout the Authority's buildings.

The amendment to the original motion was duly voted on and declared to be carried.

The meeting closed at 4pm.

QUESTIONS TO COUNCIL – 14 JULY 2021

PUBLIC QUESTIONS

a) Question from Olivia Ramsbottom to Councillor K Athwal, Cabinet Member for Highways Assets and Transport (Not attending)

DCC's mission includes the following:

'to listen to, engage and involve local people ensuring we are responsive and take account of the things that matter most to them; to create an environment for 'happy, safe and healthy people '.

In Matlock, the noise and safety issues caused by excessive speeding are having a detrimental effect on lives. Children and the less mobile are 'running the gauntlet' as they try to cross roads or walk along the town's narrower pavements. Sleep and normal life are being impacted by speeding traffic that causes houses to vibrate and road furniture to rattle. Many are wary of pulling out of side roads and driveways because of their expectation of speeding motorists.

Whilst the proposed extension of the 30mph zone on Chesterfield Road is welcome, it is not as a result of planning and foresight but after 19 collisions, including 1 fatality.

How can residents supply sufficient evidence for the need for improved signage and other speed mitigation in 30mph areas, to encourage you to take strategic, proactive action to create the environment as set out in your objectives? The local CSW group is happy to assist in any data collection exercise.

Response: Thank you, Mr Chairman. Thank you, Olivia Ramsbottom for your question.

As you will appreciate this Authority receives hundreds of requests for consideration here each year and all the residents making these enquiries believe they have a genuine need for some form of action.

Clearly it is not practical, nor sustainable, to accede to every single request that is received. Given this demand a system of prioritisation must be employed using information, including the number and severity of collisions. This helps ensure that the resources available are firstly used in those locations where there is the greatest need and where most benefits can be achieved.

How we implement. Measures are identified on an evidence based need. The limited funds that are available must therefore predominantly be directed to those locations where there is a history of reported injury collisions and where a Highway Improvement Scheme can effectively reduce the number of injury collisions. The use of identifiable known hard facts and figures provides robust and transparent justification for the investment of public funds that are available. It is understood that this can often be received as having to await road collisions prior to action being considered, but prioritising locations that are already experiencing road injuries ensures that the resources are being invested as effectively as possible.

In terms of the speed limit review on the A632, the collision figures relate to the whole of the route between Matlock and Chesterfield and other intervention measures have been deployed in the specific blackspots along the route. For example, interactive signing at Spancarr crossroads etc.

Although grateful for your offer of assistance in data collection via your Community Speed Watch Group this Authority is constantly monitoring collisions on the network, identifies areas for investigation based on these studies. The statistics surrounding the County Council's performance in respect of casualty reduction can be found in the Derby and Derbyshire Annual Casualty report which is on the website. Thank you, Mr Chairman.

b) Question from Lisa Hopkinson to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

On 14 June the Council leader was interviewed by the BBC and challenged about having a climate denier, Cllr Rose, on the Council's Climate Scrutiny Committee. On 23 June I asked the Chair of that Committee to investigate the allegation and was assured that Cllr Rose doesn't hold that view. On 25 June I sent the Chair a number of tweets from Cllr Rose's personal twitter account from 2015 to 2019 that indicate a fairly consistent pattern of climate denial. While Cllr Rose is free to hold those views or express those privately, it is totally inappropriate for that Councillor to be appointed to a Committee set up to hold the Council to account on climate action. It is essential that all Climate Scrutiny Committee members believe that DCC can help to reduce emissions across Derbyshire and that climate change is serious and human-caused. Please could you inform the Council (a) why the serious allegations of climate denial first learnt about on 14 June were not followed up on? And (b) if Cllr Rose will not publicly denounce his stated views that climate change is a hoax will he be asked to step down from the Climate Scrutiny Committee?

Response: Thank you for your question. You have written to me and the Chairman of the Committee, Councillor Major gave you an answer to this at that time and nothing has changed in a sense.

Thank you too for supplying a list of social media posts that Councillor Rose shared that dated back from 2015 up to 2019. I looked through his tweets last night. Councillor Rose has some strong views and shares some interesting thoughts here and there on many issues (including the occasional one on climate change) but they did not seem to be the main event in terms of the volume of his tweets. I don't necessarily share all of his views on a wide range of topics that he tweets about and I am sure he doesn't share all of mine.

I don't know Councillor Rose that well. I am afraid Covid-19 hasn't helped much of late in that process but I am sure we will have some lively discussions about many topics over the coming years. We might even strongly disagree with each other on one or two topics, maybe to the point of shouting or wagging our fingers at each other, but there is one thing I am sure of, is that we will walk away from those discussions respecting each other's point of view or opinion, remain on good terms and remain strong colleagues getting on with doing our jobs for our residents. I might even change his mind on some topics, he might change mine. That is the joy of being human.

From my perspective it is perfectly reasonable the views he may have had between 2015 and 2019, or even views that may predate that may not be the views he holds now. In choosing to write to me and not to him you are not seeking to get to the key matter which is what is his view now, because if that is what we are really talking about or caring about then that is what I would do, so you may wish to write to Councillor Rose and ask him his views on climate change and if he has changed his views on that at all. I am not here to speak for him and I am reassured by his words and actions to-date that he will approach this Committee's work with a fully open mind and be keen to engage in its work, which is to drive down the CO2 of DCC as an Authority, to get to net zero by 2032 or sooner, and to make sure we do so as a county economy by 2050. Thank you.

Supplementary question: I did have a reply from the Chair of that Committee who suggested that I was trying to silence or not allow people to express their views. I am not trying to do that. Councillor Rose, I don't know him, I don't even know where he is, I am not trying to silence him but what I am saying is I think it is inappropriate for a climate denier to be sitting on a Climate Scrutiny Committee. I didn't write to him I wrote to the Chair of the Committee because I think it is the Chair's role in charge of that Scrutiny Committee to make sure that all his members fully accept that climate change is human caused and that DCC can impact the emissions.

I can go away and I can write to Councillor Rose but if he does not hold those views any more then he should publicly state that, and if he still believes climate change is a hoax do you accept that somebody who thinks climate change is a hoax does not have a position on a Committee that is supposed to scrutinise the Council?

