

MINUTES of the meeting of the **DERBYSHIRE COUNTY COUNCIL** held on 5 December 2018 at County Hall, Matlock

PRESENT

Councillor G Wharmby (In the Chair)

Councillors T Ainsworth, D Allen, R Ashton, K S Athwal, J Atkin, N Atkin, Mrs E Atkins, S A Bambrick, N Barker, B Bingham, Mrs S L Blank, J Boulton, S Brittain, S Bull, Mrs S Burfoot, K Buttery, Mrs L M Chilton, J A Coyle, A Dale, Mrs C Dale, J E Dixon, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, K Gillott, A Griffiths, Mrs C A Hart, G Hickton, R Iliffe, T A Kemp, T King, B Lewis, W Major, P Makin, R Mihaly, P Murray, R A Parkinson, Mrs J E Patten, J Perkins, Mrs I Ratcliffe, B Ridgway, C Short, P J Smith, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, M Wall, Ms A Western, Mrs J Wharmby, Ms B Woods and B Wright.

69/18 APOLOGIES FOR ABSENCE Apologies for absence were submitted on behalf of Councillors Mrs D W E Charles, Mrs H Elliott, J A Frudd, Mrs L Grooby, Mrs J M Innes, S Marshall-Clarke, D McGregor, C R Moesby and G Musson.

70/18 DECLARATIONS OF INTEREST The following declarations of interest were received:

Agenda Item 7 – Petition in respect of Elvaston Castle -
Councillor King declared a personal interest in this item as a Trustee on the Elvaston Castle Trust (Minute 75/18 refers).

Agenda Item 11 – Notice of Motion – Councillor Gillott declared a personal interest in this item as an employee of the Office of the Police and Crime Commissioner (Minute 81/18 refers).

71/18 CHAIRMAN'S ANNOUNCEMENTS The Chairman passed on Seasons Greetings to all Members and Officers.

72/18 MINUTES OF THE ORDINARY COUNCIL MEETING On the motion of Councillor G Wharmby, duly seconded,

RESOLVED that the minutes of the meeting of the Council held on 12 September 2018 be confirmed as a correct record.

73/18 REPORT OF THE LEADER Councillor B Lewis, Leader of the Council, referred to the forthcoming winter weather conditions

that would inevitably lead to an increase in reports about potholes, street lights and other similar issues. He reported positive outcomes in respect of the substantial decrease in street light outages and also that since 1st January 2018, more than 64,000 potholes had been filled. He also referred to an article that had been published in the press on the good work undertaken by the Economy, Transport and Environment department of the County Council.

74/18 PUBLIC QUESTIONS

(1) Question from Lisa Hopkinson to Councillor T King, Cabinet Member for Economic Development and Regeneration

The Pensions and Investments Committee recently consulted on its Investment Strategy and received three responses, all of which recommended divestment from fossil fuels. The Committee chose to ignore these responses and stick to its failed strategy of engagement despite the fact that there is growing evidence that fossil fuel holdings are a significant long term financial risk. This year New York City announced it would divest its US\$5 billion fossil fuel interests from its pension within five years. Their Chief Resilience Officer said this was part of their fiduciary duty to pensioners because the outlook for fossil fuel investments was poor. A growing number of local authority and other pension funds have decided to divest from fossil fuels on fiduciary grounds.

Given the financial (and environmental) risks of investing in fossil fuels, how does the Derbyshire Pension Fund justify investing £257 million in fossil fuel companies, including those with fracking operations, rather than low carbon stocks, affordable housing and green jobs in Derbyshire, and what is it doing to ensure that the climate risks of its investments are fully assessed and transparently reported?

Councillor King responded as follows:

Thank you very much indeed for your question. It gives me the opportunity really to emphasise and point out this Council's and my personal commitment to reducing carbon emissions for a reduction of consumption of fossil based energy and the use of low carbon vehicles wherever possible.

At the moment Derbyshire County Council administers the Local Government Pension Scheme in Derbyshire on behalf of over 230 employers and over 100,000 members. The Pensions and Investment Committee, which is responsible for the management and administration of the Pension Fund on behalf of the Council, recognises that climate change risks and opportunities could be experienced

across the complete and whole Pension Fund portfolio and to that end we have expert financial advisers who have done a fantastic job for us over the last few years and we are very happy about that.

The Fund is a long-term investor and aims to deliver long-term sustainable investment returns to support the accumulation of sufficient assets to meet scheme members' benefits when they fall due, and that is our prime responsibility. In other words we are investing pension funds in the best way possible. As the administering authority of the Pension Fund the Council has a fiduciary duty to act in the best interests of the scheme's members whilst seeking to protect local taxpayers and employers from unsustainable pension costs. It is vital that the Fund is able to access the widest possible choice of investments in order to have the opportunity to secure the best risk adjusted returns.

