

PUBLIC

**MINUTES** of a meeting of **COUNCIL** held on Wednesday, 29 November 2023 at Council Chamber, County Hall, Matlock.

## **PRESENT**

Councillor T Ainsworth (in the Chair)

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

Apologies for absence were submitted for Councillor K S Athwal, M Foster, P Moss, L Ramsey and A Stevenson.

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

### **86/23     APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Athwal, M Foster, Moss, Ramsey and Stevenson.

### **87/23     DECLARATIONS OF INTEREST**

Councillor J Dixon declared a non-pecuniary interest in item 7 on the agenda (minute number 92/23 refers), Petitions, as lead petitioner.

### **88/23     CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred to the £47m Bus Service Improvement Plan which had resulted in increased use of bus services across the County. He went on to congratulate staff at Ripley Library which had been recently announced as the winner of the prestigious Library of the Year category at the Romantic Novelists' Association industry annual awards.

He also referred to Tideswell Library that had been the second county library to transfer over into community management as part of our Libraries for Derbyshire programme, which will open under its new community management before Christmas.

The Chairman announced that the Council was supporting Warm and Welcome Spaces again this winter. Community and charity organisations were being encouraged to apply for grants of up to £1,000 to open a warm and welcoming space. This followed the success of the scheme launched last year which helped to fund more than 150 spaces supporting Derbyshire residents during the colder months.

He reminded everyone to take part in this year's Council Your Voice survey asking residents to tell us what services they use and how satisfied they are with them, as well as helping us to shape our budget for the year ahead. The survey was open until the 17 December and could be found on the Council's website.

In more sombre news, the Chairman referred to the recent Storm Babet that had taken its toll on Derbyshire residents' properties and lives. One such consequence was the death of Maureen Gilbert whose body was found by her son at her home address at Tapton Terrace, Chesterfield.

He then went on to refer to the sad death of June Beckingham who had been a County Councillor for the Newbold and Brockwell Division until 2005. Councillors took the opportunity to verbally pay tribute to her.

The Chairman then concluded that thoughts should also be with the families and friends of those who had lost their lives due to the conflict in the Middle East and expressed condolences to them.

A moment of silent tribute and reflection took place.

## **89/23**     **MINUTES**

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

### **RESOLVED:**

To confirm, as a correct record, the minutes of the meeting of Council held on 13 September 2023.

## **90/23**     **REPORT OF THE LEADER OF THE COUNCIL AND MEMBERS' QUESTIONS**

The Leader reported on the aftermath of Storm Babet and the sad and

unfortunate death of a Derbyshire resident. He also recognised the efforts of the Local Resilience Forum and the County Council dealing with a very significant rainfall and flood event that once again impacted quite widely across Derbyshire. The emergency planning response was exemplary with DCC staff being deployed to ensure communities were as safe as they could be. Partnership working had been excellent which was critical to a timely, effective and efficient response.

Working with the Environment Agency meant that flooding in Matlock town centre had been averted on this occasion because of preventative measures implemented. In addition gully cleansing equipment had been deployed to minimise surface flooding wherever possible alongside the efforts of Districts and Boroughs deploying flood defence solutions where possible and the use of sandbags where necessary.

Areas of Derbyshire were affected that had never been before and it had been devastating. In the immediate aftermath our teams had been cleaning up, work was on-going monitoring the situation and, as part of the recovery phase of the LRF, the recovery cell still met to support residents and businesses.

Councillor Lewis recorded his thanks to the many partnerships that ensured vital services could still be delivered during a very difficult time.

Councillor Lewis then reported on the Derbyshire Heartwood Community Forest, a really good piece of work, that had also involved his colleague Councillor Renwick, undertaken by officers of the County Council.

He went on to refer to the recent Autumn Statement where the announcement of £15m of Levelling Up Funds for Bolsover town centre had been made and also the £1m that had been granted to South Derbyshire District Council for investment in Swadlincote town centre.

In concluding his report, Councillor Lewis referred to Alstom, the Derby company that had recently announced it would be making some redundancies. He reported that the County Council would continue working alongside Derby City in supporting the organisation and ensuring that the affected staff had a pathway to assist with finding future work and that they had the appropriate resources to enable them to access the relevant support. Finally, Councillor Lewis referred to the following week's Council meeting, which had been arranged in accordance with the constitution to discuss the devolution deal. Briefing meetings would take place over the forthcoming week and all members were encouraged to attend.

In response to a question from Councillor D Greenhalgh in relation to staffing levels and vacancies in the Emergency Planning Team,

Councillor Lewis responded that he would seek further clarification as to the status of these roles but recognised that this administration recognises the importance of the emergency planning function that this Authority has.

In response to a question from Councillor E Fordham in relation to the devastating affect that the recent flooding had impacted on residents and businesses in the Chesterfield area, Councillor Lewis confirmed that he had asked the Chairman of the Improvement and Scrutiny Committee for Places to investigate this matter (which would include talking to the various partnership organisations involved) as a matter of urgency.

In response to a question from Councillor K Gillott regarding the recent flooding and the extensive local knowledge that elected members have of their own areas, he suggested that officers of the Council should be signposted to them in the first instance, Councillor Lewis confirmed that conversations would take place with elected members along with other relevant parties.

In response to a question from Councillor S Burfoot regarding the cumulative impact of all new developments in Matlock and what effect it had on the town, Councillor Lewis confirmed that this would be considered as part of the Scrutiny review he referred to earlier.

In response to a question from Councillor M Ford with regard to Alstom and reassurance that when the opportunity arose, as Leader he would lobby hard to get the orders reinstated back into Alstom and many of the other SMEs across the industry, Councillor Lewis agreed that anything that could be done as an administration to support our rail industries would be done.

