

COUNCIL**Wednesday, 15th December, 2021**

Present:-

Councillor G Falconer (Chair)

Councillors	Bellamy	Councillors	J Innes
	Bingham		P Innes
	Blakemore		Kellman
	Blank		Kelly
	Borrell		Ludlow
	Brady		Mannion-Brunt
	Brittain		Mann
	Caulfield		A Murphy
	D Collins		T Murphy
	L Collins		P Niblock
	Coy		S Niblock
	Davenport		Rayner
	Dyke		Redihough
	K Falconer		Rogers
	Flood		Sarvent
	Fordham		Serjeant
	P Gilby		Simmons
	T Gilby		Snowdon
	Hollingworth		Thornton
	Holmes		

*Matters dealt with under the Delegation Scheme

45 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 13TH OCTOBER, 2021**RESOLVED –**

That the Minutes of the meeting of Council held on 13 October, 2021 be approved as a correct record and be signed by the Chair.

46 MAYOR'S COMMUNICATIONS

The Mayor thanked everyone that had attended or helped with the organisation of the Civic Dinner, held at The Winding Wheel Theatre in October. It was well attended and provided an opportunity for the council to show its gratitude to the borough's voluntary and community sector organisations for all their hard work during the pandemic.

The Mayor referred to recent events that she and the consort had attended including;

- the annual 1940's market in the town centre, which had featured vintage vehicles and aircraft, market stalls, food vendors and the horse and carriage reminiscent of years gone by; and
- Remembrance events including the eleventh hour ceremony attended by school children, Staveley's Remembrance Service, Chesterfield's Remembrance Service and Parade and the Old Contemptibles' Service at Christchurch.

The Mayor wished everybody a Happy Christmas and New Year, and thanked Members for wearing festive attire to the Council meeting to help raise funds for the Mayor's Appeal in support of Chesterfield Samaritans and the Volunteer Centre Chesterfield & North East Derbyshire.

47 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bagshaw, Barr, Callan, Catt, Marriott, Miles, Perkins and Perry.

48 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA.

No declarations of interest were received.

49 PUBLIC QUESTIONS TO THE COUNCIL

Under Standing Order No. 12, the following questions were asked:

(1)by Karl Deakin of Plastic Free Chesterfield:

It is now a year since the Council passed a motion seeking to remove single use plastic from council operations by 2023. This commitment fits hand in glove with the Council's Climate Change Action Plan. Plastics

begin their existence as fossil fuels. Greenhouse gases are then emitted when the fossil fuels are extracted and when they are refined and made into plastic. If plastic use were a country, it would be the fifth largest emitter of greenhouse gases in the world (accounting for 3.8% of all emissions).

Plastic Free Chesterfield has continued to receive reports that single use plastic cups are widely being used at venues such as the Pomegranate and Queens Park Leisure Centre café.

With this in mind (a) what specific plans does the Council have to support the reduction of single use plastic across the Borough in 2022 and (b) will the Council now ensure that once any existing stock of single use plastic is used, only reusable cups are used in Council operations?

Councillor Serjeant provided a verbal response firstly outlining the four key actions that the Council had committed to, which were as follows;

1. Undertake a review of the council's internal use of single-use-plastic to provide a closer estimate of the quantities currently being ordered and used.
2. Where possible, seek to remove single use plastic from council operations by 2023 through engagement with suppliers and switching to alternative products.
3. Encourage and promote plastic free initiatives including the Plastic Free Chesterfield campaign.
4. Offer the support of the Council's Climate Change Officer in an ex officio capacity on the steering group of Plastic Free Chesterfield.

It was noted that the original commitment related solely to single use plastic, however the scope of the council's activities had since been expanded considerably. A full review of carbon emissions associated with supply chains was being undertaken, of which single use plastic would be a key consideration. This work would classify the main sources of carbon emissions within the council's control enabling it to identify changes, source alternatives and minimise use to maximise carbon reduction.