Now let's get on to fossil fuels, if we can, to directly answer your question. The Fund currently has £165m invested directly in oil and gas companies. That represents 3.5% of the total funds of the Pension Fund, which I think you will agree is fairly small anyway. The Fund also has a further £60m invested in diversified mining companies. Now it is true that approximately half the activity and revenue from the mining companies is derived from the extraction of trading in fossil fuels. However, the other half comes from metals and minerals, many of which are used in the manufacture of critical components for low carbon technology.

The majority of oil and gas and mine exposure in the portfolio is viable in the UK equity market. There has been a recent revision to the Fund's Investment Strategy Statement following consultation with the UK equity weighting in the Fund's strategic asset location which was reduced from 25% to 16%, so that will start taking effect on the 1 January 2019 and will lead to a gradual reduction in the Fund's exposure both to commodity companies which includes mining and oil and gas companies, so things are happening.

It is worth bearing in mind, however, and I know about this personally, that many of the energy companies are at the forefront of developing alternative low carbon technologies and the Fund as a long-term shareholder recognises the timeframe for the transition to a low carbon world. The Fund will continue to invest in these areas and will also continue to invest in areas of low carbon technologies as they become available. The Fund has investments in renewable energy generation and transmission assets via its infrastructure portfolio, including some of the largest solar onshore and offshore wind farms in the UK, batteries and connections into the National Grid. The Fund

needs to make further investments in these areas when attractive returns are available.

The Fund's recently approved Investment Strategy Statement included the following: it is recognised that risks and opportunities related to climate change could be experienced across the whole of the Fund's investment portfolio and that the current understanding of the potential risks posed by climate change and the development of consistent climate related disclosure are still at an early stage.

It is also recognised that it will take time for companies to adapt to change in regulatory and market positions; the incorporation of environmental, social and governance factors into the investment process and funds to which Government activities will seek to manage the risks associated with climate change.

In addition to that as an innovation, a report on the Fund's management of climate change risks within the portfolio will in future be included each year in the Fund's annual report. Thank you.

The following supplementary question was asked:

Thank you very much for that detailed response. Just a couple of points and a question, if I may. First of all I am very pleased that the Fund is going to reduce its holdings of fossil fuel stocks. I am also pleased it is investing in renewables although the investment in renewables is a fraction of the investment in fossil fuel holdings and, secondly, I understand the fiduciary duty and the responsibility to pensioners but there are alternative investments that can give you equal or better value. Would the Fund consider talking to other local authority pension funds which have decided to divest and which have found alternative, more socially and environmentally beneficial investments to see what other investments you could find that don't involve making climate change worse?

Councillor King responded to the supplementary question as follows:

Can I take that in part, as it were? I understand the point about returns on low carbon investments stocks etc etc. The Fund also has to consider risk and just because returns may be equal to what we are getting from other areas it does not mean to say that these companies are not risky.

For the second part of your question obviously we take note of what other pension funds are doing and we use that to inform us, hence

the reduction in the dependence upon the UK stocks and commodities' markets.

(2) Question from Wayne Parkinson to Councillor A Dale, Cabinet Member for Young People

How many primary schools in Derbyshire have five or more children on an Education Healthcare Plan?"

Councillor Dale responded as follows:

Mr Parkinson, thank you very much for your question. 32 out of 350 schools with primary age children in Derbyshire have five or more children with Education, Health and Care Plans. That is 9.1% of schools. That does not take into account special schools but it does include the ten mainstream schools who have enhanced resource provision for SEND.

The following supplementary question was asked:

Thank you for that and thank you for recognising we are an enhanced resource provision ourselves. Further to that could you answer that given that Derbyshire County Council has ended Key Stage 1 funding for schools of over 300 pupils and contingency funding we are told has been halved - these are two things that our school particularly has required to be solvent over the last five years - what steps is Derbyshire County Council taking to ensure that schools with a larger than average proportion of children with additional needs, like ours, still have adequate financial provision to be able to meet the needs of some of Derbyshire's most vulnerable pupils?

Councillor Dale responded to the supplementary question as follows:

Thank you for the supplementary question. In the previous financial year the support for children with EHCPs totalled £4.5m and in addition we have put in £6.2m into a graduated response, so there is provision for children who don't have an EHC Plan in place with this sort of lower level needs.