In response to a question from Councillor Bingham about flooding in the Chesterfield area and the conversations residents had been involved in with the Environment Agency over many years and promises of action that had not materialised, he asked Councillor Lewis if he would liaise with the Environment Agency and get them to do something about this, Councillor Lewis agreed that the residents needed support and this would be picked up as part of the Scrutiny review but in the meantime anything that could be done to assist residents would be helpful.

In response to a question from Councillor R Mihaly regarding the devastation experienced in his constituency caused by the recent flooding and whether he could be assured that the gully cleaning would be carried out in accordance with the prescribed programme of twice a year, Councillor Lewis confirmed that he would investigate this issue and ensure that it was carried out in accordance with the agreed schedule.

91/23 **PUBLIC QUESTIONS**

**Question from Mark Allen to Councillor C Renwick, Cabinet Member for Infrastructure and Environment**

“Once we had provided the LLFA with evidence that they had been misled with false information on the Woodhall Homes Orchard development in Clay Cross, they raised concerns regarding the existing properties on Windermere Road being at risk of flooding. Why was the development allowed to continue when it could have been halted at that time, who is now responsible for the consequences of all the properties being flooded on the 20th October and, what is going to be put in place to ensure this does not happen again? We proved categorically that we were put at risk and were ignored.”

Mr Allen was not in attendance; Councillor Renwick provided a written response as follows:

“I’m really sorry for the awful flooding damage that you and your neighbours experienced at the time of Storm Babet. The County Council in their role as Lead Local Flood Authority were consulted on the Woodhall Homes planning application and provided a response to that request from the District Council for them to consider when determining the application.

The County Council did raise an objection at the time of a further Section 73 planning application, in relation to flood risk concerns, but legislation would not allow that objection to be taken into account at that time and therefore, following legal advice, the County Council’s objection was removed. The decision to allocate the site and determine any planning applications or developments lies with North East Derbyshire District Council as the Local Planning Authority.

With regards to mitigating future flooding to the flood affected properties, the County Council as the Lead Local Flood Authority will continue to work with all partners and relevant organisations to model what happened on the 20<sup>th</sup> October and discuss any flood mitigation measures that can be put in place. As you know, officers recently met with residents to discuss the issues and concerns and we will continue working with you on this.”

**Question from Chrissy Grocutt to Councillor C Cupit, Cabinet Member for Highways Assets and Transport**

“Councillors will be aware that buses can reduce congestion, pollution

and the CO<sub>2</sub> emissions which are heating our planet, but they are only able to do this when people travel by bus instead of by car. Of the 8,000 bus stops here in Derbyshire, there are 4,000 without timetable information; 2,000 have timetable cases owned by operators who do not show services run by other companies using the stop. The remaining 2,000 bus stops have timetable cases owned and managed by Derbyshire County Council - I have found discrepancies at many of these.

Despite recent government funding of £47million for their Bus Service Improvement plan, Derbyshire County Council are failing to advertise buses at bus stops, despite Government recommendations which state that bus stops should be used as free advertising and carry full information. When will all bus stops in Derbyshire carry full information and travel maps?"

Councillor Cupit responded as follows:

"I am grateful to you for flying the flag for public transport because I know you know a lot about it.

You are absolutely right that for someone to be encouraged to use the bus the first key step is knowing where it will be and then also where to get it and how to get to where you want so it is absolutely critical and it is there for a key part of our £47m BSIP plan. So part of this is updating the stop information to reflect the latest timetables and routes, which as we know changed quite a bit during the pandemic.

I am happy to reassure you this is something we have discussed quite extensively at the BSIP Board meetings with operators and we are working with operators to make those improvements over the coming weeks and months where it is needed now the services have sort of settled down, but alongside paper and static timetables on stops people today I think rightly want live and where possible wrap-around information and you hint at that in your question, so we are also trying to provide that through the RTI signs and rolling them out. We already have 300 of those in the county and also electric information boards on some of the key hubs. I think we have those in Belper and Long Eaton so far, so with this we know a lot of people, but not everybody, wants to get their bus info through different means as well such as on-the-go or in between, so we are also building an app and refreshing and rebuilding our bus timetable website to make that easier to access. We are sinking the two, both the timetables and the stops and the sort of technology side by moving to include QR codes on bus flags and stops for those who want to or can use them as well, so hopefully sort of as a summary that reassures you we have done a lot but we have also got a lot more to

do and we are working on it.”

Ms Grocutt asked the following supplementary question:

“Councillors, can I please ask you to ensure that all bus stops in your areas and your wards show correct and accessible timetable information showing all of the services which call at each stop? Also it would be great if you could sometimes use the bus services in your wards.”

**Question from David Ingham to Councillor S Spencer, Cabinet Member for Corporate Services and Budget**

“As a former officer the potential Council overspend of 46 million is disheartening to hear. I trust sufficient time has been provided to fully address the situation.

During my career I have contributed to help ensure the Council has managed its budget and provided protection, for example constructing the payment criteria/rules for the mass equal pay settlement agreements in 2006, contributing to Derbyshire Package terms/conditions formulation and being the lead officer for all matters associated with employee pay in ASCH for 12 years up to 2020.

I note the launch of the 2023 Your Voice Annual Survey and listening to the voice of the public is all the more important at this time – to also include any additional suggestions provided. Even more so than the 2022 survey. Other than being published on the website how else is the survey being promoted/are focus groups going to be used again?”

Councillor Spencer responded as follows:

“I am not going to go into the £46m issue at this moment in time because it is not a question but you will hear, if you remain for this meeting, a detailed summary of the situation and the measures we have put in place to address it.