Services across the council had worked to remove single use plastic where possible. For example, using a biodegradable alternative for single use hot drinks cups and only using paper straws and wooden stirrers.

The Covid-19 pandemic and the need for infection control measures at council-run venues had meant that in a small number of situations it had not been possible to remove single use plastic entirely, but the council continued to strive towards this aim – taking a balanced approach informed by appropriate risk assessments.

During the last 12 months the council had supported Plastic Free Chesterfield in several ways including through the regular attendance of the Climate Change Officer at Plastic Free Chesterfield steering group meetings to offer advice and support and engage in discussion on a range of plastic free and wider climate change issues.

The council had also made a significant financial contribution towards the cost of last summer's Plastic Free Festival and had also promoted the Festival via its social media channels and website, and supported the organisers with advice and support from the markets team.

Throughout the current financial year, the council had also been running a Climate Action Now campaign with a range of content including videos, infographics, key messages, and case studies across its social media channels, website and via Your Chesterfield magazine, which reaches 49,000 households in Chesterfield Borough every quarter. This campaign had raised the profile for a wide range of climate change issues including the importance of reducing the public's reliance on single use plastic.

(2)By Paul Christopher Stone

Facing such turbulent times as we do, in today's world. Where is that red line for Councillors and the Council when implementing Government policies. When do you say, this has gone too far, this is damaging Chesterfield and the People of Chesterfield.

Councillor Tricia Gilby provided a verbal response explaining that Chesterfield Borough Council was proactive in seeking to influence the development of new legislation and White Papers at an early stage. This included lobbying via sector support organisations and through direct correspondence with Government ministers.

Cllr Gilby explained that the council was also a partner with Derbyshire County Council and several other Derbyshire district / borough councils in Vision Derbyshire, a new collaborative approach to public service reform.

A core element of this was the importance of the public sector in Derbyshire speaking with one voice to increase our influence with Government and other key stakeholders.

The council also had a good track record of responding to Government consultation exercises; expressing support where there was value, articulating concerns where there was risk and suggesting potential mitigations or alternatives where it made sense to do so.

Once legislation had been passed the council always sought to maximise the benefits and minimise negative impacts on its communities. A recent example of this had been supporting residents impacted by Universal Credit changes. Strong partnerships had been developed with local advice agencies to help ensure residents had access to the highest quality independent benefits advice, assistance, and representation. Practical support had also been provided such as access to computers to make claims and advising on and processing claims for Council Tax Support and Discretionary Housing Payments.

50 PETITIONS TO COUNCIL

No petitions had been received.

51 QUESTIONS TO THE LEADER

Under Standing Order No.14 Members asked the following questions:

- Councillor Rogers asked how long on average are Council homes vacant before re-letting occurs

The Leader assured Councillor Rogers that every effort was made to turn council homes around as quickly as possible but the length of time was dependent on the property type and the condition they were left in. The Leader agreed to consult with officers and to provide a written response.

52 CHANGES TO COMMITTEE APPOINTMENTS 2021/22

RESOLVED –

That Councillor Caulfield replace Councillor Rayner as Chair of the Standards and Audit Committee

53 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC**RESOLVED –**

That the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.

54 STEPHENSON MEMORIAL HALL - STAGE 2

The Cabinet Member for Town Centres and Visitor Economy presented a report to Council setting out the renovation plans for the Stephenson Memorial Hall. The Hall was built over 140 years ago to commemorate George Stephenson. Chesterfield Borough Council had acquired the Hall and extended it to incorporate a theatre, which opened in 1898.

The opportunity to re-model and renovate the Grade II listed building had been made possible via funding from the Government's Levelling Up Fund (LUF). The proposals would create an integrated cultural venue and enhance an historically important visitor asset.

The LUF-funded project was described as one of strategic importance to Chesterfield town centre. The project would be delivered at pace with an intended completion date of the end of 2024 to coincide with the 75th anniversary of the Pomegranate Theatre and the 30th anniversary of the Chesterfield Museum.