I take the point about the issue around Key Stage 1. I am very happy to come out and meet with you, at Brampton Primary School? to discuss this matter and look at what more we can do. We are doing a range of things around SEND provision. We do have a Sufficiency Review on-going at the moment that is engaging with all stakeholders.

I would point out that this is a national issue. We are continuing to lobby the Government on the provisions for SEND. I know Ofsted highlighted it yesterday as a key area of concern. It is a key area of concern for us but what I would say is actually in comparison with some of our neighbours, provision in Derbyshire remains relatively better than they are.

(3) Question from Deborah Turner to Councillor A Dale, Cabinet Member for Young People

Derbyshire County Council has a statutory responsibility for pupils within its schools. Given the funding crisis, and the increasing number of academy conversions, how is the council monitoring both the educational provision and the support being provided for pupils - particularly those identified as SEND, vulnerable and/or disadvantaged?

Councillor Dale responded as follows:

Thank you very much, Ms Turner, for your question. The local authority has a duty to champion educational excellence and to promote the well-being of *all* Derbyshire children. We take this duty very seriously. To undertake that duty we have several things we do. Firstly, we have a robust process for risk analysis at every school to determine where there might be risks of poor performance or poor outcomes for children. For maintained schools this helps to determine the level of support that we might provide or any intervention that may be required. For academies this determines the level of challenge that we provide to the Regional Schools Commissioner. At a strategic level we have robust processes around monitoring pupil outcomes through a Performance Improvement Board which myself and the Strategic Director take part in. We are quite rightly held to account on those outcomes by Ofsted during our annual conversation. Pupil outcomes are also reported and discussed at various headteacher/governor forum meetings such as Primary Area Headteacher meetings; Secondary Area Headteacher meetings; Special School Forums; Nursery Forums, those sort of meetings do discuss outcomes and have a key focus on outcomes. Where there are concerns about a school in their performance or practice in relation to specifically vulnerable learners we do have an escalation procedure and where those concerns are not addressed adequately we can escalate them to Ofsted or the Regional Schools' Commissioner.

Specifically on the issue of children with Educational, Health and Care Plans, their provision is monitored and reviewed on a regular basis, particularly through the statutory Annual Review and that process provides all the different agencies who are involved with that child to

monitor the provision and outcomes and to agree any actions as required. Thank you.

The following supplementary question was asked:

As councillors you were elected to represent your constituents, some of whom are here today. These include the children of Derbyshire. Surely their mental health and well-being must be a Council priority for every Council within the country. What steps are you currently taking to ensure that the Government is informed of the impact that reduced funding is having on Derbyshire schools and Derbyshire children? Following what you have heard, and what you will be hearing today, what steps will you be taking to ensure that the Government is acting on the dire impact that further funding reductions, which are planned, will have on our schools and our children moving forward?

Councillor Dale responded to the supplementary question as follows:

Thank you, Ms Turner for the supplementary question. On mental health we are fully aware of our Future in Mind programme which is very active on this issue. It is exploring a range of different options and models. We are developing a whole school approach and promoting whole school approaches to mental health. Actually we are seeing that that is having a really positive impact on referrals. On the whole our Future in Mind project is beating the national targets for it. There is always more to do and I fully accept there is always more to do. On the issue of mental health the Government has put an additional, I think it is £1bn, into mental health, particularly for children.

In terms of what steps we are taking on the issue of funding for schools generally, you will be aware probably from the last Council meeting that we are an active member of the F40 campaign. We have written regular letters to the Government around both the quantum of school funding and the fairness of the funding formula. The National Funding Formula is a really positive step in the right direction but it does not go far enough. Derbyshire's schools continue to be funded 50% less than inner London schools. That absolutely has to be resolved. We are continuing to lobby the Government on those issues. I actually very recently wrote a letter to the Chancellor about that very issue. We hope that that issue will be taken up and addressed in the Spending Review next year. The £400m that the Chancellor announced in the budget was welcome but as I say there can always be more and we will continue to campaign for more on behalf of Derbyshire's schools. Thank you.

(4) Question from Katie Hibbert, Lily Beard and Katie Bargh to Councillor A Dale, Cabinet Member for Young People

The cuts and changes to school funding have resulted in many schools converting to academies, including ours. Since the change Brookfield has gone from being an outstanding school under Local Authority control to one that is classed as inadequate and will be sold off to a multi academy trust. As pupils, we have seen the impact that these cuts have had. Most recently, the school has announced that they are no longer able to give out lined paper.

Doesn't this demonstrate that the quality of education provided should be a greater priority than forcing schools to accept academy status for ideological reasons?

Councillor Dale responded as follows:

Thank you, Katie, for that question. It is great to see some younger faces in the Council Chamber and some students taking a real interest in education and politics so thank you very much for that question.