Response: Thank you very much. If I may, Chairman. As I say he may not hold those views and I suggest the first port of call is that you write to him and ask

Councillor Rose his views. On your latter part of the question I can only answer that when he responds to your question.

Ms Hopkinson: No no, the question was do you accept that if somebody thinks that climate change is a hoax that they should not be on that Climate Scrutiny Committee regardless of his views?

Cllr Lewis: I have answered the question, Chairman.

c) Question from John Geddes to Councillor K Athwal, Cabinet Member for Highways Assets and Transport

You are quoted as hoping to give rural communities "cheaper and more regular" bus services. Currently, most rural services are provided by operators of home-to-school transport. The Council is already funding the fixed costs of the vehicles, so the middle-of-the-day services are relatively cheap to add on.

The Council's experiment with on-demand minibuses is hard to evaluate because only the most basic data has been collected. But from my analysis of the Ashbourne service, it seems that, outside of school runs, the vehicles are spending most of their time moving just one passenger or family group at a time. This matches the experience elsewhere: for those who can score a ride, the minibuses offer a service just like a taxi - but using a bigger, more expensive, more polluting vehicle. The costs only balance if many fewer people get to travel.

So will you please rule out any further replacement of timetabled services by on-demand transport until DCC can show the results of a proper independent evaluation demonstrating that the move to demand-responsive transport really would offer a better and cheaper service, without a major reduction in the number of people who will be able to travel?

Response: I would like to thank Mr Geddes for his question.

Yes, as part of the Bus Service Improvement Plan it is my aim that we work towards providing our residents and visitors to Derbyshire with a transport network system that better connects our villages and towns with cleaner modes of transport along with better flexibility of ticketing and value for money for all.

The Government's National Bus Strategy for England "Bus Back Better" makes it clear that there needs to be a greater use of new and alternative forms of public transport provision such as demand responsive transport. This Council is currently developing an ambitious Bus Service Improvement Plan and its response to the National Bus Strategy.

If we are to reverse this cycle of long-term decline of bus usage in Derbyshire we need to develop better transport solutions which work for all. It is also essential that solutions must be appropriate for local transport needs as well as catering for current needs and future demand.

Whilst it is likely that we will see a greater use of demand responsive transport in Derbyshire, particularly in the deeply rural areas and other areas where there is very low demand for public transport at the moment, I can assure you that it is not our intention to implement demand responsive transport as a county wide solution. Thank you, Mr Chairman.

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QUESTIONS TO COUNCIL – 14 JULY 2021

PUBLIC QUESTIONS

a) Question from Olivia Ramsbottom to Councillor K Athwal, Cabinet Member for Highways Assets and Transport (Not attending)

DCC's mission includes the following:

'to listen to, engage and involve local people ensuring we are responsive and take account of the things that matter most to them; to create an environment for 'happy, safe and healthy people '.

In Matlock, the noise and safety issues caused by excessive speeding are having a detrimental effect on lives. Children and the less mobile are 'running the gauntlet' as they try to cross roads or walk along the town's narrower pavements. Sleep and normal life are being impacted by speeding traffic that causes houses to vibrate and road furniture to rattle. Many are wary of pulling out of side roads and driveways because of their expectation of speeding motorists.

Whilst the proposed extension of the 30mph zone on Chesterfield Road is welcome, it is not as a result of planning and foresight but after 19 collisions, including 1 fatality.

How can residents supply sufficient evidence for the need for improved signage and other speed mitigation in 30mph areas, to encourage you to take strategic, proactive action to create the environment as set out in your objectives? The local CSW group is happy to assist in any data collection exercise.

Response: Thank you, Mr Chairman. Thank you, Olivia Ramsbottom for your question.

As you will appreciate this Authority receives hundreds of requests for consideration here each year and all the residents making these enquiries believe they have a genuine need for some form of action.

Clearly it is not practical, nor sustainable, to accede to every single request that is received. Given this demand a system of prioritisation must be employed using information, including the number and severity of collisions. This helps ensure that the resources available are firstly used in those locations where there is the greatest need and where most benefits can be achieved.

How we implement. Measures are identified on an evidence based need. The limited funds that are available must therefore predominantly be directed to those locations where there is a history of reported injury collisions and where a Highway Improvement Scheme can effectively reduce the number of injury collisions. The use of identifiable known hard facts and figures provides robust and transparent justification for the investment of public funds that are available. It is understood that this can often be received as having to await road collisions prior to action being considered, but prioritising locations that are already experiencing road injuries ensures that the resources are being invested as effectively as possible.

In terms of the speed limit review on the A632, the collision figures relate to the whole of the route between Matlock and Chesterfield and other intervention measures have been deployed in the specific blackspots along the route. For example, interactive signing at Spancarr crossroads etc.

Although grateful for your offer of assistance in data collection via your Community Speed Watch Group this Authority is constantly monitoring collisions on the network, identifies areas for investigation based on these studies. The statistics surrounding the County Council's performance in respect of casualty reduction can be found in the Derby and Derbyshire Annual Casualty report which is on the website. Thank you, Mr Chairman.

Supplementary question:

As resources are the main issue identified by the Councillor, would it not be possible for local CSW groups to raise funds to place signs in areas identified, by them, as hotspots. These signs could be approved by the Council, produced locally and affixed in line with any regulations. These signs are used in other areas (seen recently in Oxfordshire and Wiltshire, for example).'