The Your Council, Your Voice survey has been operating since 2019 and it is for the Council to gain a strategic residential understanding of the wishes and desires of the local residents; track the residents’ perception of the services that we provide and also support the key monitoring element which forms part of the reports here today.

We are going to be carrying out many various exercises in that engagement process. We are going to direct survey emails to residents who previously expressed an interest in receiving them through a survey process. There is a media release on a new section of the Council’s

website and Members' News Councils; Our Derbyshire employee newsletter and Our Derbyshire now online publication. Community news e-letters will go to a variety of community, voluntary, Town Councils, Parish Councils and a variety of organisations across the county. Media releases, an organic social media campaign on Twitter and Facebook. That is how we intend doing it.

Throughout the year also, Mr Ingham, we are going to be carrying out engagement sessions on non-essential services moving forward and discussions will take place with the public on those so I hope that summarises what the Council is doing to engage with the public and how serious we take their views. Their views will form part of a Cabinet paper which will be presented to Cabinet at the same time as the budgetary papers in February."

Mr Ingham asked the following supplementary question:

"In relation to the request within the survey for additional suggestions I noted actually there is a maximum character allowance of just 100, that is characters not words. Shouldn't the public be allowed more free text space to make suggestions regarding achieving savings and generating money, especially at this pivotal time? After all there were 2,431 individuals who completed the survey last year and that character limit might have been perhaps more relevant then but we are in different times, so the question is can the survey documentation be reviewed, now it is live it hasn't closed yet, and change to allow a greater contribution from those completing the survey so they can provide more detailed feedback, examples, ideas and suggestions and not be restricted by 100 characters, which isn't a great deal?"

Councillor Spencer responded as follows:

"I wasn't aware that it was restricted to 100 characters but your question has been heard and I am sure the technical people who have set that up will take note of it and if it can be facilitated it may well be done but I have already expressed the other mechanisms that are available to the public to engage with the Council on this survey. I have to say that over the years since 2019 it has been relatively successful compared to the old mechanisms we used to use."

**The question from Linsey Farnsworth to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change was withdrawn.**



The Chairman reported that a petition had been received for consideration by Council. The petition had been submitted to the Director of Legal and Democratic Services in accordance with the Council's published petitions scheme and had a total of 8888 signatures which exceeded the 7500 threshold for Council debate.

The petition was entitled "Stop 41% School Meal Price Hike" and the full details were included in the report which had been circulated in advance of the meeting.

Councillor J Dixon presented the petition as the lead petitioner and this was followed by a debate in accordance with the petitions scheme guidelines.

During the debate, Councillor A Dale proposed the following motion, duly seconded;

"To note the petition and note that the request within the petition has already happened in terms of the Health Scrutiny Committee meeting;

To note the concerns of parents but also note that the service needs to be financially sustainable and therefore the right decision has been taken"

Councillor R George proposed an amendment, duly seconded, in the following terms:

To add on the following text

"For Council to commission further investigation into the matter and ask the Improvement and Scrutiny Committee – People to look at the reason for the steep price rise, the impact that it has had on uptake and the wider implications it will have for school meals provision and provide a report. This report, along with the work currently being done by the Improvement and Scrutiny Committee – Health, should be brought back with recommendations, both to Cabinet and Full Council by the end of the Financial Year."

A vote on the amendment was taken and it was declared LOST.

A vote was then taken on the original motion proposed by Councillor A Dale, and this was declared to be WON and the motion was carried. It was therefore:

**RESOLVED:**

- 1) To note the petition and note that the request within the petition for the matter to be referred to the Improvement and Scrutiny Committee – Heath has already taken place; and
- 2) To note the concerns of parents but also note that the service needs to be financially sustainable and therefore the right decision has been taken.

**93/23**      **PERFORMANCE AND BUDGET MONITORING 2023/24**

The Managing Director introduced a report, which had been circulated in advance of the meeting, that provided an update on Council Plan performance monitoring and the Revenue Budget/forecast outturn for 2023-24.

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

**RESOLVED to note:**

- 1) The update of Council Plan performance and the Revenue Budget position/forecast outturn for 2023-24 as reported in the Quarter 1 and Quarter 2 reports;
- 2) The position on General Reserves; and
- 3) Significant actions are required and will be undertaken across the Council to reduce the significant revenue overspend detailed in this report.

(Councillor T King arrived at 3.23 pm)

**94/23**      **FUTURE ICT SERVICE FOR DERBYSHIRE COUNTY COUNCIL**

The Executive Director of Corporate Services and Transformation introduced a report, which had been circulated in advance of the meeting that gave an update in relation to the future ICT Service for Derbyshire County Council.

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

**RESOLVED to:**

- 1) Approve the salary package for the role of Director of Digital as Grade 18, up to £108,772 per annum;
- 2) Approve the amendments to the Pay Policy Statement to reflect

the new leadership structure in Corporate Services and Transformation as outlined in the report; and

- 3) Authorise the Monitoring Officer to make the necessary amendments to the Constitution to reflect the changes to job and role titles.

(Councillor Rose left the meeting at 3.54 pm and Councillor Woods left the meeting at 3.58 pm).

## **95/23      ELECTED MEMBER QUESTIONS**

### **Question from Councillor E Fordham to Councillor C Renwick, Cabinet Member for Infrastructure and Environment**

“With the cancellation of the midlands leg of HS2, will the Council stand by all of its financial obligations of support to reconnect and complete the Chesterfield Canal restoration in the same timeframe?”