RESOLVED –

1. That the Stephenson Memorial Hall remodelling and renovation project be approved and the financing arrangements be added to the Council's General Fund Capital Programme.
2. That the capital works be funded through a combination of funding secured through the Levelling Up Fund (LUF) and prudential borrowing.

55 LOCAL GOVERNMENT ACT 1972 - RE-ADMISSION OF THE PUBLIC**RESOLVED –**

That the public be re-admitted to the meeting.

56 **MINUTES OF COMMITTEE MEETINGS**

RESOLVED –

That the Minutes of the following Committees be noted:

- Appeals and Regulatory Committee of 27 October, 2021, 3 November, 2021 and 1 December, 2021
- Employment & General Committee of 15 November, 2021
- Licensing Committee of 22 September, 2021 and 3 November, 2021
- Planning Committee of 4 October, 2021, 25 October, 2021 and 15 November, 2021
- Standards and Audit Committee of 29 September, 2021 and 27 October, 2021

57 **TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET OF 2 NOVEMBER, 2021 AND 23 NOVEMBER, 2021**

RESOLVED –

That the Minutes of the meetings of Cabinet of 2 November, 2021 and 23 November, 2021 be noted.

58 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM OF 9 SEPTEMBER, 2021**

RESOLVED –

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 9 September, 2021 be approved.

59 **TO RECEIVE AND ADOPT THE MINUTES OF THE MEETING OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE OF 14 OCTOBER, 2021**

RESOLVED –

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 14 October, 2021 be approved.

60 QUESTIONS UNDER STANDING ORDER NO. 19

Under Standing Order No. 19 Councillor Fordham asked the following question:

“To ask where a family or resident in the Borough experiences a serious fire, resulting in loss of home what supporting measures are in place for the Borough as our planned emergency response? Given the fire that occurred in Brockwell two years ago, when the Fire Brigade did not notify the Council of the incident, what changes have been made to local partnerships to ensure we provide the necessary support.”

Councillor Ludlow provided a verbal response confirming that the correct procedure in these circumstances was for the Police and / or Fire Service to notify Derbyshire County Council’s Emergency Planning Duty Officer, who in turn should notify Chesterfield Borough Council. Following the incident in Brockwell the council had raised the issue via the Derbyshire Local Resilience Forum with both control rooms and separately highlighted the communications failure at the multi-agency debriefs that followed.

Additional training had since been given to control room staff and front-line officers as part of the Derbyshire Local Resilience Forum’s commitment to regularly review and update its training and guidance materials.

Where Chesterfield Borough Council is the landlord, an officer from the Neighbourhoods Team (part of Housing Services) would immediately be allocated to act as the key point of contact for all council staff and for all affected tenants. On the advice of others including the Fire Service and Derbyshire Building Control Service, if the home was found to be uninhabitable, urgent steps would be taken to provide alternative accommodation via the council’s Homelessness and Allocations Team.

If needed, tenants would be signposted to sources of furniture and white goods. Rent charges would not be duplicated across the fire affected and

alternative accommodation and the Housing service would also work with affected tenants to decide whether it would be better for them to move permanently or return to their original accommodation.

If the fire happened to be in a block of flats, a routine welfare check would be undertaken of other tenants as soon as possible as well as an assessment to understand whether one or more might also require alternative accommodation. Council staff would also seek to give reassurance about tenants' safety within the block and respond to tenants' concerns.

Where Chesterfield Borough Council is not the landlord for the affected property, its role would usually involve assessing residents' needs with regards temporary accommodation, which could extend to supporting Derbyshire County Council to establish a rest centre and providing advice and support via the Homelessness and Allocations Team, including how best to access emergency funds.

Under Standing Order No. 19 Councillor Fordham asked the following question:

“To ask how many people who are single occupancy tenants with the Borough have died in Council owned accommodation over the last four years and what support measures have been put in place to support the family and neighbours? And whether these measures are in need of review and might be made more supportive and understanding of the trauma of such situations for those affected?”

