



Council Meeting Wednesday 2 March 2016

Public and Member Questions and Responses



Derby City Council

COUNCIL – 2 March 2016
PUBLIC AND MEMBER QUESTIONS

Questioner	Respondent	Subject
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Public Questions

A	Rob Cooper	Councillor Rawson	Mackworth Swimming Pool
B	John Evans	Councillor Afzal	Alvaston Neighbourhood Board
C	Simon Bacon	Councillor Afzal	Garden Waste Recycling
D	Rob Cooper	Councillor Afzal	Mackworth Neighbourhood Board
E	John Evans	Councillor Afzal	Football Parking
F	Simon Bacon	Councillor Afzal	Sinfin Incinerator Residual Waste

Councillor Questions

G	Councillor Graves	Councillor Rawson	JET Funding
H	Councillor Poulter	Councillor Afzal	Bus Stop Enforcement
I	Councillor M Holmes	Councillor Rawson	Derby Arena Income and Expenditure
J	Councillor Care	Councillor Rawson	Moorways Closure Notice
K	Councillor Harwood	Councillor Rawson	JET Monitoring and Evaluation
L	Councillor Graves	Councillor Hussain	Housing Policy
M	Councillor Care	Councillor Rawson	EU Project Funding
N	Councillor Graves	Councillor Bolton	Children in Care Costs
O	Councillor Graves	Councillor Banwait	Mayoral Complaints
P	Councillor Graves	Councillor Banwait	Standards Complaints
Q	Councillor Graves	Councillor Hussain	Housing Allocations

Public Questions

a. Question from Rob Cooper to Councillor Rawson

Will the council support the Lonsdale Trust to find a 1.5 acre site for the charitable trust to build a swimming pool in the Mackworth Ward?

The council is in regular contact with the Lonsdale Trust and supports their aspiration to build a new pool as this fits in the overall Leisure Strategy for the city. Various locations for the pool are being explored by the Trust.

b. Question from John Evans to Councillor Afzal

Can you acknowledge the vitally important, valuable and necessary work to maintain and improve the areas and associated services of Alvaston, Crewton, Wilmorton and City Point carried out by Alvaston Neighbourhood Board? Please confirm the amount of funding for 2016-17 that will be allocated to Alvaston Neighbourhood Board to enable the effective continuation of such good work. If the amount is not yet decided please provide a reasonable estimate.

The council acknowledges the valuable work done around the city by neighbourhood boards, partners and local councillors and the impact that neighbourhood working and devolved budgets have had in keeping our neighbourhoods safe, strong and clean. The work delivered in Alvaston, Crewton and Wilmorton has significantly improved the local neighbourhoods, by communities working together.

However, due to Government cuts, the council has no option but to reduce the budget in this service area. Neighbourhood teams are being reduced and the devolved community and Streetpride budgets have been suspended. However, neighbourhood working will continue, albeit at a reduced level, enabling much of the important work done in neighbourhoods to continue.

The council will continue to explore and identify innovative ways of working within communities and seeking funding opportunities to enable local people, councillors and partners to deliver outcomes in their neighbourhoods.

c. Question from Simon Bacon to Councillor Afzal

At Full Council on 26 November 2014, Councillor Afzal in a written response to Councillor Poulter stated there had been 11,859 customers for the garden waste scheme and it was expected to reach 20,000 subscribers in the next year which was 2015. My Freedom of Information request 8042 shows that in 2015 the garden waste scheme attracted just 12,083 customers; an increase of just 224 customers, not the extra 8,141 customers Councillor Afzal was expecting.

What are Derby City Council going to do to radically increase the number of customers for the garden waste scheme in 2016?

The Garden Waste Recycling Scheme has succeeded in its aim to save Council Tax payers over £1 million every year since it started. We have achieved this with a smaller number of subscribers than anticipated by controlling our costs. This has also enabled us to freeze the cost to subscribers for the third year running.