Response: Most of the roads in Matlock, with the exception of a 20 mph zone in the area close to the main shopping area, are of course subject to a maximum 30 mph speed limit. Unfortunately, the legislation does not permit the use of repeaters or reminder signing in such areas as the general principle is that if a system of street lighting is present in any built up environment the public should know it is the default of 30 mph. The Council would thank you for your kind offer of providing signage, but I am afraid the signing use on any highway must be consistent with The Traffic Signs Regulations and General Directions 2016. I assume the signs seen in Oxfordshire and Wiltshire may have either been positioned on private land or are contrary to the regulations.

b) Question from Lisa Hopkinson to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

On 14 June the Council leader was interviewed by the BBC and challenged about having a climate denier, Cllr Rose, on the Council's Climate Scrutiny Committee. On 23 June I asked the Chair of that Committee to investigate the allegation and was assured that Cllr Rose doesn't hold that view. On 25 June I sent the Chair a number of tweets from Cllr Rose's personal twitter account from 2015 to 2019 that indicate a fairly consistent pattern of climate denial. While Cllr Rose is free to hold those views or express those privately, it is totally inappropriate for that Councillor to be appointed to a Committee set up to hold the Council to account on climate action. It is essential that all Climate Scrutiny Committee members believe that DCC can help to reduce emissions across Derbyshire and that climate change is serious and human-caused. Please could you inform the Council (a) why the serious allegations of climate denial first learnt about on 14 June were not followed up on? And (b) if Cllr Rose will not publicly denounce his stated views that climate change is a hoax will he be asked to step down from the Climate Scrutiny Committee?

Response: Thank you for your question. You have written to me and the Chairman of the Committee, Councillor Major gave you an answer to this at that time and nothing has changed in a sense.

Thank you too for supplying a list of social media posts that Councillor Rose shared that dated back from 2015 up to 2019. I looked through his tweets last night. Councillor Rose has some strong views and shares some interesting thoughts here and there on many issues (including the occasional one on climate change) but they did not seem to be the main event in terms of the volume of his tweets. I don't necessarily share all of his views on a wide range of topics that he tweets about and I am sure he doesn't share all of mine.

I don't know Councillor Rose that well. I am afraid Covid-19 hasn't helped much of late in that process but I am sure we will have some lively discussions about many topics over the coming years. We might even strongly disagree with each other on one or two topics, maybe to the point of shouting or wagging our fingers at each other, but there is one thing I am sure of, is that we will walk away from those discussions respecting each other's point of view or opinion, remain on good terms and remain strong colleagues getting on with doing our jobs for our residents. I might even change his mind on some topics, he might change mine. That is the joy of being human.

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Cllr Lewis: I have answered the question, Chairman.

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time. This matches the experience elsewhere: for those who can score a ride, the minibuses offer a service just like a taxi - but using a bigger, more expensive, more polluting vehicle. The costs only balance if many fewer people get to travel.

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Supplementary question:

Can Councillor Athwal promise that where Demand-Responsive Transport (DRT) replaces timetabled bus services, DCC will ensure that there is a system that allows users to make guaranteed advance bookings for a specific timing many weeks in advance?

(The most common DRT formats - booking a week ahead, or using an app where you can only make a request a few minutes ahead - are useless for journeys where the passenger needs to commit a long time ahead to travelling

at a particular time - eg for an appointment to see a hospital specialist, or to fit with other public transport trips where affordable tickets are only available if you can commit to a specific journey time many weeks ahead.)

I am inviting Councillor Athwal to make this promise so that people in Derbyshire can be sure that they will always have a public transport service that provides the necessary predictability about when they will be able to travel.

Response: Thank you for your commitment to public transport in Derbyshire and for raising these issues. As you will be aware we are currently working with partners in the bus sector on a Bus Service Improvement Plan which will be presented to Government this autumn, following agreement within the Council. We have an opportunity to set the right direction for bus travel within the County, although recognise the challenges around funding and commerciality of services, particularly in rural areas.

On your specific issue, raised, whilst I appreciate the concerns raised regarding the potential greater use of DRT, currently most rural timetabled bus services in Derbyshire offer only an hourly frequency timetable at best, and are therefore often unable to provide a convenient arrival or departure time to fit around hospital or other scheduled appointments. In addition, the finite capacity of vehicles used on timetabled bus services limit the opportunity to travel, although we recognise that outside of peak travel times capacity is rarely reached. Moreover, whilst bus service timetable changes are kept to a minimum, it is sometimes necessary to amend these, for example due to a change of school session times, and these changes are sometimes required at relatively short notice. The current timetabled services are therefore unable to offer the guaranteed opportunity to travel that you aspire to from a future DRT service.

DRT does require a degree of flexibility from the user in the journeys being made, depending on other booking requests received. Notwithstanding, it is not uncommon for DRT service users to be able to specify either an arrival or departure time window, and we would certainly want service users to be able specify key travel times in DRT booking requests should there be any expansion of use in Derbyshire.

This is a live topic and we will be working closely with operators and users over the next few months.

QUESTIONS TO COUNCIL – 14 JULY 2021

a) Question from Councillor R George to Councillor B Lewis, Leader of the Council

What is the reason for the County Council having failed to submit a bid to Round 1 of the Levelling Up Fund, and what plans are there to submit a bid in Round 2?

Response: Thank you Councillor George for your question. I have to say I am hoping this question has been put as a genuine misunderstanding rather than a wilful misrepresentation of the fact that this simply is not the case.

Firstly, the Levelling Up Fund is directed at TF2 and Unitary Authorities predominantly and as a county we could only ever submit one bid based upon a transport bid only and as you will hear we did. Indeed, my colleague Councillor Renwick, approved some kick-start funding to enable that work to get underway relatively recently.

Levelling Up Fund proposals will mostly come from the Districts and Borough Councils and I was happy to support a Round 1 application for £20m from Chesterfield Borough Council for town centre regeneration work. We will work proactively with other Districts and Boroughs on Round 2 applications once that process opens. Indeed, you might describe High Peak Borough Council as having failed to submit a Round 1 bid. I assumed you have asked that question of them? Anyway, to be clear I don't see that them not putting in a Round 1 bid is in any way a failure as I intend to do one for Round 2 and we will certainly be willing to support them in that bid as we have with Chesterfield recently. There is nothing partisan in this so again I go back to your point about being a "failed" part in this.

We were eligible to submit our own proposal for a transport project and indeed did submit an application form for Round 1 for the infrastructure to support the delivery of the South Derbyshire Growth Zone. The Council did not therefore fail to submit a bid. We do recognise that it is an expression of interest and it does require further development but nonetheless it is in.

The County Council will be in discussion with the Department for Transport on progressing that bid over the period of the summer and I will be happy to update members on any future developments at the appropriate time.

