

ELECTED MEMBER QUESTIONS TO COUNCIL – 13 JULY 2022

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

“Will the Council explore implementing concessionary travel for refugees, including all refugees on means tested benefit and all asylum seekers?”

Response:

Thank you, Councillor Kinsella, for your question.

Colleagues in the Local Bus Team are working to progress the development of a Concessionary Travel Card Scheme for Ukrainian refugees similar to the Derbyshire Gold Card. This is being developed alongside Nottinghamshire County Council. Work on the criteria and processes for applications is progressing and the scheme will be launched once the work by Nottinghamshire and our officers is complete later this summer.

Unfortunately other refugees or asylum seekers cannot be included in this scheme at this time. Thank you, Mr Chairman.

Supplementary question:

Thank you Councillor Athwal for that largely positive reply. Just so I understand did you say the scheme was looking to be completed and developed this summer? I may have misunderstood that. Secondly, if you could just explain to me - I welcome the fact that refugees will be involved in that Concessionary Travel Scheme - but if you just explain to me the issue around the exclusion of asylum seekers?

Response:

Thank you, Councillor Kinsella. The answer to your first point is yes, this summer I said we are looking to implement that.

As regards the exclusion of other refugees and asylum seekers, the English National Concessionary Travel Scheme is governed by legislation which limits the scheme to people over 65 years of age, Mr Chairman, and also disability. Any other concessionary travel initiative therefore must be developed as a stand-alone scheme and separately funded.

As you are probably aware, Councillor Kinsella, that is really why we can't do the scheme that you allude to but you are probably aware that this administration already has a commitment as part of its manifesto pledge to introduce a companion bus pass for people accompanying travellers with

disabilities. This scheme is being developed and will be introduced in 2023-24. Thank you. I hope you find that acceptable.

2. Question from Councillor G Kinsella to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“Following approval of the Single Use Plastic Policy in October 2021 how many of the actions, set out in the associated Action Plan have been completed?”

Response:

Thank you, Councillor Kinsella, for your question.

In terms of the history of the single use issue of plastics in this organisation it almost goes back, or just before actually the Climate Change and Carbon Reduction manifesto that we started talking about way back in early 2019. It was in fact Councillor Martyn Ford who raised it in this very Chamber as an issue that we could get a quick win on if we eliminated single use plastics within the building and that is kind of how we got going with that.

If everybody remembers, those of us who were here back then, we had a number of coffee machines dotted around public areas in the building which themselves used plastic capsule type things to dish out coffee. I have to say the coffee was absolutely awful, perhaps the worst coffee I have ever tasted, so good riddance to those machines that they actually went. They were also single use plastic cups as in the ones, the paper cups but with plastic liners in them that we are all familiar with, plastic stirrers, there were plastic drinking glasses, everywhere the water machines all over the place and we very quickly eliminated those from the buildings by switching to crockery and various other forms of proper knives and forks. Plastic knives and forks disappeared more or less overnight. That is the very early history of it so we made fundamental shifts in our behaviour very quickly very early on in that process.

The policy itself was approved by Cabinet on the 14 October 2021. It took a while and I will explain why.

“Through the implementation of that policy the Council acts to remove the use of single use plastics from its operations and its services and, where practical, to reduce the use of single use plastics where its use cannot be avoided.”

A typical example of that, of course, would be the recent pandemic and things like the gowns that had to be worn by care workers going into homes, care homes and so forth and face masks, all those sorts of things that we became relatively familiar with.

Since the adoption of the single use policy a cross-departmental team of officers

have been preparing an action plan. The action plan focuses on single use plastic, use and reduction, and has been presented to the Corporate Management Team here for endorsement on the 26 July 2022. Whilst it may seem like it is a long time since development of the plan to where we are now we have already done a lot to remove it from Council buildings where possible. I will touch on a few more of those actions shortly.

In addition to the development of the SUP policy and action plan the following progress can be reported. So in Procurement the Council's sustainable procurement policy, which was approved only a number of weeks ago in June, provides a wide reaching approach for the Council to achieve the best commercial outcome and value for money from its procurement activities whilst delivering environmental, social and economic benefits. Seeking to minimise and eliminate the use of single use plastics is included within that sustainable procurement policy and as a specific policy commitment implementation of office sustainable procurement policy across the Council supports and facilitates the delivery of the Single Use Plastics policy.

