

Public Document Pack

CITY OF DONCASTER COUNCIL

COUNCIL

THURSDAY, 21ST SEPTEMBER, 2023

A MEETING of the COUNCIL was held in the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU, on THURSDAY, 21ST SEPTEMBER, 2023, at 6.00 pm.

PRESENT:

Chair - Councillor Duncan Anderson

Vice-Chair - Councillor Julie Grace

Mayor - Ros Jones

Deputy Mayor - Councillor Glyn Jones

Councillors Nick Allen, Bob Anderson, Lani-Mae Ball, Nigel Ball, Iris Beech, Glenn Bluff, Laura Bluff, Nigel Cannings, Bev Chapman, James Church, Gemma Cobby, Phil Cole, Jane Cox, Steve Cox, Linda Curran, Aimee Dickson, Susan Durant, Yetunde Elebuibon, Sue Farmer, Sean Gibbons, Martin Greenhalgh, John Healy, Leanne Hempshall, Charlie Hogarth, Mark Houlbrook, Debbie Hutchinson, Richard A Jones, Jake Kearsley, Majid Khan, Jane Kidd, Sue Knowles, Sophie Liu, Tracey Moran, John Mounsey, Emma Muddiman-Rawlins, Tim Needham, David Nevett, Jane Nightingale, Ian Pearson, Cynthia Ransome, Rob Reid, Andrea Robinson, Dave Shaw, Glynis Smith, Sarah Smith, Gary Stapleton and Austen White.

APOLOGIES:

Apologies for absence were received from Councillors Joe Blackham, Rachael Blake, Barry Johnson, Thomas Noon and Andy Pickering.

28 Declarations of Interest, if any

Councillor Jane Kidd declared a Disclosable Pecuniary Interest in relation to Agenda Item 8, Motion submitted by Councillor Leanne Hempshall, in relation to the Disability Employment Charter, by virtue of her working for a disability charity that provided paid for services, such as Disability Confidence Training and reasonable adjustments training, and left the meeting during consideration thereof.

29 Minutes of the Council Meeting held on 13th July, 2023

RESOLVED that the minutes of the Council Meeting held on 13th July, 2023, a copy of which had been circulated to each Member, be agreed as a true record and signed by the Chair of Council.

30 To receive any announcements from the Chair of Council, the Mayor, Members of the Cabinet or the Head of Paid Service

The Mayor of Doncaster, Ros Jones, made the following announcements:-

“I would like to make a brief announcement on our efforts to save and reopen our Airport.

Colleagues, yesterday I took a report to an Extraordinary Cabinet meeting, to update on a wide range of work that has been underway during the last year and critically into 2023, to find a solution to reopening the site which could unlock millions of pounds worth of investment and jobs. I am pleased to say that Cabinet provided their unanimous support to this Council's efforts; for that I thank you. Although there are still hurdles to overcome, we are making progress.

A huge amount of work has been done to get us to this point and I want to place on record, my thanks to all the Council Officers and partners, who have contributed to the project so far. The next step is to obtain an Airport Operator; this procurement exercise will commence on Monday and run through until March, 2024.

Re-opening Doncaster Sheffield Airport is my number one priority. A positive outcome would mean so much to local communities and businesses, and underline our ambition as one of the UK's newest Cities.

We are hopeful that a lease can be secured and look forward to working with interested parties in the reopening of our Airport. We have already initially tested the market for those industry experts who can partner with us to get the Airport reopened as soon as we can. If we get the lease agreed, then reopening the Airport will not happen overnight of course, but it would be a huge step forward.

I do hope that we can share good news soon and continue the journey to reopen our Airport. However, there are still very significant challenges ahead. A lease must first be agreed with the current landowners on acceptable terms. The decision to fully close the Airport, rather than continue aviation operations as we originally proposed, has added significant costs and uncertainty to the reopening process, but we believe we have an exceptional asset that can be the jewel for South Yorkshire."

Councillor Sarah Smith, Cabinet Member for Adult Social Care, made the following announcement:-

"I would like to make a brief announcement about the Choose Kindness movement and its launch this weekend.

Choose Kindness is a City-wide movement that aims to promote acts of kindness and the positive impact that they can have on people, place and planet.

This is not something new, it's actually about building on all the existing positive things that are already happening across the City and making them even stronger.

It is a reminder that we all have the power to make a difference to each other's lives, whether that is a small gesture or getting involved in projects to support others and the environment we live in.