We continue to promote the council's garden recycling scheme. We have placed bin hangers on all residents' black bins w/c 22/02/16 and w/c 29/02/16. The hangers inform residents of the scheme and how to sign up to ensure they receive the full 16 collections. Roadside boards are being used at locations throughout Derby. The council's external website and internal intranet both have links promoting the garden recycling scheme on their first pages. The council's internal 'in touch' e-bulletin has been used to promote the scheme and this is sent to all staff who have a works email address at Derby City Council. The display screens in the council house are used to promote the garden recycling scheme. We are also running Facebook and twitter promotion campaigns.

d. Question from Rob Cooper to Councillor Afzal

How much will the council be reducing Mackworth ward's Neighbourhood board?

The council acknowledges the valuable work done around the city by Neighbourhood Boards, partners and local councillors and the positive impact that neighbourhood working and devolved budgets have had in keeping our neighbourhoods safe, strong and clean.

Although devolved budgets to Neighbourhood Boards are being suspended due to Government cuts, the Boards will continue to operate and address local issues. The Council will continue to work with and support the Boards and their communities, and will continue to explore and identify innovative ways of working and new funding opportunities to help improve our neighbourhoods.

e. Question from John Evans to Councillor Afzal

What positive action can be taken to alleviate the problems caused by football traffic greatly affecting the residents in City Point, Wilmorton and the London Road and Brighton Road areas?

We are very aware of this problem and have tried a variety of positive measures to combat it.

We are working closely with Wilmorton Residents' Association. We have consulted a number of times on making parts of Wilmorton 'resident parking only'. However, as this requires the majority of residents to be in agreement, to date we have never had enough support from residents to implement these measures.

We regularly carry out match day patrols with councillors, the police and council officers in Wilmorton. However, without 'resident only parking restrictions' in place, anyone is entitled to park on the public highway, so we are only able to move people on when it involves inconsiderate or illegal parking.

Derby County FC has been approached with the request for them to support alternative parking arrangements, to alleviate the problem for the residential areas. There have also been conversations with businesses on Ascot Drive.

The views of residents living in the Brighton Road area of Alvaston have recently also been sought through a formal consultation process as to what match day parking traffic control measures they would like to see implemented.

City Point is currently 'unadopted', so there are no measures we can put in place there until the Council have adopted the highway. However, councillors are in discussion with the lead officers of the City Point Residents' Association about the on-going negotiations between the developers and the council to adopt City Point. The negotiations include how, as is required, the developers will fund a resident consultation on and then implement a Traffic Regulation Scheme for City Point, which will help improve parking issues during match day periods.

f. Question from Simon Bacon to Councillor Afzal

In April 2017 the controversial Sinfin waste incineration plant is due to start operations at which point the council will have to pay £25 million towards its construction, which is 50 per cent of the joint council build payment.

As Derby City Council does not collect enough residual waste, based on 2014/15 data, to provide 50 per cent of the feedstock for the plant, what will Derbyshire County Council be paying for using some of the city's quota so that the public of Derby get the best financial return for the investment?

Derby City Council and the County Council are contributing a one off payment of £25 million each towards the cost of building the waste treatment centre. In addition to this each council will pay an amount every year to repay the remaining cost of construction and for the costs of processing the waste they take to the centre. The amount paid by each council will reflect the amount of waste that they take to the centre to be processed. The waste treatment centre will generate electricity to be sold to the national grid and the income from this will reduce the cost of processing the waste for the councils.

The waste treatment centre is expected to save Derby City Council and Derbyshire County Council more than £2 million a year for 27 years compared to the alternative cost of sending waste to landfill.

Councillor Questions

g. Question from Councillor Graves to Councillor Rawson

The JET question in Derby is very concerning. I have to applaud Russell Pollard for his detailed investigative work which leads me to questioning the council.

There are allegedly concerns surrounding inefficiency and poor outcomes of this business; the owner charges his business £60,000 per year for rent and sits alongside a £350,000 figure used to make improvements to the building paid for by the business, JET, which is financed by public money including large amounts from the council.

What due diligence has been undertaken to ensure that money received from the council was spent correctly?