I suppose the short answer to your question is you are absolutely right that the quality of education is paramount and that is why as a Council administration we have taken an entirely pragmatic and not at all ideological approach to any schools who come to us wanting to explore becoming academies. We are always clear in our advice to schools that any decision should be based on what is in the best interests of the school community in terms of driving up standards and supporting school improvement.

I do, however, want to address and clarify some of the statements that you have made. I do fear there is an issue here where you have conflated some of the issues of school funding with its operating model and performance.

Taking the first issue of funding. It is true that when Brookfield converted to becoming a single Academy Trust in 2011 there were financial benefits for doing so. That is no longer the case. Academies now receive exactly the same level of funding as maintained schools. I can't comment on how your school is choosing to spend or not to spend its budget, but what I can say this year is that the school was allocated £4.3m plus another £300,000 in top-up payments, which is more per pupil than it has ever received before.

You will note from my previous answer to the last question I do believe that the quantum of school funding should be more and we are

continuing to lobby that but we do have to bear that important point in mind, and as a result of the Government's national funding formula and our implementation of it locally, the school will receive an extra £100 per pupil next year which based on this year's numbers would equate to a 3% uplift of its budget, but to reiterate it would receive exactly the same if it was a local authority maintained school.

In terms of its performance it is true that Brookfield was judged to be 'outstanding' in 2008 while it was a local authority school. Prior to that it was a 'good' school. In its Ofsted inspection in December 2014, which was three-and-a-half years after it became an Academy, it was also judged to be 'good', so the point I am making here is that like many schools in the county performance has fluctuated and this is due to a variety of reasons not necessarily linked to its operating model. Its latest judgment in May of this year was 'inadequate' but this was largely in relation to some quite specific safeguarding issues.

Now as a local authority we are confident that with the strengthened leadership through a multi-Academy Trust the school has the capacity to be judged 'good' at its next inspection. Thank you.

No supplementary question was asked.

(e) Question from Lisa Tunnell to Councillor A Dale, Cabinet Member for Young People

Ms Tunnel did not attend the meeting, therefore the Chairman read the following question out on her behalf:

According to the School Cuts website, which uses government school funding figures, 320 schools across Derbyshire face school cuts, with £12,635,322 being cut from Derbyshire school budgets.

In Chesterfield, this has meant support staff redundancies, reduction in support for SEN students, bigger class sizes, loss of leadership positions, increased workload for remaining staff, teachers covering absent colleagues due to lack of money for supply and the removal of pastoral provision such as careers advice, mental health support and counselling services.

Between 2015-2019, Parkside Community School alone faces a reduction of £300 per pupil. In practice, this has meant staff redundancies and the loss of subjects such as music.

If cuts to the school dinner service go through as proposed, it will also mean 952 school catering staff have their working hours cut by

eight per cent, affecting the ability for schools to provide meals for students.

Given the impact of these cuts on children and schools, will the council stop pushing through cuts and endorse the School Cuts campaign, which is supported by the NEU, NAHT, GMB, UNISON, UNITE and ASCL?

Councillor Dale responded as follows:

Thank you, Chair. I have already talked at some length about the work that we are doing as an administration to lobby for additional funding. We are an active member of the F40 Group, as I say, which is campaigning for more funding. We have written various letters to Ministers. We continue lobbying our MPs and we are doing quite a lot on that issue.

I do want to pick up though on the point that was made regarding the School Catering Review. The point was made in there that all 952 members of staff were to lose 8% of their hours. That is actually inaccurate. The proposal is to recalculate the Primary School staffing formula to reduce working hours back up to a maximum of 8% per member of staff. Actually it is only about a third of staff who will receive between 7% and 8% reduction. Nearly a third will lose less than 5% of their hours and there will be 8% of staff who won't lose any hours at all. Thank you, Chair.

(f) Question from Marie Blackler to Councillor A Dale, Cabinet Member for Young People

The County Council have announced plans to reduce school catering staff hours by 8%. As a 'dinner lady' in a Derbyshire School, I am very concerned that this proposal will significantly reduce either the quantity of meals produced or the quality of meals that Derbyshire children will receive. As the cabinet member for Young People, could Councillor Dale detail the evidence he has received which allows him to be confident that the necessary volume of school dinners could be produced, without reducing the quality of the meals provided, if these cuts are implemented?

Councillor Dale responded as follows:

Thank you very much, Ms Blackler, for your question, and on behalf of the Council can I thank you for the work that you do as part of our Catering Service in delivering excellent and healthy meals to Derbyshire's pupils.