So following that launch of the Derbyshire Climate and Carbon Reduction manifesto in May 2019 the Council took steps to replace all the crockery, as I have already said. There are good examples of departments and services taking steps to replace the use of plastics with sustainable alternatives such as children's services; sourcing and procurement; procuring staff lanyards made of bamboo rather than nylon. Other services are taking steps to support the circular economy and the re-use of waste plastics such as through the procurement of pavement kerbstones made from recycled plastics. Single use plastics will gradually be replaced by sustainable and suitable alternatives with a roll-out of information and advice across the Council to be included as part of the action plan implementation.

I think, Councillor Kinsella, you can appreciate that we have spent over £300m a year in procurement within the organisation. It is a large organisation. Lots of procurement, lots of contracts out there and it does take time to embed some of these policies.

In terms of engagement we have met with community representatives in a working group on a number of occasions to explore how the use of single use plastics can be reduced more widely across the county and representatives on this informal group are from Plastic Free Chesterfield and Surfers Against Sewage, for example, and various transition and other environmental community groups.

I hope that explains we have already done a lot. We know there is a lot more to do but we are keen to try and eliminate it wherever possible from everything we do within the organisation. Thank you.

Supplementary question:

Thank you very much, Councillor Lewis, for what is a long answer for effectively what is, from my understanding of the answer, no action plan following a year since the Single Use Plastic policy has been introduced. I acknowledge that some work has been done but it is disappointing to find out that the action plan is yet to be approved a year after the policy has been approved.

I suppose my follow-up question, and this question has come from a constituent who works in a school, she pointed out to me that hundreds of plastic bottles are being used daily in her school, water bottles handed out to children. When will that specific practice stop?

Response:

Thank you, Councillor Kinsella. I don't know how I can say this again without going through the whole thing. You are clearly not listening. We have done a lot to eliminate and we did right from Day 1.

As for the issue of schools, other than through our own services that we provide through the Catering Service the schools will be responsible for their own plastics and elimination of those processes.

3. Question from Councillor S Burfoot to Councillor K Athwal, Cabinet Member for Highways, Assets and Transport

“When will we as Members be informed as to the location of the two trial 20mph zones promised by this administration?”

Response:

Thank you, Councillor Burfoot, for your question. I know you have asked this question on a number of occasions. You are very keen on this and you have also dropped me emails etc but to update you officers are carrying out an exercise to evaluate in which of our larger market towns it would be best to locate these trials. This will be done based on a range of criteria including the potential to make an impact to casualty reduction and air quality. We are also keen to ensure the cooperation of the relevant local authorities to work with this Authority on this scheme. As soon as we have completed these discussions we will bring forward a decision for Cabinet to confirm the preferred locations and to agree a process for implementation.

Our aim, Councillor Burfoot, is to identify details of these towns before the year end. Thank you.

Supplementary question:

Obviously I am disappointed to hear that no decisions have still been made. I am pleased you are saying by the end of the year. I will wait with anticipation as to where they are. I will put a plug in again for the one that I think is absolutely ideal and that is the rat run from Willersley Lane through Starkholmes to Matlock Green. I would imagine this satisfies any criteria that you could possibly come up with given its variable width; the bends; the gradients, all sorts of other problems on that road. This is an ideal proposal. Since the building of Sainsburys in Matlock it immediately became a rat run. Everybody in that area knows that.

May I ask therefore can this be considered as a serious proposal? Will Councillor Athwal take this to the Highways officers and put it to them as a serious proposal for one of these 20 mph zones?

Response:

Thank you, Councillor Burfoot thank you for your suggestions. I am sure you will be aware in Matlock itself there is already a 20 mph speed limit on the A615 which runs through Matlock town centre itself, but going on to your request if the rat run is on Starkholmes area, Willersley Lane etc, yes they will be considered but as I alluded to earlier we are looking at larger market towns at this stage so I can't promise you that, I can't promise which towns it will be in but they will look at your suggestion. Thank you.

4. Question from Councillor E Fordham to Councillor N Hoy, Cabinet Member for Adult Care

“Will the Cabinet Member provide an update on the progress of the transfer of residents from closed care homes to their new home?”

Response:

Thank you. To-date we have supported a total of 37 residents to move to new homes of their choice. As a result of the move we now have no residents remaining at The Spinney, Goyt Valley House and Gernon Manor. We continue to work with a further 24 residents residing at Ladycross, Holmlea, East Clune and Beechcroft.