Councillor Renwick responded as follows:

“Whilst the construction of HS2 through Derbyshire has indeed been cancelled the chosen route remains safeguarded. In planning terms, therefore, the implications of this decision for sections of Chesterfield Canal adjacent to the HS2 route have yet to be determined.”

There was no supplementary question.

### **Question from Councillor E Fordham to Councillor C Cupit, Cabinet Member for Highways Assets and Transport**

“What monitoring does the Council undertake of badger deaths in and across Derbyshire and particularly how many dead badgers have been found and removed from roads, footpaths and highways by DCC for each year since 2017?”

Councillor Cupit responded as follows:

“We don’t monitor badger deaths because the removal of deceased animals from the highway is primarily the responsibility of Districts and Boroughs but just in terms of the jobs primarily on highway safety grounds where we have removed a dead badger off the highway since 2017 it is an average of 20 per year. I can provide you with the yearly breakdown at the end, if needed, or I can do it now if everybody is desperate for me to?”

There was no supplementary question.

**Question from Councillor E Fordham to Councillor A Dale, Cabinet Member for Education**

“Will the Council take new and additional measures to monitor and support schools in the face of reported increases in incidents of homophobia, transphobia and associated hate actions towards members of the LGBT+ communities in Derbyshire?”

Councillor Dale responded as follows:

“I think the question relates to Home Office statistics which show a concerted increase in hate crime relating to transgender issues in particular, I think a rise of about 11% which absolutely is very concerning and we need to be very clear that that has no place within Derbyshire schools.

I am pleased to report though having had quite a few discussions with various different officers of the Council dealing with schools in various different ways from HR to School Improvement advisors and the like that at least anecdotally we aren't seeing a significant increase or an increase at all really in terms of requests for support from schools.

I would advise it is very firmly a school responsibility in terms of having the right policies and the right procedures in place as part of a relationship to education and they should also be dealing with all forms of discrimination and have the right policies in place to deal with that. That said we do support and we always would support any school that asked us for any additional support or help or advice or guidance and we do support on these issues as part of our regular briefing to schools things like our PHSE Leadership briefing where we were sharing best practice of a really good example school.

We have the sex education Building Effective Relationships Together awards which encourages education around LGBT issues and obviously schools are encouraged to participate in those. We also do have a monitoring procedure for schools to report any incidents through to the Derby and Derbyshire Safeguarding Children's Partnership.

I think in terms of the rise in reports I do wonder the degree to which they are influenced by the greater awareness of these issues that we are seeing, you know the greater discussion of them culturally, nationally in the media and on social media. Greater awareness might mean that there is greater reporting of it. I think if that is the case the actual number of issues may itself not be increasing but people are feeling

more confident about coming forward which in itself is actually quite a good thing and obviously people are more akin now to spotting incidents of homophobia and transphobia and should rightly feel confident in coming forward so that schools and the local authority can deal with them.

I would say also as a final point that I fear the question to a certain degree is losing sight of the bigger picture which from my perspective is that our schools' system now is so much more tolerant, so much more inclusive than it certainly was when I went to school 20 years ago or so. I go into schools regularly now. I have two young children and the degree to which schools go above and beyond to really demonstrate that difference is important and is a good thing and we should be tolerant of each other I think is a really positive step, so I agree that the increase is concerning but I think we just have to consider the bigger picture as well that schools are already doing a huge amount on this topic."

Councillor Fordham asked the following supplementary question:

"I hear that and I completely accept if the schools you attended 20 years ago, trust me 30 years before it was worse. I help coordinate Derbyshire LGBT+ the Derby Charity for these issues, the National Day of Remembrance of Trans Rights in Chesterfield. We tried it last year, we tried it the year before and it didn't really work, not many people came. This year they came. They came in numbers and seeing children, children reading out the list of their friends who have been attacked, reading out the list of the dead is really quite a difficult event to sit through and work through.

I hear what schools are doing and I agree they are more inclusive than ever before but the point at which those children leave that school gate, the point at which they leave that school things can change dramatically. I think we can always do more.

My question is we will now do a National Day of Remembrance in all of the major towns of Derbyshire next year. We just did Derby and Chesterfield this year but the demand is outweighing our ability to organise it through the work I do with the charity. Can I ask you as portfolio holder will you join us and help us in organising those vigils? It raises awareness. It provides comfort and I think it is a serious issue to-date."

Councillor Dale responded as follows:

"Councillor Fordham is absolutely right, when making the point that they are more inclusive now than ever before I neglected to say at the end of

that that actually we could always do more and I would absolutely agree with the point. I am very happy to discuss with him separately the work that he does through his chosen charity. I am sorry I didn't catch the name of that but I will speak to him separately outside and see how together with the support of officers we can build greater awareness of the work that you are doing and ensure that children are aware of the ability to come forward."

**Question from Councillor E Fordham to Councillor B Lewis, Leader of the Council**

"Does the Leader of the Council regret reporting 'nothing' to the last meeting of Council under the verbal 'Report from the Leader and questions from councillors?'" was withdrawn at the meeting.

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

"Following Storm Babet, over 100 Duffield homes were flooded. The Ecclesbourne River flooded in the heart of the village for the first time since flood defences were installed in the seventies. Evidence shows that extreme weather events are increasing in frequency because of human-induced climate change.

Derbyshire are conducting a County-wide Section 19 Flooding Investigation, but this will not report for approximately 12 months. This broad countywide approach will not provide the level of detail required to protect Duffield residents against flooding and residents fear that there may be another flood before the report is published.

Will Cllr Lewis and the relevant officers agree to meet with me and members of Duffield Parish Council to discuss what more can be done and, whilst I understand the difficult financial position of the Council, can he provide assurances that real terms spending on adaptation and resilience will increase?"