As I have already said the proposals won't see all staff losing the full 8% of their hours. We acknowledge that all our kitchens are different and this has been reflected in the proposed reduction of hours. For example, many small single person kitchens won't see any reduction to their hours. We have made significant investment into our kitchens over the past few years totalling over £1m which has led to the installation of equipment which is less labour intensive, things like dishwashers, combination ovens, vegetable preparation machines and stick blenders.

Some of the evidence that has been used to make the decision is Sharrow benchmarking data which compares us against other comparable similar local authorities and using that data we have been able to deduce that Derbyshire are producing nine meals per working hour compared to 13 or 14 meals per hour in other comparable local authorities. There is absolutely no intention to reduce the quality of the ingredients and with the improved time saving equipment that we have purchased it is anticipated that there will be no loss of the quality of the meals that are prepared and served.

The Council remains absolutely committed to the Catering Service but we have to react to the challenges it is facing due to rising costs. These proposals are just one of the things we are doing to try and put the Service on a sustainable footing for the future. We have also raised the price of school meals and we have cut management costs. I would point out that the Opposition objected to, and opposed, raising school meal prices. Had we not done that the impact of these proposals would be much more significant.

We really do value our School Catering Service very highly and our staff who work extremely hard, as you do, to produce high quality meals. The schools meals business is a highly competitive one and in order to preserve our excellent service we have to look at how we can continually compete. If we don't schools can ultimately choose other suppliers and in other parts of the country this has resulted in local authorities deciding not to run a Schools Meals Service at all. Thank you.

The following supplementary question was asked:

I believe that if Councillor Dale came and saw first-hand the work we do he would not be so confident that we can deliver the necessary quality and quantity of meals necessary for our children. I would therefore like to invite Councillor Dale to come and work a full shift in our kitchen, with me, before any decision is made to cut school catering staff hours. Would the councillor agree to come to work a shift at Field

House Infant School to see for himself how hard school cooks work to provide high quality meals for Derbyshire's children?

Councillor Dale responded to the supplementary question as follows:

I would be very happy to do that and I will try and arrange to do that.

(g) Question from Mrs Carol Hutchinson to Councillor T King, Cabinet Member for Economic Development and Regeneration

Derbyshire Pension Fund is reported to have:

£145.8 Million in direct fracking operations
£257.5 Million in fossil fuel companies.

As a health professional I'm concerned about the health impacts of fracking and fossil fuel driven climate change - we are at the brink of a Public Health emergency. Climate change is already impacting the health of hundreds of millions of the world's most vulnerable people. Fossil fuel driven air pollution is also damaging health and claims a similar number of lives per year as those claimed by tobacco. Health institutions such as the Royal College of General Practitioners are divesting from fossil fuels.

I am concerned by the financial risk that fossil fuel investments pose to pension funds.

Fossil free indices have outperformed their parent indices in the last 5 to 8 years and modelling studies have also found that fossil fuel divestment in the past over much longer time periods would not have impaired portfolio performance. Therefore, fossil fuel divestment will not hurt performance, but will instead protect pensions from exposure to soon-to-be devalued fossil fuel stock. I note that Derby City Councillors have voted overwhelmingly for a motion calling on DPF to divest from fossil fuels.

Will DCC, as the Fund's administrating authority move to divest from fossil fuels as a matter of urgency?

Councillor King responded as follows:

Thank you, Mrs Hutchinson. Thank you for putting the question. I have to say a lot of what you have asked I have covered in an earlier answer so please forgive me if I repeat myself.

Let me restate: the Pension Fund is a long-term investor and aims to deliver long-term sustainable investment returns to support the accumulation of sufficient assets to meet scheme members' benefit payments when they fall due. That is their prime purpose.

As the administering authority for the Pension Fund the Council has a fiduciary duty to act in the best interests of scheme members whilst seeking to protect local taxpayers and employers from unsustainable pension costs. It is vital, therefore, that the Fund is able to access the widest possible choice of investments in order to have the opportunity to secure the best risk adjusted return and we rely very heavily on the professional advice we have to take over those decisions.

I am not sure of your figures. The figures I have is that the Pension Fund, as I said before, has just over £165m invested directly in oil and gas companies and that is 3.5% of the total investment.

Can I turn now to fracking. Obviously I know it is a sore subject. Can I first of all say in regard to fracking the Council has been consistent and voluble in its approach to planning issues around fracking that these should be determined locally and not at national level. I have to say that the Council is held up as an exemplar for that stand and we will continue to pursue that so it is important, we feel, that these issues are resolved locally.