Supplementary question:

In the debate, Councillor Hoy, I slightly grimly read out the names of the residents who were at risk of being harmed by the decision we were making. Will she join me, and perhaps Councillor Sutton, in sending condolences to the families of Julian Green and Margaret Strang who have died directly as a result of the move?

Response:

Thank you. This is very sad news and my thoughts are with their families. I cannot comment to protect the families and their identities but I can assure members their sad passing has no connection to them moving and it is in the poorest of taste and incorrect for Councillor Fordham to suggest otherwise.

5. Question from Councillor E Fordham to Councillor K Athwal, Cabinet Member for Highways, Assets and Transport

“Would the Cabinet Member note the high quality of the works resurfacing the road from Owlbar to Millthorpe, how much has it cost, how long these works are expected and how long is it predicted/expected to last as the primary road surface?”

Response:

Thank you, Councillor Fordham, for your question. I think there are actually three questions in one here, Mr Chairman. The cost, how long the works will take and how long will the improved surface last? I also understand that the area in question is not in Councillor Fordham’s Division and just to correct him it was not resurfacing works but surface dressing that took place.

Now moving on to the answer, Mr Chairman. The cost for surface dressing was £60,000. Work has already been completed and it is expected that it will increase the lifespan of the road surface by some ten years. Thank you, Mr Chairman.

Supplementary question:

My question was in praise of the work surface that has been done. It is a full surfacing, I assure you. It is a work of art and the way in which the gullies have been done is impressive.

My question is specifically would the Cabinet member consider holding meetings with each individual Ward member who have concerns about road surfaces so that quality surfaces such as this could occur in all Wards? It truly is a work of art.

Response:

Thank you. I am sure Councillor Fordham will understand that Derbyshire is a very large county with lots of competing priorities. There are 3,500 miles of roads etc, numerous footpaths and the like. There are 64 members within this Authority and for me to get round to each and every member in their Divisions

is nigh on impossible but this is why we have officers who do this. More of our members liaise with our officers on a regular basis and I am sure if there is any particular issues in your area they would be happy to look at those. Thank you.

Councillor Fordham withdraw the following three questions:

6. Question from Councillor E Fordham to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“Would the Leader lay out a timetable for the engagement of DCC with the Glover Report and how can Councillors contribute to that debate?”

7. Question from Councillor E Fordham to Councillor K Athwal, Cabinet Member for Highways, Assets and Transport

“Given the debacle of the consultation and engagement with Chesterfield Borough Council and local residents over the East-West cycle route, will the Portfolio Holder share ideas and proposals ahead of funding bids of ways in which cycling in and around the town can be enhanced and encouraged?”

8. Question from Councillor E Fordham to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“What plans are there for ensuring that Derbyshire reduces its carbon footprint and its role in achieving climate change through a more responsible approach to minerals extraction and lower levels of concrete production?”

9. Question from Councillor M Yates to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

“The Fair Tax Mark offers a means for business to demonstrate good tax conduct and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.

Will Cllr Lewis approve the Councils for Fair Tax Declaration?”

Response:

Thank you very much indeed for your question, Councillor Yates.

The response effectively is that we do promote exemplary tax conduct throughout procurement processes which includes grounds for mandatory exclusion of suppliers from procurement activity with the Council for reasons which include non-payment of tax and social security contributions. The mandatory exclusions also include participation in criminal organisation; corruption; fraud; terrorist offences or offences linked to terrorist activities; money laundering or terrorist financing; child labour and other forms of trafficking in human beings.

Suppliers are required to declare any breach in obligation in relation to payment of tax where it has been established, that that organisation by judicial or administrative decision having a final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established, if it is outside of the UK, that the organisation is in breach of obligations related to the payment of tax or social security contributions.

The Council reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

HMRC regularly checks on tax compliance within the Council and is happy with our measures in place to the extent that it considers the Council low risk so I don't think there is any need for further measures at this point, Chairman.

Supplementary question:

So what you are saying then is you are not going to approve the Council for a fair tax declaration and Derbyshire is not going to lead by example and demonstrate good practice in our tax conduct right across our activities? You say you are not going to approve the Council for fair tax declaration. Is that correct?

Response:

Thank you very much indeed. There are 23 Councils we know are out there that have signed up to this. That is entirely up to them. As I have just explained the frameworks we have in place are more than adequate and sensible. Thank you.

10. Question from Councillor R George to Councillor K Athwal, Cabinet Member for Highways, Assets and Transport

“What is the County Council doing to assist communities in High Peak and other areas affected by cuts to bus services?”