Supplementary question: I thank Councillor Lewis for his words, very sensible based on the facts about the Levelling Up Fund, the fact that Councils of any tier can only make one bid to both the rounds of that Levelling Up Fund and that not submitting one is not a failure, but would he therefore condemn the words of the MP for High Peak who circulated on social media, in the regional media and a newsletter

to thousands of constituents saying that “High Peak Council failed to submit a Levelling Up Fund bid” because they did not do so in Round 1 but chose, as he says very sensibly, to have waited for the support funding and collective work with this Authority for Round 2?

Response: Thank you, Councillor George, for your supplementary. I cannot speak for the MP of High Peak on this. I can only tell you what I have just said which is that they weren't ready at that point and that we are willing, as a local authority, to continue to work with High Peak Borough Council to ensure that they do put in a good bid for Round 2 and we will do everything we can to support them, as we will any local authority in Derbyshire. That is all I have to say on that matter I think, Chairman.

b) Question from Councillor C Dale to Councillor C Renwick, Cabinet Member for Infrastructure and Environment

The Government proposes to reform the planning laws to remove local residents rights to object to individual planning applications. The House of Commons has passed a motion calling on the government to protect residents rights to have a say over individual planning applications. What are the views held by the Council on the governments proposed reforms?

Response: Thank you, Councillor Dale. This was actually a consultation nearly twelve months ago, but just by way of background on the 6 August 2020 the Ministry of Housing, Communities and Local Government published a consultation on its Planning White Paper entitled ‘Planning for the Future’ which sets out Government’s proposed reforms to the planning system in England, which I think we would all agree does need improving.

The proposals seek to streamline and modernise the planning process; improve outcomes on design and sustainability and reform the system of developer contributions to name just a few. On the whole many of the reforms proposed are to be welcomed although this was a very high level document, it was a consultation of around 25 questions and there was not enough detail to fully consider.

However, I suspect the councillor is probably referring to some of the reformed new zoning in the Local Plans whereby Planning Authorities would be required to zone all their land in three zones. That is growth areas which are suitable for large scale sustainable development; renewal areas which are for smaller scale development, and areas which are protected where stringent development controls would apply. Once designated in Local Plans - I think that is the key - land within the growth areas would be deemed to have permission in principle or a presumption in favour of development and that would negate the need to have outline planning application for development on land in those areas.

As I have said, the consultation was nearly twelve months ago and they had to have a response by October 2020 so perhaps you are a little late bringing this to our attention. However, this Council was not late. We did get a robust reply in. It is quite a long lengthy document but basically this was reported to the Council's Cabinet meeting for Highways and Transport on the 8 October and a formal response was agreed and submitted in time. Whilst there was no specific reference to any company consultation being curtailed, we picked up on members' concerns and we set out clearly that any impact or apparent democratic deficit on reforms of local democracy, and specifically limited opportunities for active elected member and local community engagement, would be a concern and the proposed new planned system after planning making stage of the process should include member and community engagement and more opportunity for engagement in the planning decision making would be reduced significantly for large scale developments that would impact most on local communities. That is what we would be concerned about.

We went on to say it is considered that the proposed reforms as set out undermine local democratic accountability and do not provide sufficient opportunity for effective engagement and that the White Paper should be amended in future to ensure the democratic deficit for elected members and local communities addressed, particularly in respect of a new proposed development management decision making process.

We said that then and we still stand by that. We hope that goes some way to satisfy Councillor Dale of our position. Suffice to say we have a close eye on what will be coming in the next stage of the development of the White Paper.

Supplementary question: Thank you for that, Councillor Renwick. I agree the significance hit me last year when a residents' petition objected to a development, not the fact of the development but the quantity of housing. I went along to the Council and said about the impact on the environment - obviously the Planning Committee agreed and reduced the number of houses - but my concern was there were conditions put on that planning permission because on the site there was a registered public footpath; there was an old Roman road and ruins; there was a bat corridor, everything you can think of was on that site, so they imposed conditions and the developers completely disregarded them.

Now nobody would have been aware properly in the local community if we hadn't have put the objections in because it brings it to your attention. I notice the developers were carrying on and they just disregarded it so we had to get in touch with Highways, it is now Places, in the time to get the registered footpath unblocked so we could use it. I had to get in touch with the archaeologists in the Planning Department. They had already chopped the trees down so they couldn't do the survey for the bat corridor. It brought home to me the significance of why it is important because of local knowledge and things to stop this kind of blatant disregard.

So are we intending to do any more action-wise or are officers just writing, or are we going to do anything as a Council? That was my question, are we going to be a bit more proactive? Thank you.

Response: Thank you, Councillor Dale. I have sympathy. I have issues with my own local Council and the fact that the previous Labour administration haven't even actually delivered a Local Plan since 2005 which has left us in quite difficult circumstances with local housing plans that we have had to deal with currently.

I don't know if you have read the document? It is 84 pages long. I think you will find that a lot of the issues you have raised have been addressed which is why I said in my opening remarks whilst you have raised issues about public consultation your supplementary question didn't go on to demonstrate your concerns around that, it is really more about the individual Planning Authority.

Now we are a statutory Authority at DCC so we do comment on applications but actually it is your own Local Planning Authority. I think you will find that as part of this consultation the issues you have raised will be raised by many and the hope is the new planning system going forward, which I think we would all agree needs to be improved, would address some of those queries that you have.

c) Question from Councillor K Gillott to Councillor Councillor K Athwal, Cabinet Member for Highways Assets and Transport

The A61 Derby Road, between Stretton and Chesterfield, has huge problems with congestion and traffic, particularly at peak times or when the M1 is busy. The main road through Clay Cross and into Chesterfield is now massively busy, over-congested and a burden on people and businesses getting around their daily business in our area.

Can the Cabinet Member outline what has been done in the last 2 years to develop practical solutions for the congestion afflicting the A61 south of Chesterfield, to reduce congestion, improve traffic flows and journey times for local residents?

Response: Thank you, Councillor Gillott for your question.

The issue that you raise has been decades in the making and this has certainly increased by years of lack of planning control by the then Labour Controlled North East Derbyshire District Council, for which I believe you were a member in those days, which allowed developers to build thousands of dwellings without adequate S106 infrastructure contributions. Ultimately this has, and continues to put many extra cars onto this already congested road adding to the challenges we face today.