Now most oil and gas companies utilise hydraulic fracturing, or fracking as we know it, for part of their activities as a method of producing natural gas. Natural gas is an important component of our future energy requirements. It is also regarded as an important part of energy transition to a low carbon world, which is what we all want, what we are all after. Renewables and nuclear are not in a position to take over from traditional fuels at the moment and will not be expected to provide sufficient consistent safe and reliable sources of energy for several decades, I am afraid. I would wish that were sooner.

Natural gas is an important fuel because it releases 40% less CO₂ than coal when it is burnt and around 20% less than oil. On top of that it is a versatile gas compared to other fuels and the efficiency of transforming gas into electricity, which is the main thing, is higher so gas is expected to be a vital part of the energy mix for many years.

The Local Authority Pension Fund Forum is engaged with a number of companies on the issue of shale gas and fracking in the UK and US to better understand how associated environmental, social and governance risks are being managed on the issue of methane emissions. The Fund supports this engagement through its

membership of the LAPFF. The Fund and its external investment managers will continue to factor the relevant environmental, social and governance factors into the investment process when assessing oil and gas companies in the same way as it will with other customers in other sectors and will continue to engage with customers in all sectors to encourage the development of climate resilient business strategies. As I pointed out earlier there has been a change in the level of exposure to commodities' companies on the UK Stock Exchange which includes obviously the fossil fuel payments.

The following supplementary question was asked:

Let's hope the world can wait ten years, 20 years, but let me just ask you this: I think it is disingenuous of Derbyshire County Council to take the stand on fracking that you have just outlined as it is quite different to the one that the fracking community would advocate, but given the Derby City councillors' vote does Derbyshire County Council have a set timetable to achieve divestment and transition to divestment because it seems to me as if you ought to have given your said commitment to climate change?

Councillor King responded to the supplementary question as follows:

Can I say we don't have a fixed timetable towards this but as you are well aware this is very much an issue that is reviewed on a regular and very often basis. We are already taking action in the terms of what I have said and that will continue, that review will continue. Obviously we are informed of what Derby City Council has done. I have to say it certainly was not a unanimous decision as I understand within their Council but we will continue to obviously review our pension investments on that basis.

(h) Question from Julia Coxon to Councillor A Dale, Cabinet Member for Young People

What risk assessment have the catering management undertaken in every kitchen to ensure the work can be achieved, ensuring safety of the staff and that proper consideration can be given to the children with special diets so that mistakes are not made and children's health is not compromised?

Councillor Dale responded as follows:

Thank you very much, Ms Coxon. Can I reiterate the remarks I made to Ms Blackler about the work you do as a school catering member of staff in providing Derbyshire children with fantastic meals.

Following an assessment and equipment order of every single kitchen we operate from we have been able to determine that each kitchen can still operate safely and see an improvement in efficiency in the effectiveness of our service. That audit did consider a very wide range of different elements. I will go through some of them for you. It included equipment investment; the style of service; the menu offering; the volume and complexity of special diets required; additional meal services; the number of catering staff; the individual times of working; the number of meal sittings during the lunch period; the number of service points; the length of lunchtime; operational logistics of the site; the size of the kitchen; additional duties and any known staff changes such as retirements that were looming. We don't propose to make any changes to our policies and procedures, especially with regards to the medical diet provision which is supported by our Menu Development Officer and our robust processes will continue. Thank you.

The following supplementary question was asked:

Thank you. I think you have just missed the point there. With special diets we have to think about what we are giving to our children. Should any mistakes be made because we have not got the time to think about those diets children could die. It is really serious. As catering supervisors we already have a heavy workload and I think an 8% cut will be unworkable. I really do not know how we can make this work without cutting corners or working in our own time. I would ask the Council to look at these cuts very carefully and that we can work together to provide an excellent School Meals Service in Derbyshire.

Councillor Dale responded to the supplementary question as follows:

Thank you, Ms Coxon, for the additional question. I do take your point around specific diets and the need to be very careful with that. What I would say is that the investment we have put in that enables us to believe that the timetable can be made is largely in preparation equipment, the dishwashers and clearing up equipment and the meal preparation equipment. We would hope that there would still be the time to consider the menus carefully. However, that said I have already agreed to spend a day in the kitchen. I will be really interested to find out more about the proposals and how you feel it will affect you.

What I would say, again you mentioned the heavy workload, no-one is denying that you work extremely hard at what you do. That is not what this is about. I have said previously this is about ensuring the sustainability of a service that is under extreme financial pressure at the moment and is in a very competitive marketplace.