These small gestures can create a chain reaction of kindness and brighten someone's day. They can range from checking up on vulnerable neighbours, particularly during the winter months ahead, to going out into the community and doing voluntary work, through to more formal opportunities such as considering becoming a Foster Carer, all of which contribute strategically to supporting key priority areas across the Council.

The movement started from conversations with Councillor Rachael Blake and community members who wanted to work with others to celebrate all that is good about Doncaster, and their belief that if we all work together, we can ensure everyone in our communities experiences kindness and the difference this makes to everyone in that community. These initial conversations continued and developed, and this movement is a collaboration of stakeholders including residents, volunteers, community partners and Team Doncaster.

This is not a social media campaign for a time limited period, nor is it telling people what to do. It is a movement of individuals with the support of organisations who believe in the power of kindness.

It is important to remember that kindness costs nothing, but the impact it can have is far reaching and impacts on individuals, communities, the wider City and the planet.

Likewise, this movement is not costly to the Council either. There is no standalone budget for the movement. We are making use of resources and incorporating the movement into existing activity. For example, this weekend's launch at Cusworth Hall is working with the Doncaster Voices event that was already taking place.

Partners are also supporting and contributing where appropriate. For example, some Team Doncaster partners have contributed financially to enable Choose Kindness to sponsor the Heart of Doncaster Awards, which is closely aligned to the values of the campaign and celebrates and champions kindness and community spirit.

You will all have been invited to the launch of the movement this Saturday evening at Cusworth Hall, where Choose Kindness will feature as part of the premiere of Doncaster Stories; a collection of more than 20 people sharing their own stories of life in Doncaster. The evening will also feature local voices talking about what kindness means to them, and there will be an opportunity to sign up to the Choose Kindness Pledge.

More information about getting involved and taking the Choose Kindness Pledge can be found on the Your Life Doncaster website.”

Councillor Phil Cole, Cabinet Member for Finance, Traded Services and Planning, made the following announcement:-

“I would like to make a statement concerning this Council’s finances.

Members will be acutely aware of the difficulties facing Councils across the country, with Councils declaring bankruptcy at an unprecedented rate, and Section 114 notices recently issued by Conservative-run Councils, Thurrock and Woking and Labour-run Croydon, Slough and most recently Birmingham. Only last week, we have seen stark warnings from Kirklees, Derbyshire County Council, Kent and York.

The Conservative Council Leader of Derbyshire County Council, Barry Lewis, said ‘We are continuing to lobby the Government for extra funding so that we can continue to run vital services but we also recognise that even more difficult decisions will be needed to be made to try to balance the books’. Derbyshire face a £46million overspend which will wipe out its reserves. Birmingham faced an £87million overspend, prior to their Section 114 notice.

Doncaster is a member of SIGOMA; a group of 47 urban Authorities. SIGOMA reported that one in five of its members are likely to face this situation within the next year.

You may ask what has led so many Councils of differing political colours, to be so close to bankruptcy? The answer lies in three parts.

Core Government funding. As recently as July 2021, the National Audit Office (NAO) used DLUHC's data to estimate that total funding across England was set to fall in real terms by 52.3% between 2010/11 and 2020/21.

The House of Commons Library reported in June, that 'despite an increase in 2023/24, the amount of central grant funding received by Local Authorities has decreased markedly in real terms over the last few years, and that this is mostly consistent across local authorities'.

As has been reported during our Budget process, Doncaster Council has seen its core Government funding reduce by 27% in real terms during this period, compared to an average of 20% for England since 2009/10. That is the equivalent of £340 less per resident. Loss of core funding has ramped up pressure to increase Council Tax, but as this is capped by Government, the Institute for Government estimates that Council spending had fallen in real terms by 31% between 2009/10 and 2021/22.

The loss of core funding from Government is one factor. The second is the impact of inflation, energy prices and pay, which the Local Government Association estimates will add £2.4billion to be found from Local Council budgets in this financial year.

And finally, the pressure to support our most vulnerable residents is ever growing. In 2020/21, we spent 57p in every pound on Children's Services, Adult Social Care, including Public Health; all vital services. This year, that figure will be 67p in every pound of our revenue budget. So the pressures are growing.

Overspends on both Adults and Children's Social Care costs, which significantly exceed budgets, demonstrate the challenge we face. At the end of quarter 1, we have an estimated £4.16m overspend forecast for this year's budget.