Whilst through the A61 Growth Corridor Strategy this Council has continued over the last two years to deliver a range of interventions to assist with both the demand for

car travel and the management of traffic along the corridor. These measures include upgraded walking and cycling routes; the provision of real-time information for bus passengers and the installation of traffic signal controllers to allow the introduction of an urban traffic management and controlled system. This system is expected to be fully operational by the end of 2021 and will provide better co-ordination between traffic signals and improve the highways' observability to respond to incidents or congestion and to inform road users of possible problems in this area.

With the forward looking approach the Leader of this Council, Councillor Barry Lewis, holds regular meetings to consider longer term workable measures with Lee Rowley, the local MP, and the representatives of North East Derbyshire District Council to find ways to minimise traffic issues in this area. This includes allocating £200,000 towards a comprehensive traffic study to explore the options available to us as a first step in the process of finding a longer term solution. Thank you, Mr Chairman.

Supplementary question: Can I thank you for that response. Obviously I look forward to going through it in more detail when I read the verbatim minutes of it.

This is an issue, as you have hinted at, that affects not just me but affects several councillors in that area and it is of great concern to the community.

I have to confess I didn't actually write the question. I had some help. The first part was written - well I lifted it virtually word for word from a Conservative leaflet put out just over two years ago and the second part was lifted virtually word for word, just changed into a question, from your manifesto pledge for May of this year.

By the time of the next election your Group will have run this Council for eight years. That is six years since you were first talking about it. People ask me about this almost on a daily basis so what reassurance can I give them? What will the A61 look like in terms of congestion in four years' time? Will it still be congested or more free flowing? What impact will it have in terms of the local businesses and local communities as well, or are these just words to keep the local people happy without any real action?

Response: Councillor Gillott, thank you for that supplementary question. You will be provided with a detailed written answer, but my short answer at this stage to you is this: I hope in four years' time the situation on the road will be far better than it has been for a while now. Thank you.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

COUNCIL

14 JULY 2021

Report of the Managing Executive Director (CCP)

Appointment to the role of Executive Director Childrens Services

1. Purpose

1.1 To seek approval from Council for the salary package for the role of Executive Director Children's Services and to delegate the appointment of the Executive Director Children's Services to a recruitment panel.

2. Information and Analysis

2.1 The Council has been informed that Jane Parfremment, Executive Director has tendered her resignation in order to take up a new post outside of the Council. Her last day of employment with the Council is Sunday 3 October 2021. In accordance with the Council's constitution, the Director of Organisation Development and Policy has progressed arrangements to form a recruitment panel comprising of three Elected Members which must include one Cabinet Member and Shadow Cabinet Member. Councillors Alex Dale, Julie Patten and Ruth George have been nominated as members of that recruitment panel.

2.2 Additionally, arrangements have been made to draw up a job and person profile specifying the duties, qualifications and qualities required to undertake the role. Accordingly, the role is currently being advertised as widely as possible to attract the widest possible field of applicants. The advert for the role closes on 29 July 2021.

2.3 The proposed dates for final interviews for this role will take place on 17 and 18 August 2021. It is anticipated that the Panel will have identified the successful candidate and be in a position to propose his/her appointment to the role on 18 August 2021, however the next Council meeting is not scheduled until 15 September 2021. Waiting for the approval until the meeting on 15 September would likely prevent any candidate from tendering their resignation with their current employer prior to the Council meeting and delay the candidate starting. The role is a critical role to the Council and is part of the Council's Senior Leadership structure. The Executive Director Children's Services is a statutory role, and it is therefore considered necessary that a decision to approve the appointment should be made quickly to enable this post is filled as soon as possible on a permanent basis.

2.4 On this occasion, in order to avoid delay, Council is asked to delegate the appointment to the role of Executive Director Children's Services to the recruitment panel to ensure the role is filled as soon as is practicably possible. A report will be brought to Full Council at its meeting on 15 September 2021 that confirms the details of the appointment.

2.5 Whilst it is not a legislative requirement for Council to approve the appointment of an Executive Director, the statutory guidance issued under section 40 of the Localism Act 2011 does require Council or a meeting of members to vote before salary packages over £100,000 are offered.

2.6 The role of Executive Director Children's Services salary is determined by the Council's job evaluation scheme and has been determined as Grade 20 £117,869 to £129,655 per annum of the Council's Pay structure. The terms and conditions for the post are set out in the Council's standard terms and conditions in the Derbyshire package. Council is therefore asked to approve the salary for the role of Executive Director Children's Services.

3. Alternative Options Considered

3.1 The Council is required to employ an officer to fulfil the statutory role of Director of Children's Services. It is considered that any other post in the Council is not suitable to hold the designation on a permanent basis and would not be in accordance with the relevant statutory guidance; therefore recruiting to the Executive Director Children's Services role is a critical appointment for the Council.

3.2 The Council could decide not to delegate the appointment of the Executive Director, Children's Services to a recruitment panel and instead to retain the power to approve the appointment. However, this would likely prevent any candidate from tendering their resignation with their current employer prior

to the Council meeting and delay the candidate commencing employment and is not recommended for the reasons set out above.

4. Implications

4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5. Appendices

5.1 Appendix 1 – Implications.

6. Recommendation(s)

That Council:

- a) approves the salary package for the role of Executive Director Children's Services as Grade 20, £117,869 to £129,655 per annum;
- b) delegates the appointment of the Executive Director, Children's Services to a recruitment panel, comprising Councillors Alex Dale, Julie Patten & Ruth George; and
- c) receives a report confirming details of the successful candidate to the meeting on 15 September 2021.

7. Reasons for Recommendation(s)

9.1 To comply with the necessary legislative, statutory guidance and Constitutional requirements.

9.2 To ensure that recruitment to the post of Executive Director Children's Services is conducted without delay and the successful candidate can commence employment as soon as is practicably possible.

9.3 To ensure that all Elected Members are notified of the successful candidate to a senior post within the Council.

Report Author: Emma Crapper
Director of Organisation Development and Policy
Contact details:

Implications

Financial

- 1.1 This costs associated with this role can be met from within the Children's Services Department Budget.