I would just like to add a couple of points around some of the mitigation that we are proposing around the implementation because I do appreciate in terms of the finances it is going to be difficult for those members of staff affected. What we are proposing to do for the full year from April next year, to April 2019, is guarantee that the hours will not be reduced any further and you will know from your contract that they can fluctuate, they can go up and down, but we will guarantee they don't go down any further even if the number of meals that are required drops, but if the meals that are required increases we will still increase it so we are giving you a baseline that we won't cut them any further. The second point is that we have delayed implementation of this to the 1 April. That has cost the Service close to £50,000 a month to do that but what it does do is it then coincides the changes with the introduction of the National Pay Award and that will hopefully mitigate directly the financial impact on those affected and in some cases negate the impact altogether, but as I say I take your point, I will go out and spend a day and look in as best I can and find out more that way. Thank you very much.

75/18 PETITIONS The Director of Legal Services reported that a petition which related to the Elvaston Castle Country Park, containing more than 7,500 signatures had been received by the County Council and a full Council debate had been requested by the petitioners.

The petition stated that:

"We, the undersigned, want Derbyshire County Council and Elvaston Castle and Gardens Trust to fully acknowledge and recognise the comments and feedback being outlined in points 1 - 5 below by way of a petition to the draft Master Plan for Elvaston Castle Country Park.

Whilst it is recognised and supported that Elvaston Castle Country Park needs to be financially sustainable, this petition;

1. Supports a complimentary and sympathetic development of the Castle and core buildings to retain the character of the Castle and Country Park, to benefit both the local community and visitors to Elvaston Castle Country Park in general. However;

2. Strongly objects and is opposed to the provision of new southern and western access roads (particularly along the historic South Avenue), car parks, residential housing or any unsuitable developments i.e. caravan/camping/glamping on existing green spaces currently used for access to the countryside and wildlife, livestock grazing and the pursuit of active recreation and exercise by visitors.

3. Whilst we accept that Derbyshire County Council faces severe cut backs in government funding, we do not believe that developing areas of Elvaston Castle Country Park for residential housing provides an answer to long term sustainability and would seriously detract from the rural experience of a country estate. Alternative solutions (i.e. collect funding ideas from the public consultation and community fundraising) should be fully explored.

4. Strongly objects to the relocation of the showground and main car park or the provision of further vehicular access routes, despoiling further areas of Elvaston Castle Country Park. Existing roads and car parks should be developed with a view to improving their efficiency alongside the encouragement of active recreation by visitors to the park centre.

5. This petition encourages the maintenance of the sporting heritage of the estate, particularly in relation to equestrian activities and Elvaston Cricket Club, as these elements promote wellbeing as exemplified by 'Towards an Active Derbyshire 2016-2021' and 'South Derbyshire Open Space, Sport and Community Facilities Strategy April 2016', which both aim to increase the health and wellbeing of the community through the pursuit of such activities and active recreation.

What do you think the Council should do? We the undersigned call upon the County Council to make appropriate changes and amendments to the draft Master Plan for Elvaston Castle Country Park taking into consideration the comments and feedback.”

The Petition Scheme provides that where a petition relates to issues upon which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. Cabinet will be making the final decision on this issue in due course.

The County Council’s Petition Scheme sets out how the Council should respond to petitions, both in terms of the timescales for responses and also the specific action it may take. The Scheme stipulated that where a petition contained more than 7,500 signatures, it would be debated by the Full Council. The Scheme provided that the petition organiser (or their nominee) be given five minutes to present the petition at the meeting. The petition would then be debated by Councillors for a maximum of fifteen minutes.

The petition was introduced and presented to the Council by Ms S Leuenberger on behalf of the petition organiser. The petition was then debated.

On the motion of Councillor S A Spencer, duly seconded;

RESOLVED to note the receipt of the petition.

76/18 AMENDMENT TO THE SCHEDULE OF APPOINTMENTS AND MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES The Council considered a report which sought the approval of a change to the Schedule of Cabinet Appointments and Membership of Committees and Outside Bodies by replacing Councillor A Stevenson with Councillor J Boulton as Vice-Chairman of the Improvement and Scrutiny Committee – Resources.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to approve the appointment of Councillor J Boulton to replace Councillor A Stevenson as the Vice-Chairman of the Improvement and Scrutiny Committee – Resources.

77/18 RE-APPOINTMENT OF MEMBERS OF THE INDEPENDENT REMUNERATION PANEL The Director of Legal Services and Monitoring Officer presented a report which related to the re-appointment of the Members of the Independent Remuneration Panel.