Councillor Lewis responded as follows:

"Yes, I really feel for the residents of Duffield. As you mentioned over 100 properties were affected by that recent storm.

I can tell you that your local MP, Pauline Latham, has been very much on the front foot with regard to this issue and the flooding that was caused by Storm Babet. As I mentioned earlier it was the most widespread event that we have seen in recent memory. Many hundreds

of properties right across the county were affected. Officers and members worked tirelessly to develop that response to the floods and continue, as I said earlier, to do so now.

As noted we will be carrying out a statutory section 19 enquiry into the flooding on a county-wide basis given the widespread nature of the floods. At the moment we are in the sort of scoping phase of that and the delivery of that as an investigation has yet to be set but they are working on that programme at the moment with a view to delivering that as soon as possible. Obviously gathering the information from right across the county is a significant exercise and as a priority we will ensure that the basic legislative requirements for a section 19 flooding investigation are met as well.

The Government has also initiated some funding and a range of support for residents and businesses impacted by that flooding and in terms of adaptation and resilience there is the Property Flood Resilience Repair Grant Scheme whereby properties which have been flooded internally can claim monies of up to £5,000 to make their home more resilient to flooding, so flood door barriers, pumps, that sort of thing. We are managing this scheme and further details as to how residents can apply will be communicated quite soon.

In particular regard to your specific questions the officers of the County Council have met with partners such as the Environment Agency; Amber Valley Borough Council; the Fire Service and Severn Trent at a meeting hosted by Pauline Latham held on the 1 November to discuss the impact of the flooding and agreed on a number of actions in response to that.

The Council is, as I mentioned earlier, also getting a large number of requests from right across the county to attend flooding meetings, meetings of this very nature in fact that you are requesting in the instance of Duffield, and given that we have already met with a number of representatives local to Duffield and a very limited number of officers to attend these meetings I am at this moment going to decline that invitation for the reasons I have just expressed.

In terms of spending on adaptation and resilience, apart from what I have just mentioned that recent Government announcement £170m of funding has been made available to Derbyshire for highways' maintenance related investment over the next ten years and that is in addition to Local Transport Plan funding of £27m per annum. That funding will be used in part to address flood prevention, adaptation and repair."

Councillor Kinsella asked the following supplementary question:

“It is disappointing that we can’t meet with officers. I attended a meeting after the floods. There must have been about 50 or 60 residents obviously very frustrated, very angry. There were a lot of complimentary comments made about the officers and the work that they had done, particularly the Highways Teams. It was more about how to prevent floods going forward.

I have emailed the Project Engineer responsible for flood management. I emailed him three weeks ago and I have still not had a reply. Duffield Parish Council have also written a letter to Derbyshire County Council over two weeks ago and they have still not had a reply. I wonder whether the Leader could accelerate at least responses to those questions that have been asked?

Councillor Lewis responded as follows:

“I am happy to check on those responses to those letters that Councillor Kinsella mentions.”

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

“Derbyshire ranked 17 out of 21 county councils in the recently published Climate Action Scorecard. This was an independent national benchmarking exercise which, to the Council’s credit, was fully engaged with.

Cllr Lewis has said “we are making great strides on our Journey to Net Zero”. Given the information in this report, isn’t it the case far from making great strides we are only making baby steps and how does the Council intend use the scorecard information to improve its performance?”

Councillor Lewis responded as follows:

“I disagree with your assertion in your question around “making baby steps”. I do believe we are making significant strides. I am certainly not going to let something like this, a particular scorecard get in the way of our good progress with regard to that and I will point to actually a comment that was made locally by the Local Government Association very recently in response to scorecards being announced on the 18 October because there are a lot of limitations in the methodology that is being applied with regard to these scorecards. It says:



“As leaders of their communities local government has a fundamental role to play in tackling climate change. Net zero is a complex transition bringing very unique and interconnected challenges and opportunities to every place. We don’t support league tables as they often face a two dimensional picture of the context that Councils are working within and unfairly compare Councils with different challenges. Councils are already leading the way in transitioning to net zero and are ambitious to do more. Government needs to empower local climate action that hit targets, mobilise support and deliver on the evidence showing local approaches can save hundreds of billions.”

I broadly agree with the approach that is described in there and certainly big strides have been made and pointed straightaway to a 71% reduction in its emissions since the 2009-10 baseline, including 14% over the last year. That is pretty significant, so we may not tick every box of every scorecard in the way we do this but overall we are heading in the right direction and notwithstanding those challenges I mentioned earlier, which I am more than happy to talk to you about, we are doing our utmost and very best to try to get to net zero by 2032 or sooner.”

Councillor Kinsella asked the following supplementary question:

“I agree, I think there is some legitimacy around the methodology of comparisons but I still think there are lessons to be learnt from that exercise and I hope the officers do take that offer up.

Also we have talked a lot about collaboration, we have talked a lot in previous discussions particularly around finance, we have talked about finding solutions so I wonder whether the Leader will consider reinstating me to the Climate Change Committee given my collaborative and solution focused approach?”

Councillor Lewis responded as follows:

“All I can say is nice try”

**Question from Councillor J Nelson to Councillor A Dale, Cabinet Member for Education**

“Will the Cabinet Member please provide an update on the Council’s efforts to ensure the continuity of education for the children of Duffield Meadows Primary School following the devastating flooding last month?”