Legal

- 2.1 Recruitment to the post of Executive Director Children's Services must be carried out in accordance with the Officer Employment Procedure Rules contained within Appendix 9 to the Constitution. The Rules specify that: "*The full Council will approve the appointment of the Head of Paid Service and Executive Directors following the recommendation of such an appointment by a politically balanced Panel of at least three members formed of the Cabinet Member or Members holding the relevant portfolio or portfolios, the Shadow Cabinet Members and additional Members from the Appointments and Conditions of Service Committee as necessary to balance the Panel.*" Whilst the decision to appoint to the post of Head of Paid Service must be made by full Council, Council can delegate authority to the Panel to approve the appointment of an Executive Director.
- 2.2 Under the Officer Employment Procedure Rules, prior to the appointment of the Executive Director, the Director of Organisation Development and Policy must give all executive members the opportunity to object to the proposed recommendation before an offer of appointment can be made.
- 2.3 The Council is required to appoint a Director of Children's Services under section 18 of the Children Act 2004 and comply with the statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services. The guidance makes it clear that as the Director of Children's Services has professional responsibility for the leadership, strategy and effectiveness

of local authority children's services, this post should be at first tier officer level and should report directly to the Head of Paid Service (Managing Executive Director).

- 2.4 The Director of Children's Services is a statutory chief officer within the meaning of section 2(6) of the Local Government and Housing Act 1989 (politically restricted posts). This means the post holder is prevented from taking part in certain political activities.
- 2.5 The Openness and accountability in local pay: Guidance under section 40 of the Localism Act provides that full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment.
- 2.6 The proposals set out in the report meets the necessary legislative, statutory guidance and Constitutional requirements.

Human Resources

- 3.1 Detailed in the report

Equalities Impact

- 4.1 The post will be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it. The appointment process will be conducted in accordance with the Council's Recruitment and Selection Policy and any reasonable adjustments will be made for candidates in order to access the process as appropriate.
- 4.2 It should be noted that the Council has put in place a number of measures in its recruitment process in order to promote equality. These include:
- providing disabled job applicants with adjustments throughout the recruitment process to help make the process fairer, such as making reasonable adjustments at interview
 - providing all disabled people who meet the essential criteria with a guaranteed interview and by ensuring that any test or assessment is

fair to everyone and focuses on the skills and knowledge needed for the job

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Implications	Name and Comments	Date Approved
Finance		
Legal		
Human Resources		
Information Technology		
Equalities		
Corporate Objectives and priorities for change		

Consultation		
Other – please specify		

Author's Directorate Sign Off

		Date
Managing Executive Director/Executive Director		
DMT – if applicable		
CMT – if applicable		
Cabinet Member briefed – if applicable		
Other – please specify		

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

COUNCIL

14 July 2021

**Report of the Managing Executive Director, Commissioning,
Communities and Policy**

Honorary Alderman and Alderwoman

1 Purpose

1.1 To agree to change the date for the special Council meeting to confer the honorary title of Honorary Alderman and Alderwoman until such time as deemed appropriate following the lifting of the Covid-19 restrictions.

2 Information and Analysis

2.1 At the Council Annual General Meeting on 26 May 2021, it was agreed to confer the title of Honorary Alderwoman upon former Councillors E Atkins, L Chilton, I Ratcliffe, J A Twigg and A Western and Honorary Alderman upon former Councillors K Buttery, P Murray, P Smith, G Wharmby and D Wilcox. It was also agreed to convene a special meeting of the Council on 14 July 2021 to formally consider the nominations. At the time this date was proposed it was expected that the covid-19 restrictions would be lifted on 29 June in accordance with the government's roadmap out of the current lockdown.

2.2 It is now known that the Covid-19 restrictions did not cease as expected on 29 June 2021. It is usual practice for invitations to be extended to family and friends of those nominated to allow them to attend the special meeting of Council and observe the conferring of the title of Honorary Alderman and Honorary Alderwoman. If the special Council meeting proceeded as agreed on

14 July, restrictions would still apply and the celebratory event would not be able to take place in the usual way.

2.3 It is therefore proposed that the convening of a special meeting of the Council is deferred until such time as the Covid-19 restrictions are lifted so that an appropriate celebratory event, in the presence of their family and friends, can be held to recognise those individuals who have rendered eminent service as past members. Those nominated to receive the title of Honorary Alderman and Honorary Alderwoman will be contacted by Officers in respect of the date of the special meeting.

3 Alternative Options Considered

3.1 Continuing to convening a special Council meeting on 14 July 2021 within the current Covid-19 guidance and restrictions; however this is not considered appropriate for the reasons set out above.

4 Implications

4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5 Consultation

5.1 Not applicable.

6 Background Papers

6.1 None.

7 Appendices

7.1 None.

8 Recommendation

8.1 That Council:

- (a) agrees to convene a special meeting of the Council either before or after a future scheduled meeting of the Council after such time when Covid-19 restrictions are lifted.

9 Reasons for Recommendation

- 9.1** As a result of the need to continue to comply with the Covid-19 restrictions. When the date for the special meeting was originally agreed, it was expected that the covid-19 restrictions would be lifted on 29 June in accordance with the government's roadmap out of the current lockdown.
- 9.2** To ensure that an appropriate celebratory event, in the presence of their family and friends, can be held to recognise those individuals who have rendered eminent service as past members.

Emma Alexander
Managing Executive Director, Commissioning, Communities and Policy

Implications

Financial

1.1 None.

Legal

2.1 Section 249 of the Local Government Act 1972 enables a principal council to confer the title of honorary aldermen or honorary alderwomen on persons who have in the opinion of the Council rendered eminent service as past members. To confer the honorary title, the Council must pass a resolution by not less than two-thirds of the Members present at that meeting.

2.2 An honorary alderman or alderwoman may attend and take part in such civic ceremonies as the council may from time to time decide, but shall not have the right—

- (a) to attend meetings of the council or a committee of the council (including a joint committee upon which they are represented); or
- (b) to receive any allowances or other payments.