In respect of the Employability and Skills contract due diligence was exercised via a robust tendering process and managing the terms of the contract. This was independently scrutinised by an external verifier (Lincolnshire County Council, which was the accountable body for the East Midlands European Social Fund Consortium). Regular contract reviews were held during the contract period to evaluate the performance and compliance of the contract in line with the tender specification. The final contract review was completed on 5 December 2014 and the project was closed successfully.

Nine formal contract reviews were undertaken during the project, which encompassed:

- Project Progress Report
- Beneficiary Starter Forms, Leaver Forms, Individual Action Plans and evidence of progress/support undertaken
- Job Entry Statements where applicable
- Case Studies
- Evidence of outputs
- Expenditure Claim Forms

It was the view of Council officers and the external verifier that the project was completed successfully and in accordance with the contract terms.

h. Question from Councillor Poulter to Councillor Afzal

Derby City Council has stated that cameras will be used for enforcement at bus stops 'to improve driver behaviour' where there are 'persistent problems' at bus stops and in locations where we 'receive complaints'.

In relation to the enforcement action conducted at both the Morledge and most recently in the area of London Road?

Can the Cabinet Member :

- 1. Supply any evidence of the extent of any such 'persistent problems'?**
- 2. Supply details of the number of such 'complaints received' from members of the public?**

The council received verbal complaints from the main bus companies who provide a service from the bus stop in addition to concerns from members of the public about cars stopping in the bus stop.

Concerns raised about indiscriminate parking in bus stops include passengers being delayed and also having to alight and board the bus away from the kerb edge – indeed on one occasion a passenger has slipped over upon alighting due to not being able to use a raised kerb.

Evidence shows that compliance with the restriction has improved since the introduction of the camera, however numbers of complaints are not recorded.

i. Question from Councillor M Holmes to Councillor Rawson

In January 2014, it was confirmed that Derby Arena was forecast to make a £2.1 million loss in its first three years of operation. The overall Derby Arena income and expenditure for the first year of operation has, I understand, resulted in a loss of £933,000.

Can the Cabinet Member detail the forecasted losses that Derby Arena will incur in years two and three?

Derby Arena has a planned subsidy of £2.135m in the first three years of operation.

In Year 1 the forecasted subsidy is £933k as you suggest.

In Year 2 the forecasted subsidy is £669k.

In Year 3 the forecasted subsidy is £533k.

j. Question from Councillor Care to Councillor Rawson

After the 2015/16 budget consultation, and the 12 month stay of execution for Moorways Swimming Pool, what public feedback was provided to pool users, and organisations using the pool, to ensure that they were aware of the new situation and future plans for the pool?

In addition to the 2015/2016 budget consultation on the proposed closure of Moorways Swimming Pool further public feedback has been provided via a variety of sources. Key examples include:

Stakeholders - Clubs / Hirers

November/December 2015

Key stakeholders were contacted by telephone / in person on the date that the budget consultation document went live to inform them of the budget to close Moorways Swimming Pool from the end of the financial year they were:

- Derventio Excel Swimming Club
- City of Derby Swimming Club
- Phoenix Swimming Club
- Viking Venture Scouts – Canoe Polo Club

Stakeholders were advised how they could participate in the budget consultation process and were advised of the dates of the consultation.

February 2016 onwards

Various updates have been provided verbally in writing

- Event Hirers (for events post April)
 - An email giving wording to be used by staff was provided (copy available)
- Verbal updates to clubs and hirers were provided by staff based on “staff information messages” provided to them.

March 2016 (to be undertaken)

- On-going information will be provided to Clubs/Hirers as appropriate such as on the water space availability at Queens.

General Public

December 2015 / January 2016

As part of the 2016/17 budget consultation process information was provided in the budget consultation document.

A “Public Petition” was available within the social area at the facility. This was forwarded to the Council’s consultation team following the close of the public consultation period.

February 2016

A Customer Information notice was displayed in the centre informing customers of the Council’s decision (3 Feb) to close the facility on 31 March 2016. (copy available.)