Councillor Dale responded as follows:

“Just in terms of the flood itself I went to the school about a week or so after and got to speak to the head teacher about how it all happened and the sort of shock of a situation where they could see water coming across the playing field, within a matter of minutes it was at the door and within sort of 45 minutes from start to finish the school itself was flooded; dealing with the issues of what they do with the children. Do they keep them inside? Do they put them on tables? Do they take them outside in the pouring rain? Just a horrendous, horrendous situation for anyone to have to deal with and not least those school staff and the school leadership who did they did it very well and they did it to the best of their ability. They have an emergency plan which they put straight into place and dealt with the flooding itself at the time.

Obviously as soon as we became aware of the impact on the school our officers jumped in to try and help in terms of sourcing alternative accommodation. It quite quickly became apparent that the school was going to be out of action for a period of time. We had the loss adjusters on the site to assess the damage and as I say it became apparent that we were going to need alternative accommodation and remote education. Learning from home if you like wasn't going to cut it.

We have hosted two public meetings so far with the parents and we have another one shortly to follow. Our initial solution it is fair to say didn't go down brilliantly well with the Parent Committee which was to try and bus the children to the John Hadfield House site here in Matlock. Obviously it is a twelve mile journey. We were acutely aware it was not ideal but it was the best we had at that moment in time. We had a meeting with the parents that evening so we had to give them some sort of news that would avoid a continuation of remote learning. I think everyone, parents/school and ourselves were keen to ensure that we ended remote education as soon as possible but anyway within a couple of days we obviously ruled out John Hadfield House and managed to get the Whitemoor Centre in Belper which is only a few miles away, much better solution, and the parents it is fair to say were much, much happier in the second meeting.

It is not without its complications. We are still having to bus the kids up there and back at the end of the day. That is interrupting to a degree in the learning day so in the full extent of their learning hours, which is regrettable, but obviously there has to be some compromises and some give in this scenario. There will always be teething issues with situations where you are having to bus the whole school up the road effectively.

I just want to say a few pretty huge thank yous, firstly to the parent community who have been absolutely tremendous in supporting the County Council and supporting the school to get on with the job and in

terms of offering that support to their own children through dealing with what has been a very you know quite traumatic experience and then an uncertain experience, so a big thank you to the parent community.

A huge, huge thank you to Mrs Novak-Lemmings the head teacher and all the school staff who have been absolutely incredible in terms of both the leadership that the head teacher showed and also coming together and supporting each other. I think if there were any awards going out for Head Teacher of the Year then I think Mrs Novak-Lemmings is definitely a very good candidate for that.

I want to thank in particular a couple of our officers as well. Jenny Webster and Fiona Mosley from the Development section who have been working absolutely flat out to make this happen, get moving and get the kids back into school. They really are completely on it in terms of that and have been doing a marvellous job despite the huge number of competing challenges on their time as well.

Finally, to our Director of Education who on the last day before the Whitemoor Centre was open donned his scruffs and went and did a day's joinery because one of the Property Team couldn't make it in that day, so it really has been everyone rolling up their sleeves, getting in trying to help and get the situation moving forward so that the kids could be back in school.

Finally, one person I have forgotten to thank is Robert Turner from the Property Service who has also been fantastic with his team and the Property Services Team who have been in the school doing all the work to get the Whitemoor Centre up and running.

As I say a great piece of partnership working, really fantastic response from lots of different people involved. I just want to say a huge thank you to all of them."

Councillor Nelson asked the following supplementary question:

"Could I ask what action has been taken for the school to reopen again as there are a lot of Chinese whispers going round about this school. All I need is assurances that the work is carrying on and is being done as soon as possible to get the kids back to school because it is imperative that the children are not disrupted any more than is necessary?"

Councillor Dale responded as follows:

"There will be a communication going to parents very shortly hopefully which will really spell this out. I think some of the rumours is people

have been walking past the old school site and not seeing a huge amount of activity but it is regrettably just the nature of flood restoration work. There is an inordinate amount of time spent drying the property out but I can confirm that action is being taken. On most days there are a couple of workmen there. It is not high staff intensive work as I say because of the drying out time but they have removed the flooring to expose the concrete bases to help them dry out. We are imminently about to get a specialist company in to remove the asbestos on the remaining parts of the floor and following that there will be a period of intensive drying, so they seal the school up, dry it out for a couple of weeks or so and then after that hopefully it should get signed off probably we think around the early part of the New Year and then we will be back in, redecoration, skirting boards back on, plastering up where we need to and trying to get it open as soon as possible within the New Year.

We are eminently confident we will meet the six months' timescale that we originally set out. There is no reason to doubt that at the moment but as I say I know there are some fairly bizarre rumours within the community around the fact that we are going to sell the site off or we are going to knock down the school and rebuild it.

On the latter point the insurance company are very clear that this is a repairable school so they are not going to support us to knock it down and rebuild it unfortunately, much as it would be nice to have a new school, and on the former point we are not going to sell the school site because we are statutorily obliged to provide school places to meet the needs of the local population so the idea of us selling it is pretty strange as well. I can put those rumours to bed and assure the community in Duffield that we are absolutely on this and we are motoring through to try and get it open as quickly as possible."

**Question from Councillor J Siddle to Councillor J Patten, Cabinet Member for Children's Services and Safeguarding**

"Will the Cabinet Member please update the Council on the support that is being put in place for children and families, across Derbyshire, who may be struggling or facing financial hardship this winter?"

Councillor Patten responded as follows:

"We did inform Council twice to do this and it has obviously not been done. However, thank you Councillor Siddle for the question. This support that we offer stretches over three portfolios: Children's, Education and Health and therefore my response will reflect this.

The Household Support Fund helps with the cost of living pressures and can be applied for through the Derbyshire Discretionary Fund. The Derbyshire Discretionary Fund provides two types of support: emergency payments for Derbyshire residents struggling with food or heating and exceptional grants to support households for more general things like furniture or household items.