The Council will continue to review spending and take active measures to mitigate or offset those pressures, to reduce the forecast year-end overspend. However, I have to advise Council that we face very tough choices, including possible cuts to other services, to prioritise our vital front-line services. There will be no easy choices.

I can advise Council that under the leadership of Mayor Ros Jones, City of Doncaster Council remains a financially well-managed Local Council, delivering important services and providing value for money to residents. Based on current projections, I am pleased to say that we do not envisage issuing a Section 114 notice in the foreseeable future.

However, I cannot stress to Members, the difficult and volatile financial position this Council, and Local Government generally is facing.

I welcome your support as we manage this financial environment."

The Chief Executive, Damian Allen, made the following announcement:-

“As Members may have seen from its circulation on 1st September, the Scheme of Delegations for Executive Functions has recently been updated by Mayor Ros Jones. Under the Council’s Constitution, I am required to report these changes to Full Council.

The latest revisions to the Scheme largely comprise updates to the functions listed under each Director and their respective Assistant Directors, in order to reflect the outcomes from the corporate functional realignment exercise that was undertaken across the Council earlier this year. For example, the Scheme shows that we now have a Chief Executive’s Directorate which incorporates the Public Health and Policy, Insight and Change functions, amongst others.

Alongside this, other Directorate titles and function areas have also been updated.

There have been no significant changes made to the Cabinet Portfolio lists set out in the scheme, other than minor changes to mirror the updates made to the Directorate listings. One other minor change has been made in order to move those functions listed under Community Safety from Councillor Nigel Ball’s Portfolio (Public Health, Communities, Leisure and Culture) to Councillor Joe Blackham’s Portfolio (Highways, Infrastructure and Enforcement).

The updated Scheme of Delegations can be viewed alongside all other parts of the Council’s Constitution on the Council’s website.”

31 Questions from the public in accordance with Council Procedure Rule 13

(a) Question from Mr Martin Butterworth to the Mayor of Doncaster, Ros Jones:-

“City of Doncaster Council’s (CDC) Neighbourhood Response Team is actively challenging offenders who are fishing illegally on the lake at Lakeside. It has amassed a large body of evidence of offences being committed by a considerable number of offenders yet not one of these offenders, including several persistent offenders, has been prosecuted. Will the Mayor instruct CDC’s law officers to ensure that action is taken to prosecute offenders for illegal fishing under CDC’s byelaws and will she also liaise with the Police to prosecute offenders under the Theft Act for theft of CDC’s fishing rights?”

(b) Question from Mr. Kevin Pritchard to the Mayor of Doncaster, Ros Jones:-

“Recent posts in the Bessacarr Lakeside Group garnered circa 200 comments complaining of illegal fishing at Lakeside.

Local residents have spent many hours on the phone reporting to the Council's ASB helpline. Countless more providing video, photographic and written statements to evidence the crimes under Council’s byelaw and provided assurance of eye-witnesses attendance at Court.

There is respected research evidence that shows low level crime, unpunished, leads on to more serious crime.

The Council has made repeated assurances that it will prosecute offenders. When will it do so?”

As the two questions from the members of the public related to the same subject, Ros Jones, the Mayor of Doncaster, provided the following joint response:-

“The standard of evidence required by the Court in order to bring a successful prosecution for breaching the Council’s byelaws at Lakeside is very high. Some previous reports of fishing activity were not sufficiently detailed to sustain a prosecution. We have now received what we consider to be compelling evidence and the Council’s legal team are working with the investigating officers with a view to submitting a prosecution file to Court.

The Council’s Neighbourhood Response and Enforcement teams are aware of these issues and will be monitoring the area carefully for future breaches, and if found, we will look to prosecute other offenders.”

In accordance with Council Procedure Rule 13.10, Mr. Butterworth asked the Mayor of Doncaster, the following supplementary question:-

“My question refers specifically towards liaison with South Yorkshire Police (SYP) about prosecuting offenders under the Theft Act and the CDC fishing rights. I emphasise fishing rights following the theft of fish. The answer I have in front of me does not say whether CDC is liaising with SYP with a view to prosecuting offenders under the Theft Act. Has CDC complained to SYP that its fishing rights are being stolen on a daily basis? Unless it does so, SYP will not be able to intervene to investigate these offences under Schedule 1 of the Theft Act.”