A staff information message was provided so that it could be used to inform customers, and answer their questions, following the Council decision on 3 Feb. (copy available)

A staff information message was provided so that it could be used to inform customers, and answer their questions, regarding Memberships, Learn to Swim. (copy available)

March 2016

There is an updated “Customer Information Notice” being produced providing further information on the options available to customers.

Learn to Swim customers

February 2016

A letter was issued to Learn to Swim customers regarding the Council’s decision to close the centre, 31 March (copy available).

A further letter was issued to Learn to Swim customers regarding the next steps with the Learn to Swim scheme. (copy available)

March 2016

Further updates will be provided on the new Learn to Swim programme at Queens.

Education Swimming

End February / March 2016

Verbal updates were provided to schools by staff based on the “staff information messages” provided.

March 2016

Schools were contacted with regards to the water space available at Queens.

k. Question from Councillor Harwood to Councillor Rawson

At the February Full Council meeting I asked the cabinet member a question regarding the JET project.

In response to my supplementary question I asked for details of the Regular Monitoring and Evaluation of the project. I was promised I would receive these details, but to date I have not had a reply.

Please supply the required information.

I asked officers to provide the information requested so I would like to apologise if this wasn't received.

Regular contract reviews were held to evaluate performance and compliance of the contract in line with the tender specification. The final contract review was completed on 05 December 2014 and the project was closed successfully.

Nine formal contract reviews were undertaken during the project, which encompassed:

- Project Progress Report
- Beneficiary Starter Forms, Leaver Forms, Individual Action Plans and evidence of progress/support undertaken
- Job Entry Statements where applicable
- Case Studies
- Evidence of outputs
- Expenditure Claim Forms

The project, including the reviews and final evaluation report were scrutinised by the external verifier, Lincolnshire County Council, which was the accountable body for the East Midlands European Social Fund Consortium. It was the view of Council officers and the external verifier that the project was completed successfully and in accordance with the contract terms.

I. Question from Councillor Graves to Councillor Hussain

Council may recall that four years ago after a long court battle a case in which a lady and her 2 children were evicted from their family home after her mother died of cancer whom she was looking after, saving the state considerable expense. She was evicted despite the decision being a discretionary one for the council.

You will recall my recent calls to allow a sitting tenant remain in his home, a man who has two children and works hard to keep his family together. A man who is currently being evicted because of the actions of this council. Another discretionary decision that has gone against a Derby resident.

I have also raised the issue of another man who two years ago moved back into his birth home to look after his mother after his father died. She suffers dementia and he cares for her out of love, again saving the authority huge sums in care. Yet he has been told that once she dies he cannot remain in his house, a family home of over 40 years.

On each occasion shortage of housing was cited as the reason for these decisions, yet in the first case I referred to, the lady's home was taken over by a Polish family who were already adequately housed. Unfortunately, this has caused a great deal of resentment in the community.

The common theme is in each occurrence the council had/has discretion and on each occasion the Labour cabinet member has chosen to abandon these families in their time of need.

If this is happening in Alvaston Ward it begs the question how many occasions this is happening throughout the city.

Do you know (or care) how many other carers are being let down in this way by your housing policy who care for loved ones and save the authority £100,000s?

The subject of succession is understandably a sensitive matter.

Succession is a right given under the Housing Act 1985 and provides that in certain circumstances, a spouse, civil partner or family member of a secure tenant can succeed to a tenancy following the death of a tenant.

On 15 July 2015 the Council Cabinet approved an updated policy on Succession. The Policy observes tenants legal rights on Succession but also tries to assist family members who remain in occupation without a legal right.

Where the death of a tenant leaves someone in the property without an automatic right to succeed to the tenancy, the Council will consider granting a new tenancy in certain circumstances at that, or an alternative property (if the current property would be under-occupied by more than one bedroom or not be suitable to meet their current need). This accords with principles set out in the council's Allocations Scheme which was adopted in March 2013

Such considerations include where a person has cared for the deceased tenant whilst living at the property, the size of the residual family, the size of the property and the housing need in the area. Discretionary allocations will allow for under occupancy where the under-occupation does not exceed one bedroom.