Dennis Heaney, Andrew Sharpe and Simon Westwood were current members of the Panel whose first term of office had expired on 3 December 2018. It was proposed that they be re-appointed in view of their experience and for the provision of continuity on the Panel. All three Panel Members had indicated that they would be happy to continue for a second term and therefore the Council was asked to confirm their re-appointment.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to re-appoint Dennis Heaney, Andrew Sharpe and Simon Westwood to the Independent Remuneration Panel for a second four year term.

78/18 WAIVER OF THE CALL-IN PROVISIONS The Director of Legal Services and Monitoring Officer presented a report on decisions that had been taken by Cabinet or a Cabinet Member since the last meeting where the call-in provisions had been waived due to their urgent nature.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to note the report.

**79/18 REPORT OF CABINET AND MEMBERS' QUESTIONS
ON THE REPORT**

Councillor B Lewis, Leader of the Council, presented a report on the decisions that had been taken at meetings of Cabinet held on 20 September, 11 October and 8 November 2018.

There were no questions raised on the report.

On the motion of Councillor B Lewis, duly seconded,

RESOLVED to note the report.

80/18 COUNCILLOR QUESTIONS There were no questions.

81/18 NOTICES OF MOTION Council considered the following Notice of Motion as set out below:

(a) Notice of Motion received from Councillor A Western:

Theresa May has declared that austerity is over.

Philip Hammond announced in his budget speech that austerity is coming to an end.

However, in the real world, austerity is still with us and causing great hardship.

Public Services in Derbyshire, and the rest of the country, are still facing further budget cuts over the next few years.

In Derbyshire, as in the rest of the country, almost nine years of funding cuts have driven public services to breaking point.

- The NHS in Derbyshire
- Derbyshire Police
- Council Services, such as adult social care and children's services
- Schools, especially support for children with special educational needs and disabilities

These services and many more are reaching crisis point. In our communities, foodbank usage is growing, rough sleeping and homelessness is increasing and in-work poverty is the day-to-day reality for many families. Universal Credit roll-out is pushing many people to the point of despair.

This Council calls for urgent action from the Prime Minister and Chancellor to halt any further cuts to public sector funding and begin the process of long-term reinvestment in public services. We further call for a halt to Universal Credit roll-out.

The motion was duly seconded.

An amendment to the motion was moved by Councillor Mrs E Atkins, duly seconded, that the motion should be amended to just read:

“This Council calls for urgent action from the Prime Minister and Chancellor to halt any further cuts to public sector funding and begin the process of long-term reinvestment in public services. We further call for a halt to Universal Credit roll-out.”

The amendment to the motion was duly seconded, voted upon and declared to be LOST.

Councillor Western’s motion was put to the vote and declared to be LOST.

At the request of at least five Members, a recorded vote was taken and recorded as follows:

For the motion (20) Councillors D Allen, Mrs E Atkins, S A Bambrick, N Barker, B Bingham, Mrs S L Blank, S Brittain, Mrs S Burfoot, J A Coyle, Mrs C Dale, J E Dixon, K Gillott, R Mihaly, Mrs I Ratcliffe, B Ridgway, P J Smith, M Wall, Ms A Western, B Wright and Ms B Woods.

Against the motion (33) Councillors T Ainsworth, R Ashton, K S Athwal, N Atkin, J Boulton, S Bull, K Buttery, Mrs L M Chilton, A Dale, R Flatley, M Ford, Mrs A Foster, Mrs A Fox, A Griffiths, Mrs C A Hart, G Hickton, R Iliffe, T A Kemp, T King, B Lewis, P Makin, P Murray, R A Parkinson, Mrs J E Patten, J Perkins, C Short, S A Spencer, A Stevenson, S Swann, D H Taylor, Mrs J A Twigg, G Wharmby and Mrs J Wharmby.

Abstained (0)

82/18 MINUTES OF MEETINGS OF COMMITTEES AND OTHER BODIES

On the motion of Councilor G Wharmby, duly seconded,

RESOLVED that the minutes of the following meetings be received:

- (a) Regulatory – Licensing and Appeals Committee held on 10 September and 29 October 2018
- (b) Regulatory – Planning Committee held on 3 September, 8 October and 5 November 2018
- (c) Pensions and Investment Committee held on 11 September and 31 October 2018
- (d) Audit Committee held on 26 September 2018
- (e) Standards Committee held on 31 October 2018
- (f) Improvement and Scrutiny Committee – Places held on 13 September 2018
- (g) Improvement and Scrutiny Committee – People held on 5 September 2018
- (h) Improvement and Scrutiny Committee – Resources held on 20 September 2018
- (i) Improvement and Scrutiny Committee – Health held on 10 September and 1 October 2018
- (j) Derbyshire Police and Crime Panel held on 13 September 2018
- (k) Health and Wellbeing Board held on 4 October 2018