2.3 The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 and government guidance set out current coronavirus restrictions. In summary, individuals can meet up indoors with friends and family they do not live with, either:

- in a group of up to 6 from any number of households (children of all ages count towards the limit of 6)
- in a group of any size from up to two households (each household can include an existing support bubble, if eligible)

2.4 Gatherings above the limit of 6 people or 2 households indoors can only take place if they are covered by a legal exemption. Once such exemption is meeting others where it is necessary for work and this can be relied upon with regard to those required to attend the special council meeting. However, it would not be necessary for friends and family to attend this meeting

Human Resources

3.1 None.

Information Technology

4.1 None.

Equalities Impact

5.1 None.

Corporate objectives and priorities for change

6.1 None.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.

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FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

COUNCIL

14 July 2021

Report of the Director of Legal & Democratic Services and Monitoring Officer

Decisions taken as a matter of Urgency and Key Decisions and Special Urgency

1. Purpose

- 1.1 In accordance with the provisions of the Constitution, to report to Council those executive decisions taken as a matter of urgency where 28 days' notice of the decision could not be given and where call-in has been waived.

2. Information and Analysis

- 2.1 Members of Council will be aware that on occasion there is a necessity for decisions to be taken urgently, most recently predominantly as a result of the covid-19 pandemic and the need to respond to changing government guidance in a timely fashion.

Key decisions – Cases of special urgency

- 2.2 Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, before the Council makes a key decision certain information needs to be published 28 clear days in advance. This is usually known as the 'Forward Plan'. The Regulations recognise that in the case of urgent decisions, this is not possible. As a result:

- a) where a key decision needs to be taken and publication of the information is impracticable, the decision can be made as long as five clear days' notice of the decision is given to the relevant Improvement and Scrutiny Committee Chairman; and
 - b) in cases of special urgency, a key decision can be taken with less than five clear days' notice if agreement is obtained from the Improvement and Scrutiny Committee Chairman that the making of the decision is urgent and cannot reasonably be deferred.
- 2.3 The Regulations require a report to Council at least once a year detailing each key decision taken where it was agreed that the special urgency provisions apply. The Access to Information Procedure Rules included in Appendix 6 to the Constitution requires this report to be submitted on a quarterly basis to full Council.
- 2.4 In accordance with the above requirement, Appendix 2 sets out the key decisions taken where special urgency provisions were agreed since the last report to Council.

Waiver of Call-in provisions

- 2.5 Members will be familiar with the Council's Improvement and Scrutiny Procedure Rules included at Appendix 5 to the Constitution which sets out the call-in procedure. The call-in procedure does not apply where the executive decision being taken is urgent: that is where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest. In such cases call-in can be waived if the Chairman of the appropriate Improvement and Scrutiny Committee agrees both the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 2.6 The Improvement and Scrutiny Procedure Rules require such urgency decisions to be reported to the next available meeting of the Council, together with the reasons for urgency.
- 2.7 In accordance with the above requirements, details of urgent decisions where the call-in process was waived since the last report to Council and the reasons for urgency are set out in Appendix 3.

3. Alternative Options Considered

- 3.1 Not to consider those executive decisions taken as a matter of urgency where 28 days' notice of the decision could not be given and where call-in has been waived; however, this is not recommended as this would not be in accordance with the Council's Constitution.

4. Implications

- 4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5. Consultation

- 5.1 Not applicable.

6. Background Papers

- 6.1 None.

7. Appendices

- 7.1 Appendix 1 – Implications.
- 7.2 Appendix 2 – Key decisions taken where special urgency provisions were agreed.
- 7.3 Appendix 3 - Details of urgent decisions where call in procedure was waived and the reasons for urgency.

8. Recommendations

That Council notes:

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

9. Reasons for Recommendations

- 9.1 In order to comply with the provisions in the Council's Constitution and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Report Author: Helen Barrington

Contact details: helen.barrington@derbyshire.gov.uk

Implications

Financial

1.1 None.

Legal

2.1 As set out in the report.

Human Resources

3.1 None.

Information Technology

4.1 None.

Equalities Impact

5.1 None.

Corporate objectives and priorities for change

6.1 None.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.

**Appendix 2. Key decisions taken where special urgency provisions were agreed
16 March 2021- 1 July 2021**

Subject of Decision	Decision Taken by and Date Taken	Decision Taken	Reason for Decision	Reason for Urgency
Economy & Regeneration Service and Highways – Hollis Lane	Managing Executive Director 19 March 2021	<p>1. To agree that the total budget for the Hollis Lane Link Road Phase 1 be increased by £1.983m (from £8.808 to £10.791) to accommodate an increase in the design and delivery costs of the project.</p> <p>2. To note that this level of additional funding will be offset by 50% contribution (£0.992m) from Chesterfield Borough Council (which is subject to a concurrent urgent decision).</p> <p>3. To approve the virement of the</p>	To ensure that sufficient budget is available to allow Phase 1 to delivered in full	<p>To meet contractual requirements against DCC's Local Growth Fund grant from the D2N2 LEP.</p> <p>In addition, to mitigate the risk of failing to achieve other contracted outputs that are linked to the grant agreement, in the form of the Link Road and delivery of commercial development on adjacent land at Spa Lane. Failure to achieve these outcomes would have financial penalties and</p>

		equivalent 50% DCC contribution (0.992m) from approved ETE capital allocations of £930,000 (LTP 2019) and the remainder £62,000 from a £300k capital allocation (LTP 2020).		affect the County Council's reputation when making bids for future grant funding
New Statutory Duty - Provision of emergency accommodation for victims of domestic abuse and their families	Managing Executive Director 8 April 2021	To accept grant funding of £1.417m for 2021/22 to support the new statutory duty in relation to the provision of emergency accommodation for victims of domestic abuse and their families	To deliver against the new statutory duty	MHCLG anticipate payment of the grant in April 2021 and have an expectation that it is spent or committed during this financial year. It is therefore essential that approval to accept the grant be sought as a matter of urgency as any delays will impact the ability to deliver against the new statutory duty in the current financial year and may impact grant

				allocations in subsequent years.
Data Center storage and computer infrastructure move to the cloud	Cabinet 15 April 2021	<ol style="list-style-type: none"> 1. Move the current storage and compute infrastructure to the cloud instead of the previously proposed replacement for a like for like replacement of on-premises hardware. 2. Commence a project to modernise the workloads and create a migration plan for them. 	To meet the changing landscape caused by Covid 19, wider organisational transformation, changes in our digital capability, and wider digital data and technology impacts from outside the Council	An urgent decision is required to enable the delivery of key ICT systems and projects without risking business continuity.
DHSC Covid grant to support providers with Infection Control Fund (ICF) and Rapid Testing Fund (RTF)	Executive Director of Adult Social Care and Health 6 May 2021	<p>To distribute the following two Department of Health and Social Care (DHSC) Grants to eligible care providers:</p> <ul style="list-style-type: none"> • Infection Control Fund 20/21 • Rapid Testing Fund 2020/21 	To support care homes and home care providers with measures that will reduce the level of Covid-19 infection.	To enable the grant to be spent on infection control measures during the specified timeframe.