The Mayor of Doncaster, Ros Jones, gave the following reply:-

“I will ensure that we will continue to collaborate with the Police in order to deliver what we can for the residents of our Borough.”

In accordance with Council Procedure Rule 13.10, Mr. Pritchard asked the Mayor of Doncaster, the following supplementary question:-

“Thank you for your response to these questions tonight and what you have done specifically in relation to the Airport. The response makes reference to the Council’s Legal Team working with investigating officers with a view to submitting a prosecution file to Court. However, you are not saying that you will be submitting a prosecution file to Court. Therefore, can we have some assurance that this is definitely going to happen. In addition, do you have a list of suspects?”

On behalf of the Mayor of Doncaster, Ros Jones, the Assistant Director of Legal and Democratic Services, Scott Fawcus, provided assurances that this issue was being progressed. He advised that the Council was in the process of gathering and compiling evidence into a useable form. He gave assurances that the Council was not avoiding or delaying dealing with the issue.

32 Revisions to the Council's Contract Procedure Rules and Financial Procedure Rules

The Council considered a report, which was presented by Councillor Austen White, the Chair of the Audit Committee, which outlined the proposed revisions to the Council's Contract Procedure Rules (CPRs) and the Financial Procedure Rules (FPRs).

It was reported that the overall aim of the revisions was to ensure the CPRs offered best practice contracting opportunities, delivered effective governance and were legislatively compliant. The changes to the FPRs ensured they provided greater clarity to managers, were practical to use and ensured financial decision making was made at the appropriate level. These documents formed part of the Constitution and therefore required approval by Full Council.

Members noted that the Audit Committee considered and endorsed the proposals on the 12th September, and that Members of the Elections and Democratic Structures Committee were also invited to this meeting.

RESOLVED that the proposed revisions to Contract Procedure Rules and Financial Procedure Rules, as outlined within Appendices 1 to 2, be approved and the revised documents be incorporated within the Council's Constitution.

33 To consider the following Motion, written notice of which has been given by Councillor Leanne Hempshall and which was Seconded by Councillor Glynis Smith, in accordance with Council Procedure Rule 16.1

In accordance with Council Procedure Rule 16.1, a Motion was submitted by Councillor Leanne Hempshall and Seconded by Councillor Glynis Smith :-

Disability Employment Charter

"For far too long disabled people have not enjoyed the same employment opportunities as the wider working age population. The employment gap between disabled and non-disabled people has remained persistently large, at approaching 30%, and there is no evidence that significant change is in sight.

The Disability Employment Charter ("the Charter") was launched in October 2021. The purpose of the Charter is to petition the Government to introduce change to level up opportunities for disabled people seeking and in employment. Organisations which sign the Charter are showing support for the introduction of these measures for change.

The Charter outlines nine areas for the UK Government to consider which will improve disabled people's employment outcomes. The actions are set out to provide the Government with a road map for change as it develops the next phases of its National Disability Strategy.

Objectives of the Charter are to increase employment opportunities and job satisfaction for disabled people, reduce disability pay gaps, benefit the taxpayer and support the UK's post-pandemic recovery by providing employers with the widest possible talent pool to address skills shortages.

The measures set out in the Charter align with many of our organisational equality objectives and measures we are already taking as an Authority to support disabled colleagues and if adopted by the Government would further support the Authority to become a more inclusive employer.

To date there is no confirmation about if or when Government will consider the Charter from a national perspective.

The labour market disadvantage disabled people encounter is demonstrated by a large and enduring disability employment gap, and disability gaps in pay, job satisfaction, and work-related well-being.

This charter outlines the action the government needs to take to address the disadvantage disabled people encounter in their working lives.

The Disability Employment Charter was founded by Disability Rights UK, Disability@Work, the University of Warwick, the DFN Charitable Foundation, Leonard Cheshire, Scope, Shaw Trust Foundation, and UNISON.

Over 130 organisations within the public, private and voluntary sectors have become signatories to the Charter. Public sector organisations who have signed up to the Charter include Adur & Worthing Councils, Kent Fire & Rescue Service, Lancashire & South Cumbria NHS Trust and Lancashire Teaching Hospitals.