There is further support for families and foster families with grocery vouchers for those families who are in receipt of free school meals and care experience young people aged up to 21 which again will be issued in January 2024. This follows a previous payment to 31,841 eligible children in June 2023.

The Holiday Activity and Food Programme funded by the Department for Education to provide free nutritious and tasty food and fund physical activity sessions for children and families in Derbyshire.

The Winter Programme is in its final stages of development. However, we have already confirmed 126 clubs which will offer food and activities. As part of the programme we received 11 applications from organisations wishing to provide local food boxes. This equates to 860 food boxes in addition to the 600 food boxes and 550 activity packs which we will be providing direct into the homes of young people where they might find it difficult to attend a face-to-face club.

On top of the targeted support I have already mentioned there is further support such as welfare and benefit advice; housing advice on issues such as rent arrears and residents can obtain advice and practical tips of how to stay warm and cut energy usage.”

Councillor Siddle asked the following supplementary question:

“I also notice we are doing quite a bit of work with warm hubs and warm spaces. Could you give me more details on that as well please?”

Councillor Patten responded as follows:

“Well last year the Council provided grants up to £1,000 for communities and they have been extremely successful. We have several all around, we have many, many all around the county and I have some in my patch as well. They have been really successful offering a nice warm space not only for older people, which you automatically always think about, but people who are probably on their own, single people that also need somewhere just to go and have a chitchat during the winter months which can be quite isolating for a lot of people.

I am really pleased to confirm that we are offering the grant again this year so you can bid up to £1,000 if you wish to start a community hub, a warm space. It could be anywhere. It is a fantastic scheme we are offering and I would encourage all members in the Council to speak within their communities; speak to your local Parish Councils or anyone, the churches or anybody who might want to start one of these schemes up because it is invaluable at this time of year when people can feel very isolated and very alone.”

## **96/23     NOTICES OF MOTION**

### Motion One

Councillor P Niblock proposed a motion that was duly seconded, in the following terms:

#### Background

Every river in England is now polluted beyond legal limits.

An Environmental Audit Committee rated only 14% of rivers as ‘Good’ in 2022.

This chemical pollution is mostly caused by sewage discharges from water companies and the run-offs of nutrients from farms.

In Derbyshire, water companies released untreated human waste directly into our waterways over 13,000 times for a total of 80 thousand hours in 2022 alone.

Government funding to the Environment Agency to monitor river quality, and regulate farms and water companies has dropped 75% since 2010/11.

In 2020 just 3.6% of pollution complaints made to the Agency resulted in penalties.

Farms are now almost never inspected, water quality is rarely tested, and water companies can pump raw sewage into rivers with virtual impunity.

In addition, tyre particles, metals from brake pads, and hydrocarbons from vehicle emissions wash off road surfaces and into rivers introducing potentially carcinogenic material into the water supply.

The motion proposed was:

Council resolves to request that the Managing Director write to:

- 1) The Secretary of State for Environment, Food and Rural Affairs calling for the Government to:
  - a) Restore Environment Agency budgets to deliver the necessary oversight;
  - b) Increase inspection regularity of water companies and farms, and rigorously prosecute offenders through the Environmental Audit Committee and Ofwat;
  - c) Fund local and highways authorities to introduce systems to prevent road pollutants from entering our water courses;
- 2) The Chairperson of the Parliamentary Environmental Audit Committee to advocate for greater enforcement of existing regulatory powers;
- 3) The Chief Executives of Severn Trent, United utilities and Yorkshire Water calling for urgent action to address the impact of waste-water discharges on our local rivers;
- 4) The Regional Director of the National Farmers' Union requesting clarification on the action being taken locally by farmers to prevent nutrient run-off.

Council further acknowledges that it has a key role as advocate for the protection of the natural environment across Derbyshire and requests the relevant Overview and Scrutiny Committee to consider it on a regular basis and asks those councillors who sit on outside and partner bodies to act as champions for Derbyshire's rivers to be cleaner.

An amendment to the motion was proposed by Councillor A Dale, duly seconded, in the following terms:

The amended motion proposed was: (changes indicated in bold type)

Council resolves to request that the Managing Director write to:

- 1) The Secretary of State for Environment, Food and Rural Affairs calling for the Government to:
  - a) **Improve** Environment Agency budgets to deliver the necessary oversight **and enforcement**;

- b) Increase inspection regularity of water companies and farms, and rigorously prosecute offenders through the Environmental Audit Committee and Ofwat;
  - c) Fund local and highways authorities to introduce systems to prevent road pollutants from entering our water courses;
- 2) The Chairperson of the Parliamentary Environmental Audit Committee to advocate for greater enforcement of existing regulatory powers;
  - 3) The Chief Executives of Severn Trent, United utilities and Yorkshire Water calling for urgent action to address the impact of waste-water discharges on our local rivers;
  - 4) The Regional Director of the National Farmers' Union **to thank local farmers for all their efforts thus far to prevent nutrient run-off but seek their views on what more could be done to deal with the issue and how the Council may be able to assist.**

Council further acknowledges that it has a key role as advocate for the protection of the natural environment across Derbyshire and requests the relevant Overview and Scrutiny Committee to consider it on a regular basis and asks those councillors who sit on outside and partner bodies to act as champions for Derbyshire's rivers to be cleaner.

The amendment was accepted by the proposer and seconder so became the substantive motion.

The proposition as amended was put to a named vote and declared to be WON and therefore carried.