COVID Local Support Grant (CLSG) .	Executive Director of Children's Services on 10 May 2021	To approve additional spending plans for the Derbyshire County Council allocation of the COVID Local Support Grant (CLSG).	To support vulnerable families	The CLSG Delivery Plan must be submitted to DWP no later than 14 May 2021, and therefore time for the normal decision-making protocols has not been possible.
Children's services capital programme 2018-19 – Further allocations	Executive Director of Children's Services 23 June 2021	To approve allocations from the Children's Services Capital Programme 2021 for additional Costs for the New Breadsall Primary School.	To let the contract to replace Breadsall Primary School	A delay in gaining approval for additional funding will affect the issue of the contract and the delivery of the programme.
COVID Local Support Grant (CLSG) .	Executive Director of Children's Services on 1 July 2021	To approve additional spending plans for the Derbyshire County Council allocation of the COVID Local Support Grant (CLSG).	This scheme is an extension of the CLSG for vulnerable families which previously ran until 20 June 2021. The extension now extends the scheme up to the 30 September 2021	The CLSG Delivery Plan must be submitted to DWP no later than 16 July 2021, and therefore time for the normal decision-making protocols has not been possible.

Appendix 3:

Urgency decisions taken under the Improvement and Scrutiny Procedure Rules where call-in was waived

16 March 2021- 1 July 2021

Subject of Decision	Decision Taken by and Date Taken	Decision Taken	Reason for Decision	Reason for Urgency
Economy & Regeneration Service and Highways – Hollis Lane	Managing Executive Director 19 March 2021	<p>1. To agree that the total budget for the Hollis Lane Link Road Phase 1 be increased by £1.983m (from £8.808 to £10.791) to accommodate an increase in the design and delivery costs of the project.</p> <p>2. To note that this level of additional funding will be offset by 50% contribution (£0.992m) from Chesterfield Borough Council (which is subject to a concurrent urgent decision).</p>	To ensure that sufficient budget is available to allow Phase 1 to delivered in full	<p>To meet contractual requirements against DCC's Local Growth Fund grant from the D2N2 LEP.</p> <p>In addition, to mitigate the risk of failing to achieve other contracted outputs that are linked to the grant agreement, in the form of the Link Road and delivery of commercial development on adjacent land at Spa Lane. Failure to achieve these outcomes would have</p>

		3. To approve the virement of the equivalent 50% DCC contribution (0.992m) from approved ETE capital allocations of £930,000 (LTP 2019) and the remainder £62,000 from a £300k capital allocation (LTP 2020).		financial penalties and affect the County Council's reputation when making bids for future grant funding
DHSC Covid grant to support providers with infection control measures	Executive Director of Adult Social Care and Health 6 May 2021	To distribute the following two Department of Health and Social Care (DHSC) Grants to eligible care providers: <ul style="list-style-type: none"> • Infection Control Fund 20/21 • Rapid Testing Fund 2020/21 	To support care homes and home care providers with measures that will reduce the level of Covid-19 infection.	To enable the grant to be spent on infection control measures during the specified timeframe.
COVID Local Support Grant (CLSG)	Executive Director of Children's Services on 10 May 2021	To approve additional spending plans for the Derbyshire County Council allocation of the COVID Local Support Grant (CLSG).	To support vulnerable families	The CLSG Delivery Plan must be submitted to DWP no later than 14 May 2021, and therefore time for the normal

				decision-making protocols has not been possible.
Children's services capital programme 2018-19 – Further allocations	Executive Director of Children's Services 23 June 2021	To approve allocations from the Children's Services Capital Programme 2021 for additional Costs for the New Breadsall Primary School.	To let the contract to replace Breadsall Primary School	A delay in gaining approval for additional funding will affect the issue of the contract and the delivery of the programme.
COVID Local Support Grant (CLSG) .	Executive Director of Children's Services on 1 July 2021	To approve additional spending plans for the Derbyshire County Council allocation of the COVID Local Support Grant (CLSG).	This scheme is an extension of the CLSG for vulnerable families which previously ran until 20 June 2021. The extension now extends the scheme up to the 30 September 2021	The CLSG Delivery Plan must be submitted to DWP no later than 16 July 2021, and therefore time for the normal decision-making protocols has not been possible.

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Cllr Joan Dixon and the Labour Group would like to submit the following Motion:

Motion to Declare a Climate Emergency in Derbyshire

This Council notes the findings of the World Meteorological Organisation in April 2021 that the global average temperature in 2020 was around 1.2C above pre-industrial levels and the warning from the United Nations that the world is on the edge of a climate 'abyss'.

Council therefore resolves to:

Declare a 'Climate Emergency' that requires urgent action in line with the vast majority of all Local Authorities.

Reaffirm the commitment to make the Council's activities net-zero carbon by 2032 with a role of the Improvement and Scrutiny Committee – Climate Change, Biodiversity and Carbon Reduction to scrutinise the targets set and report at least annually on progress achieved.

Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2032.

Requests that all Council Committees and Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies;

Support and work with all other relevant agencies towards making the county of Derbyshire zero carbon within the same timescale;

Work with, influence and inspire partners across the county to help deliver this goal through all relevant strategies, plans and shared resources;

Support strategies for cleaner air in all our towns and villages, especially in town centres and around schools;

Set up a Climate Change Partnership Group, involving Councillors, businesses, local sustainability groups and other relevant parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions across Derbyshire by 2032 and recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

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