The Disability Employment Charter - <https://www.disabilityemploymentcharter.org/>

1. Employment and pay gap reporting. The government should: require all employers with 250+ employees to publish data annually on the number of disabled people they employ as a proportion of their workforce; their disability pay gap; and the percentage of disabled employees within each pay quartile.
2. Supporting disabled people into employment. The government should: increase disabled people's access to employment programmes and apprenticeships; increase the scale, quality and awareness of supported employment programmes and supported internships; and increase the provision of tailored careers advice to disabled people.
3. Reform of Access to Work (AtW). The government should: remove the AtW support cap; ensure application/renewal processes are efficient, personalised, and flexible; entitle disabled job-seekers to 'in principle' indicative awards; facilitate passporting of awards between organisations and from Disabled Student's Allowance to AtW; and increase awareness of AtW support.
4. Reform of Disability Confident. The government should: require all employers at Disability Confident Levels 2 and 3 to meet minimum thresholds regarding the percentage of disabled people in their workforce; and remove accreditation from employers that do not move up within 3 years from Level 1 to Levels 2 or 3.
5. Leveraging government procurement. The government should: ensure award decisions for all public sector contracts take into account the percentage of disabled people in the workforce of tendering organisations; require government contractors to work towards a minimum threshold regarding the percentage of

disabled people in their workforce; and take failure to achieve this threshold into account in future contract award decisions.

6. Workplace adjustments. The government should: require employers to notify employees on decisions regarding reasonable adjustment requests within two weeks; make the option to work flexibly from day one the legal default for all jobs; introduce stronger rights to paid disability leave for assessment, rehabilitation and training; and fund an increase in Statutory Sick Pay to the European average.
7. Working with disabled people and their representatives. The government should: require employers to consult and negotiate with disabled people and their representatives on disability equality matters; and provide trade union equality representatives and disability champions with statutory rights to time off to perform their role.
8. Advice and support. The government should: create a 'one stop shop' portal to provide information, advice and guidance to employers on recruiting and retaining disabled people, and to disabled people on their employment rights.
9. National progress on disability employment. The government should: take into account increasing disability prevalence in calculating the disability employment gap, and use the 'prevalence corrected' employment gap measure in monitoring national progress on disability employment.

The City of Doncaster Council therefore Resolves to become a signatory to the Disability Employment Charter and asks the Head of Paid Service and relevant Cabinet Member, to write to Government lobbying to bring in legislation or regulations as part of their Disability Strategy which adopts measures requested in the Charter.”

The Chair afforded all Members the opportunity to speak on the Motion.

A vote was taken which was declared as follows:-

For – 49

Against – 0

Abstain – 0

On being put to the Meeting, the Motion was declared CARRIED.

RESOLVED that Council notes that:-

Disability Employment Charter

For far too long disabled people have not enjoyed the same employment opportunities as the wider working age population. The employment gap between disabled and non-disabled people has remained persistently large, at approaching 30%, and there is no evidence that significant change is in sight.

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The measures set out in the Charter align with many of our organisational equality objectives and measures we are already taking as an Authority to support disabled colleagues and if adopted by the Government would further support the Authority to become a more inclusive employer.

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2. Supporting disabled people into employment. The government should: increase disabled people’s access to employment programmes and

apprenticeships; increase the scale, quality and awareness of supported employment programmes and supported internships; and increase the provision of tailored careers advice to disabled people.

3. Reform of Access to Work (AtW). The government should: remove the AtW support cap; ensure application/renewal processes are efficient, personalised, and flexible; entitle disabled job-seekers to 'in principle' indicative awards; facilitate passporting of awards between organisations and from Disabled Student's Allowance to AtW; and increase awareness of AtW support.
4. Reform of Disability Confident. The government should: require all employers at Disability Confident Levels 2 and 3 to meet minimum thresholds regarding the percentage of disabled people in their workforce; and remove accreditation from employers that do not move up within 3 years from Level 1 to Levels 2 or 3.
5. Leveraging government procurement. The government should: ensure award decisions for all public sector contracts take into account the percentage of disabled people in the workforce of tendering organisations; require government contractors to work towards a minimum threshold regarding the percentage of disabled people in their workforce; and take failure to achieve this threshold into account in future contract award decisions.
6. Workplace adjustments. The government should: require employers to notify employees on decisions regarding reasonable adjustment requests within two weeks; make the option to work flexibly from day one the legal default for all jobs; introduce stronger rights to paid disability leave for assessment, rehabilitation and training; and fund an increase in Statutory Sick Pay to the European average.
7. Working with disabled people and their representatives. The government should: require employers to consult and negotiate with disabled people and their representatives on disability equality matters; and provide trade union equality representatives and disability champions with statutory rights to time off to perform their role.
8. Advice and support. The government should: create a 'one stop shop' portal to provide information, advice and guidance to employers on recruiting and retaining disabled people, and to disabled people on their employment rights.
9. National progress on disability employment. The government should: take into account increasing disability prevalence in calculating the disability employment gap, and use the 'prevalence corrected' employment gap measure in monitoring national progress on disability employment.