In adopting this approach the council gives due consideration to the needs of the individual and their family whilst at the same time adopting a balanced and proportional approach to the statutory function of ensuring the best use of social housing resources in the city.

m. Question from Councillor Care to Councillor Rawson

What projects within Derby's boundaries have received funding from the EU, how much funding was provided and when?

Twenty-seven projects have been delivered with EU support during the period 2007-13 as part of the East Midlands Competitiveness Programme. Over £16 million of EU funding was spent in the city during this period. The council is currently working with partners to respond to the European Structural and Investment Fund Programme 2014-2020 (ESIF). Projects are currently at the appraisal stage and no contracts have been issued.

n. Question from Councillor Graves to Councillor Bolton

A hidden issue, which is a direct cause of the UK being a member of the EU, is the rising number of children born overseas being taken into care. A cost shouldered directly by our citizens without their express permission.

Can you estimate the number of children from families from Eastern European countries that have entered the Derby care system in the latest period for which figures are available? Can you also assure me that we have the available funds to properly care for these children?

The decision to admit a child or young person into public care is one of the most serious the council makes and one that is not taken lightly. All decisions are scrutinised and agreed by senior managers and in cases where the local authority issues care proceedings it is ultimately the court that decides.

Between 1 April 2015 and the time of writing, the council has admitted 10 children from Eastern Europe into the care system. This equates to 7.3 per cent of the total number of children who have been admitted (136).

Officers within the People's Directorate work tirelessly to ensure that only children who need to enter the care system and stay in the care system do so. Children are swiftly but safely exited from the system by returning to families, being adopted or being made subject to Special Guardianship Orders to their former foster carers. As a consequence of those actions, the overall number of children in care has been steadily falling from 489 earlier last year to 459 today.

The cost of looking after any child in care is significant, particularly if they are placed in foster placements or children's homes not run by the council. Like many councils this is a budget pressure, which is why all decisions are scrutinised by senior managers and there is a range of activity to appropriately and safely reduce the numbers of children in care.

o. Question from Councillor Graves to Councillor Banwait

I believe it is unprecedented in the life of the city council for a Mayor to have had so many complaints made against that office. I am aware of at least six, mainly from members of the public. These complaints all relate to dubious behaviour within the chamber and in no way reflect the duties and fundraising activities outside the council house.

However, with this revelation, would you say this term of office has been the worst in the council's history?

Quite the contrary, this has been one of the most successful Mayoral years to date, especially considering that Mayor's Office suffered a 50 per cent cut in funding in 2014/15. The Mayor of the City of Derby has attended hundreds of civic events representing the very best our city has to offer.

p. Question from Councillor Graves to Councillor Banwait

I am aware of at least 20 complaints made against councillors during this council year, which seems very high.

Can the council advise the chamber how many complaints have been made so far this municipal year?

As Councillor Graves is aware, the Chair of the Standards Board presents an annual report to Council advising on the work of the Standards Board over the past municipal year.

To date 22 complaints have been received in respect of Standards related issues, however not all of these have needed to be investigated and very few of those which have so far been concluded have been upheld.

However 11 of these complaints have originated from: UKIP councillors (Cllr Graves (3); Cllr Wright (1)), UKIP Candidates (4) and known or suspected UKIP campaigners or supporters (3).

q. Question from Councillor Graves to Councillor Hussain

One of the biggest issues in my casework concerns housing applications for local residents who need to find a home for various reasons such as: reaching the age to leave home; separate through family troubles; requiring a bungalow for health reasons; requiring a new home to start a family; and so on.

It has become noticeable in Alvaston Ward, where there is a high concentration of council housing, of people from Eastern Europe moving in.

With the housing shortage so acute can you tell me what information you have on how this has affected the allocation figures of the lower income people from Derby?

There have been 560 social housing lettings in the Alvaston ward since 1 April 2013. Of these, 29 lettings have been made to EEA nationals, including those whose nationality is Estonian, Latvian, Lithuanian, Polish, Romanian or Slovenian, representing only 5 per cent of all lets in the Alvaston ward.