**RESOLVED to:**

Request that the Managing Director write to:

- The Secretary of State for Environment, Food and Rural Affairs calling for the Government to:
  - a) Improve Environment Agency budgets to deliver the necessary oversight and enforcement;
  - b) Increase inspection regularity of water companies and farms, and rigorously prosecute offenders through the



Environmental Audit Committee and Ofwat; and

c) Fund local and highways authorities to introduce systems to prevent road pollutants from entering our water courses;

- The Chairperson of the Parliamentary Environmental Audit Committee to advocate for greater enforcement of existing regulatory powers;
- The Chief Executives of Severn Trent, United utilities and Yorkshire Water calling for urgent action to address the impact of waste-water discharges on our local rivers;
- The Regional Director of the National Farmers' Union to thank local farmers for all their efforts thus far to prevent nutrient run-off but seek their views on what more could be done to deal with the issue and how the Council may be able to assist.

2) further acknowledge that it has a key role as advocate for the protection of the natural environment across Derbyshire and requests the relevant Overview and Scrutiny Committee to consider it on a regular basis and ask those councillors who sit on outside and partner bodies to act as champions for Derbyshire's rivers to be cleaner.

With the time approaching 5.00 pm and on the motion of Councillor B Lewis, duly seconded it was,

### **RESOLVED:**

That under rule 4.1 of the Council Procedure Rules the meeting should be extended by up to 15 minutes to continue until 5.15 pm to enable the remaining business on the agenda to be considered.

### Motion 2

Councillor B Lewis proposed a motion that was duly seconded, in the following terms:

### Background

Following the depraved terrorist attacks on Saturday 7th October on Israeli, British and the civilians of other nations, including mass murder at a peace festival and concert, the butchering of children and the elderly, and the kidnapping of hundreds of innocent and vulnerable adults and children.

This Council condemns unequivocally the terrorist organisation Hamas along with its allies and cheerleaders, both internationally and here in the United Kingdom.

We are disappointed at the British Broadcasting Corporation's inability to describe the savage terrorist group Hamas as a terrorist organisation. It is recognised that those people who support Hamas, including individuals who describe them as friends, have enabled and can share some responsibility for these attacks and its subsequent consequences that causes concerns to our Jewish communities.

This council recognises and understands that the people of Gaza have the right to live in peace, without fear of being bombed or killed, or fear of an armed ground incursion, and deserve good governance by strong leaders supported by the international community.

Equally, Israel has the right to defend itself. Indeed, one of the primary duties of any state is the protection of its citizens. Once Hamas is defeated, we call on all sides to work towards a lasting peace based on a two-state solution.

Hamas have constructed hundreds of miles of tunnels under civilian areas such as schools, hospitals, and residential buildings so that they can hide behind innocent residents of Gaza. All of this without ever building a civilian shelter or anything of benefit for Gazan citizens and, at the same time, its leaders have become billionaires living in safety away from the war zone.

This Council agrees with all right-thinking individuals that the brutal Hamas terrorists, who have controlled Gaza since 2007 and who have diverted and squandered billions in aid, dismantled infrastructure paid for by the EU and UN, at times despite being under the gaze of the latter, should immediately end their reign of terror in Gaza and give the Palestinian people the opportunity to rebuild and live in harmony with their Jewish neighbours.

In the wake of Hamas's appalling terrorist attacks, Jewish people in Britain have experienced the worst wave of hate incidents in modern times, including the targeting of children and schools. This is a shocking indictment of the level of anti-Jewish hatred happening right now in our country and it is even more appalling when it is considered that this wave of antisemitism began as a reaction to a terror attack on Israel that caused the largest loss of Jewish life since the Holocaust.

The motion proposed was:

That Council:

- 1) Denounces Hamas and calls upon these terrorist cowards to stop using the people of Gaza as a human shield;
- 2) Calls for the terrorist group's full and unconditional surrender along with the immediate safe release of kidnapped Israelis and other nationals, to end the current conflict and escalating humanitarian crisis they created;
- 3) Stands by the Government's commitment to supporting the victims of these atrocious Hamas attacks;
- 4) Calls upon all authorities to deploy a zero-tolerance approach to antisemitism. It is totally unacceptable that today many members of the Jewish community are living in fear;
- 5) Calls upon the police to use the full extent of the powers available to them to deal with all individuals and organisations that seek to intimidate, or that threaten or incite violence, or use hateful or antisemitic language; and
- 6) Stands with Jewish members of Derbyshire's communities at this incredibly difficult time.

Councillor E Fordham proposed an amendment to the motion which was duly seconded and then subsequently withdrawn.

With the time approaching 5:15 pm, and on the motion of Councillor B Lewis, duly seconded, it was,

**RESOLVED:**

That under rule 4.1 of the Council Procedure Rules the meeting should be extended by a further 20 minutes to continue until 5.35 pm to enable the remaining business on the agenda to be considered.

A vote was taken on the original motion and was declared WON and carried.

It was therefore:

**RESOLVED to:**

- 1) Denounce Hamas and call upon these terrorist cowards to stop

using the people of Gaza as a human shield;

- 2) Call for the terrorist group's full and unconditional surrender along with the immediate safe release of kidnapped Israelis and other nationals, to end the current conflict and escalating humanitarian crisis they created;
- 3) Stand by the Government's commitment to supporting the victims of these atrocious Hamas attacks;
- 4) Call upon all authorities to deploy a zero-tolerance approach to antisemitism. It is totally unacceptable that today many members of the Jewish community are living in fear;
- 5) Call upon the police to use the full extent of the powers available to them to deal with all individuals and organisations that seek to intimidate, or that threaten or incite violence, or use hateful or antisemitic language; and
- 6) Stand with Jewish members of Derbyshire's communities at this incredibly difficult time.

The meeting finished at 5.19 pm