Councillor Ludlow provided a verbal response advising that in the last four years, there had been 737 cases where the death of a tenant was the reason for tenancy termination.

It was explained that when a tenant who lives alone dies, there was no right of succession to the tenancy, however the Council still legally required a written notice to end the tenancy. This could be provided by an executor named in the tenant's will or an administrator who had obtained letters of administration or the grant of probate.

If there was no executor or administrator, Chesterfield Borough Council would serve a notice to quit on the public trustee and on any personal representatives of the deceased tenant. Tenancies would be transferred

temporarily to the public trustee if a tenant died without a will, or without an executor / administrator. The tenancy would then end four weeks after the notice to quit was served.

On the expiry of the notice to quit, a notice under the Local Government (Miscellaneous Provisions) Act 1982 would be served at the property and on any personal representatives of the deceased tenant. This gave them 31 days to collect the deceased's belongings. Contact details were provided, and other key information should the personal representatives require support. On the expiry of the notice, if no contact had been received, the Council would dispose of the deceased's belongings in an appropriate manner.

Most single occupancy tenants had friends or relatives who could deal with their affairs, however tracing them was often challenging. A significant amount of time was spent trying to locate and sensitively contact next of kin when tenants had not updated the contact details for relatives. Recent examples included tracing relatives that had been estranged from tenants for many years, in one case for over 30 years, and tenants whose families were based in different parts of the world.

If a tenant died and despite all efforts, the next of kin could not be contacted and / or an executor or administrator identified, a funeral would be organised and funded by Chesterfield Borough Council. The funerals were simple but dignified and, on most occasions, it had been possible to identify friends and neighbours who wished to attend.

The Council also regularly provided information and referred family, friends and neighbours to a range of organisations providing bereavement care and support.

61 NOTICE OF MOTION UNDER STANDING ORDER NO.21

It was moved by Councillor Snowdon and seconded by Councillor Kellman that:

Power for People Motion - Support for the Local Electricity Bill

That Chesterfield Borough Council

(i) Acknowledges the vital efforts that are being made to reduce greenhouse gas emissions and promote renewable energy;

(ii) Further recognises

- that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers, result in it being impossible for local renewable electricity generators to do so,
- that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies, community groups and councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished, and
- that revenues received by such local companies, community groups or councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;

(iii) Notes that the Parliamentary Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;

(iv) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 264 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company; and

(v) Further resolves to

- inform the local media of this decision,
- write to local MPs, asking them to support the Bill, and
- write to the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or info@powerforpeople.org.uk) expressing its support.

It was moved by Councillor Serjeant and seconded by Councillor Lisa Collins that the motion be amended to read as follows:

Power for People Motion - Support for the Local Electricity Bill

That Chesterfield Borough Council

(i) Acknowledges the vital efforts that are being made to reduce greenhouse gas emissions and promote renewable energy;

(ii) Further recognises

- that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers, result in it being impossible for local renewable electricity generators to do so,
- that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies, community groups and councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished, and
- that revenues received by such local companies, community groups or councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;

(iii) Notes that the Parliamentary Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;

(iv) Notes that the Local Electricity Bill, currently supported by a cross-party group of 264 MPs and which, if made law, would establish a Right to Local Supply which could promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company; and

(v) Also notes that, while the Local Electricity Bill could support local renewable energy, it has no specific requirement for electricity to be generated from renewable sources as currently drafted.

(vi) Accordingly resolves to support the Local Electricity Bill in principle, but urges the bill sponsor to consider explicitly excluding non-renewable sources of electricity.

(vii) Further resolves to

- inform the local media of this decision,
- write to local MPs, asking them to support the Bill, and

- write to the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or info@powerforpeople.org.uk) expressing its support.

On being put to the vote the amendment to the motion was declared carried.

On being put to the vote the motion (as amended) was declared carried.