RESOLVED that the City of Doncaster Council to become a signatory to the Disability Employment Charter and asks the Head of Paid Service and relevant Cabinet Member, to write to Government lobbying to bring in legislation or regulations as part of their Disability Strategy which adopts measures requested in the Charter.

34 To consider the following Motion, written notice of which has been given by Councillor Glenn Bluff and Seconded by Councillor Cynthia Ransome, in accordance with Council Procedure Rule 16.1

In accordance with Council Procedure Rule 16.1, a Motion was submitted by Councillor Glenn Bluff and Seconded by Councillor Cynthia Ransome:-

HGV Restrictions

“Residents living on the A635 from Hickleton through Marr to Scawsby have suffered for years with air pollution, noise pollution and damage to their conservation areas at the expense of the economic development of Barnsley. The promised bypass has never come. Councillor Cynthia Ransome has spent years campaigning for some relief for the residents held hostage by the traffic and had some success with the introduction of speed cameras in early 2021. But it is not enough. The Council, in its newly released Air Quality Action Plan, recognises the perilous air pollution levels on the A635, passing through Marr and Hickleton. The plan recommends an unfunded bypass and highlights the urgent need to reduce traffic within AQMA (Air Quality Management Areas) as a key performance indicator.

The A635 along the route to the A1 from the City Centre through Scawsby and Cusworth, is an extremely unsuitable single carriageway passing two busy Schools that have many parked cars on the road at pick up time. Recent tragic accidents along the length of the A635, including the fatal injury of a pedestrian struck by an HGV in August this year, highlight a significant concern. The problem lies not just in the speed, now controlled by cameras for much of its length, but in the sheer volume of traffic, in particular HGVs traversing this route causing air and noise pollution, and vibration nuisance to the properties.

The situation extends beyond the protection of residents’ health in places like Hickleton; it is also about preserving the very fabric of the village itself. Hickleton, recognised as a conservation village, is suffering from considerable damage due to excessive noise and vibration from the heavy vehicles using the road. This has led to not only road surface damage, but also harm to the area’s historic buildings. Marr is suffering from similar issues along with Scawsby and Cusworth.

This issue is set to escalate with the planned ES10 development in Goldthorpe. An internal report by the Council’s Principal Pollution Control Officer (Nov 2021) indicates that Hickleton and Marr have been declared AQMAs by Doncaster Council due to excessive nitrogen dioxide concentrations. Any proposal exacerbating this issue or hindering its resolution is unacceptable. The Council’s Principal Pollution Control Officer stated that if it were a Doncaster Council proposal, refusal would be recommended.

If the South Yorkshire Mayoral Authority will not provide a bypass to Doncaster residents despite the available and devolved funds, then Doncaster Council must act to reduce traffic along the A635 by introducing the banning of HGVs. Alternative routes via existing bypasses North of Hickleton and road extensions near South Elmsall leading to the A1 are viable, along with the dual carriageway through Woodlands on the East side. Immediate action is required and I urge this Council Chamber to put aside party politics, and be brave enough to take the action that is

needed. I propose an 18-month experimental Traffic Regulation Order (TRO) that will allow evaluation of a ban on HGVs; an experiment crucial for residents' safety.

Doncaster Council resolves to:-

- commit to developing a workable plan to implement an 18-month experimental Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, effectively banning HGVs from the key residential areas of Hickleton, Marr, Scawsby and Cusworth along the A635;
- commit to developing a workable plan to implement Environmental Weight Restriction Orders (EWROs) to preserve the local areas and protect Hickleton, Marr, Scawsby and Cusworth from the adverse effects of noise, vibration, road surface deterioration, and structural impacts;
- conduct a 12-month consultation to review public comments and decide on a permanent order if public support during the consultation period supersedes any objections; and
- to present the plans for approval to Full Council in 6 months.”