Response:

Thank you, Councillor George, for your question.

Bus services as we know in England have declined since the 1950s, the only exception being London, and now Covid has had a huge impact on public transport both nationally and locally, Mr Chairman, with passenger numbers not yet reaching pre-pandemic levels impacting the commercial viability of some services.

Government subsidies which have been supporting the sector through Covid are due to end in September and in this context the County Council is aware of recent proposals from bus operators to reduce or withdraw services in parts of the county, including High Peak. We fully understand the issues that this will create for many residents who rely on public transport to access work, school, or visit friends and family. We have been working very hard with operators to understand what can be done to avoid this position.

We have recently only last week taken the decision to support the retention of the Transpeak 2 service for a limited period which will avoid a negative impact on both local communities through Derbyshire and will support many thousands of journeys. This decision was taken after detailed negotiations by our bus team. Ms Brailsford is here and I commend her and her team for all the work you have done on this. This support is for a limited period to enable the operator to explore further options.

In addition over the last year we have been working in partnership with local bus operators with the Department of Transport in developing our Bus Service Improvement bid. We are awaiting final confirmation of our recent bid from the Department for Transport where we have been successful in securing £47m, Mr Chairman, one of the highest in the country for investment in our local bus network. This will provide the basis for services to operate in a more commercially viable way by increasing passenger numbers in Derbyshire. Thank you.

Supplementary question:

I am very glad to hear that the Council has been in discussions with bus operators, as is obviously the case, and that Transpeak 2 has had some success in continuing those services from Matlock through to Derby, but we

have seen considerable cuts to services in High Peak. I understand that the Bus Service Improvement Plan proposals are around the infrastructure rather than the actual services and the cost of them, so I would repeat the question about buses specifically in High Peak to see what can be done to those services which have continued to reduce and did further reduce again this week. Thank you.

Thank you, Councillor George, I have already said we share your concerns. Our Local Bus Team is doing everything possible to try and maintain our services for all of us across Derbyshire. We have schemes like Demand Responsive Transport and various other things happening. We are just at this moment in time waiting for the actual bus services' bid and the amount coming through. From there the officers will analyse how best we can support all of our residents across Derbyshire. Thank you.

11. Question from Councillor R George to Councillor K Athwal, Cabinet Member for Highways, Assets and Transport

“What steps the Council are taking to deal with the backlog of Definitive Map Modification Orders?”

Response:

Councillor George, the Council has a backlog of Definitive Map Modification Orders as we have seen an increase in applications over the last two years. This has been driven by the Deregulation Act 2015 which provided that no claims based solely on documentary evidence for rights existing before 1949 could be made after 1 January 2026.

I am pleased to say that on 16 February this year Defra announced that the 2026 cut-off date will be repealed. This is likely to lead to a slowing of the number of applications reaching the Council over time. In the meantime to meet the increased demand work is taking place within our Legal Services to improve processes, provide staff with specialist training, and approval is currently being sought for a temporary staff member to assist with processing claims.

Dealing with these DMMOs also creates a workload within the Rights of Way Team and a recent recruitment drive has reduced the number of vacancies within the Team which will give capacity to process the DMMOs much more quickly as well, to deliver many improvements the Rights of Way Team have seen recently. Thank you.

12. Question from Councillor R George to Councillor C Hart, Cabinet Member for Health and Communities

“What assistance are the County Council offering to communities who are supporting families who have fled Ukraine?”

Response:

Thank you for your question, Councillor George. I can assure you that we are doing work with communities but going forward we will be looking at developing broader support services and looking at how we work with partners and community groups to extend the support we are currently providing.

What you do have to realise is that this resettlement programme is a massive task for us. We had of course no warning and I hope you will join me in praising our team at DCC on the fantastic way they have sprung into action to welcome our Ukrainian refugees and to settle them with their hosts.

To put the scheme into perspective, since it started we have welcomed over 800 refugees. This is nearly eight times more than the total of refugees we have settled in the last five years. They are spread right across the county and particularly in our rural areas with the higher numbers being in High Peak and Derbyshire Dales.

This is a very different type of resettlement to that which we have previously managed and, of course, we had to put a team together very quickly. We seconded staff from various departments to help move the scheme forward as speedily as possible.

It should also be noted that Derbyshire has the highest number of refugees in the East Midlands. We have taken a partnership approach and a multi-agency Tactical Commissioning Group has been established under the Local Resilience Forum to oversee and support the delivery of the scheme.