Following the Chair affording Members in the Chamber the opportunity to speak on the Motion, an amendment to the Motion was MOVED by Councillor Sarah Smith and SECONDED by Councillor Phil Cole, as follows:-

“Doncaster Council resolves to:-

- carry out the necessary statutory consultation including with, but not exclusive to the Police, emergency services, public transport operators, Freight Transport Association, National Highways, local residents, Parish Councils, traders and community groups, to explore a Traffic Regulation Order (TRO) for the A635 between Hickleton and Scawsby;
- commit to explore the potential of Environmental Weight Restriction Orders (EWROs) to preserve the local areas and protect Hickleton, Marr, Scawsby and Cusworth from the adverse effects of noise, vibration, road surface deterioration, and structural impacts;
- following the statutory stages of the TRO process and if approved, to carry out a consultation 12 months following its introduction and act as a review on whether to change or remove completely; and
- take the above TRO, subsequent consultations and decision points, through the appropriate governance procedures as and when appropriate.”

In accordance with Council Procedure Rule 18.11(f), the meeting stood adjourned at 6.43 p.m. and reconvened at 6.53 p.m.

A vote was taken on the amendment to the Motion proposed by Councillor Sarah Smith, which was declared as follows:-

For – 50

Against – 0

Abstain – 0

On being put to the meeting, the amendment to the Motion was declared CARRIED.

An amendment to the Substantive Motion was MOVED by Councillor Glenn Bluff and SECONDED by Councillor Steve Cox, that the second recommendation be amended to read as follows:-

- commit to introducing Environmental Weight Restriction Orders (EWROs) to preserve the local areas and protect Hickleton, Marr, Scawsby and Cusworth from the adverse effects of noise, vibration, road surface deterioration, and structural impacts;

A vote was taken on the amendment to the Substantive Motion proposed by Councillor Glenn Bluff, which was declared as follows:-

For – 13

Against – 36

Abstain – 2

On being put to the meeting, the amendment to the Substantive Motion was declared LOST.

Following the Chair affording Members of Council the opportunity to speak further on the Substantive Motion, a vote was taken on the Substantive Motion which was declared as follows:-

For – 51

Against – 0

Abstain – 0

On being put to the Meeting, the Substantive Motion was declared CARRIED.

HGV Restrictions

RESOLVED that the City of Doncaster Council notes that:-

Residents living on the A635 from Hickleton through Marr to Scawsby have suffered for years with air pollution, noise pollution and damage to their conservation areas at the expense of the economic development of Barnsley. The promised bypass has never come. Councillor Cynthia Ransome has spent years campaigning for some relief for the residents held hostage by the traffic and had some success with the introduction of speed cameras in early 2021. But it is not enough. The Council, in its

newly released Air Quality Action Plan, recognises the perilous air pollution levels on the A635, passing through Marr and Hickleton. The plan recommends an unfunded bypass and highlights the urgent need to reduce traffic within AQMA (Air Quality Management Areas) as a key performance indicator.

The A635 along the route to the A1 from the City Centre through Scawsby and Cusworth, is an extremely unsuitable single carriageway passing two busy Schools that have many parked cars on the road at pick up time. Recent tragic accidents along the length of the A635, including the fatal injury of a pedestrian struck by an HGV in August this year, highlight a significant concern. The problem lies not just in the speed, now controlled by cameras for much of its length, but in the sheer volume of traffic, in particular HGVs traversing this route causing air and noise pollution and vibration nuisance to the properties.

The situation extends beyond the protection of residents' health in places like Hickleton; it is also about preserving the very fabric of the village itself. Hickleton, recognised as a conservation village, is suffering from considerable damage due to excessive noise and vibration from the heavy vehicles using the road. This has led to not only road surface damage, but also harm to the area's historic buildings. Marr is suffering from similar issues along with Scawsby and Cusworth.

This issue is set to escalate with the planned ES10 development in Goldthorpe. An internal report by the Council's Principal Pollution Control Officer (Nov 2021) indicates that Hickleton and Marr have been declared AQMAs by Doncaster Council due to excessive nitrogen dioxide concentrations. Any proposal exacerbating this issue or hindering its resolution is unacceptable. The Council's Principal Pollution Control Officer stated that if it were a Doncaster Council proposal, refusal would be recommended.