The priority, of course, has been establishing the arrival process, which is extensive. Districts and Boroughs have certainly risen to the occasion and they have undertaken accommodation checks. The County Council have been administering the payments to refugees and their hosts, undertaking safeguarding screening and DBS checks. These take time but are essential as with any scheme there are always unscrupulous people trying to take advantage.

In addition to the checks that have been introduced there is now a post-arrival welfare check. This has currently been established and will commence shortly and the County Council will be delivering this again with the support of the District and Borough Councils. A welcome pack has been produced. It is providing information and also signposting relevant services. This is complemented by extensive information and a dedicated page on the Council's website.

The Council's Adult Education Service are providing ESOL, which is English Speakers of Other Languages. These courses are being delivered over the summer and also into September. Host information sessions have been commissioned and all hosts have been invited to attend these. These are being held both virtually and in person. We are also providing advice and support to a high volume of contacts from the hosts and guests.

As said, moving forward we will be looking at working with partners and community groups as well as we can. In fact we have had contact with some of the groups and we are in the process of doing a mapping exercise to see where best we can deliver and what we can deliver into certain areas.

It has been a massive task as I say to respond to this and I think Councillor George, well I hope Councillor George would like to add her thanks to mine for all the sterling work that our officers have done in such a very short space of time, but we have made sure that our visitors know they are welcome and safe in Derbyshire and as I say we will be working far better with the organisations now we have established all the processes of receiving them and getting them into hosts' homes. Thank you, Councillor George.

Supplementary question:

I welcome the work that has been done by Council officers. They have certainly managed to get the payments to the guests and their hosts very well and also the DBS checks done but once those families have arrived they are really left with their hosts to their own resources and they have been because hosts I am working with are working really hard to try and set up the support they need to enable refugee families to get together, to enable them to have in-person ESOL support and learning and to get the mental health support that they so often need.

I have written to the Council on a number of occasions to set out what local communities are doing and just the very small amount of support that those communities are asking for from the County Council which is being funded quite considerably to support refugees and to ask in what way they are looking to work with the communities who have been doing this now for a couple of months since the first arrivals came through. It is those communities that are asking: "What are the County Council doing to support us?" I am sure they would welcome some assurances that something will be coming through very quickly.

Response:

Thank you. Well as I have explained we are doing a mapping exercise. You say it is two months. There is so much being done and the priority was getting them into host situations.

We do appreciate there are groups and organisations and community groups that want to help. I know some of them have set up but of course we can't just take on those groups without some sort of vetting, some sort of communication and that mapping exercise is now starting to happen.

You have to appreciate that the team we have is quite a small team and it has been a massive job for them. All credit to them, they have been working their socks off to deliver everything. Things are easing off now but we are still receiving so many calls, so many cries for help. We are dealing with it and there is lots of information there for some of those groups but believe me we will be contacting them. As I say we are already doing the mapping exercise. All I can assure you is that we do need their help, they will be very welcome to help us and we will do our best because we want to make these people welcome, make them feel safe, so we are moving on, we are moving as quickly as we can but there is a time limit because of our capacity. I think they have done a wonderful job so far and they will continue to work with our communities. Thank you.

13. Question from Councillor R George to Councillor N Hoy, Cabinet Member for Adult Care

“What ongoing assessment of places in residential and nursing care homes is being made?”

Response:

Thank you. It was very difficult to answer this question with such little information provided so I would like to ask Councillor George to email myself and give more clarity and information and she will receive a robust response.

Supplementary question:

One would have hoped that from such a simple question a simple answer could be brought forward and that the Council was doing some assessment of places in nursing homes and residential homes. I mean I can tell her from the Council's own website that there are no nursing homes with bed capacity in High Peak at all. Out of the 15 homes listed in High Peak for residential care then ten of them have no vacancies at all, one of them has been closed, that is Goyt Valley House, and there are only four with some restrictions.

I am just quite amazed that the Cabinet Member is not able to see the information on their own website and where I raise concerns about lack of spaces and lack of beds what the County Council are actually doing about this which is their role to ensure that there is social care available for those people in Derbyshire who need it? Thank you.

Response:

Perhaps if there was more information, as you have just given us there, we would have been able to answer that with greater detail but as it stands it was a one liner with very little information that left officers scratching their heads, so again I would like to ask Councillor George to email myself and she will receive a robust answer.