If the South Yorkshire Mayoral Authority will not provide a bypass to Doncaster residents despite the available and devolved funds, then Doncaster Council must act to reduce traffic along the A635 by introducing the banning of HGVs. Alternative routes via existing bypasses North of Hickleton and road extensions near South Elmsall leading to the A1 are viable, along with the dual carriageway through Woodlands on the East side. Immediate action is required and I urge this Council Chamber to put aside party politics, and be brave enough to take the action that is needed. I propose an 18-month experimental Traffic Regulation Order (TRO) that will allow evaluation of a ban on HGVs; an experiment crucial for residents' safety.

RESOLVED that the City of Doncaster Council:-

- (1) carry out the necessary statutory consultation including with but not exclusive to the Police, emergency services, public transport operators, Freight Transport Association, National Highways, local residents, Parish Councils, traders and community groups, to explore a Traffic Regulation Order (TRO) for the A635 between Hickleton and Scawsby;

- (2) commit to explore the potential of Environmental Weight Restriction Orders (EWROs) to preserve the local areas and protect Hickleton, Marr, Scawsby and Cusworth from the adverse effects of noise, vibration, road surface deterioration, and structural impacts;
- (3) following the statutory stages of the TRO process and if approved, to carry out a consultation 12 months following its introduction and act as a review on whether to change or remove completely; and
- (4) take the above TRO, subsequent consultations and decision points, through the appropriate governance procedures as and when appropriate.

35 Questions by Elected Members in accordance with Council Procedure Rules 15.2 and 15.3

A. Questions on Notice

In accordance with Council Procedure Rule 15.3, the Chair accepted the following questions from Elected Members during “Question Time”:-

(a) From Councillor Jane Cox to Councillor Joe Blackham:-

Q. “Can the Cabinet Member please explain how disabled and elderly are going to navigate 12 inch/30 cm high kerbs on Thorne Road Wheatley. They are dangerous especially as we come to dark nights. How does this stand with the Equalities Act as most kerbs are not above 6 inch/15 cm high. Can he also explain how wildlife such as hedgehogs will be able to safely cross the road as the kerbs are not only 12 inch/30 cm high they are a shape that is concave?”

A. In the absence of Councillor Joe Blackham, the Mayor of Doncaster, Ros Jones, gave the following response:-

“As Councillor Blackham has submitted his apologies for this meeting, I will answer on his behalf.

Generally, we install kerbs with a 125mm upstand to prevent vehicular overrun onto the footway and use drop kerbs to provide access at strategic positions along the route for people and disabled people. Along Thorne Road, we have installed kerbs at a higher level due to the presence of tree roots. However, in order to ensure that we meet our equality obligations, we have made provision for dropped crossings at various points along the section of kerbing to allow for any members of the public with a disability in particular, to be able to safely cross.

There is no legislation that would require the Highway Authority to put in provision for hedgehogs as they do not have a high level of protection unlike bats, grey crested newts and barn owls.

If you require any further information on this, please put it in writing.”

(b) From Councillor Nick Allen to the Mayor of Doncaster, Ros Jones:-

Q. "What are your views on the Government's recent announcement regarding Nitrous Oxide. Do you welcome the ban. I do and I know many Bessacarr Ward residents do too because of the hugely dangerous impact the substance has on people. Do you feel the ban will be easy to enforce and will it help reduce the amount of canisters dumped in Doncaster's parks and green spaces?"

A. The Mayor of Doncaster, Ros Jones, gave the following response:-

"Nitrous Oxide is used as an anaesthetic in medical and dentistry practice, as well as in food production. Often referred to as laughing gas, it is also one of the most commonly used recreational drugs among young people.

Whilst it is rarely associated with addiction issues, the substance abuse of Nitrous Oxide can lead to harmful effects on an individual's health. For example, repeated use in quick succession, can lead to a stroke, as oxygen flow to the brain is heavily restricted.

I fully support the classification of Nitrous Oxide as a class C drug. Under the proposed law change, the unlawful possession of Nitrous Oxide will carry a sentence of up to two years in prison or a large fine. The proposed change in the law still has to go to the House of Lords, before receiving Royal Assent. However, I understand that there is a debate on whether this proposed law change is the best approach to tackling substance misuse.

The Advisory Council on the Misuse of Drugs published their evidenced review of the harms associated with Nitrous Oxide in March 2023, which concluded that Nitrous Oxide should not be subjected to control under the Misuse of Drugs Act 1971, and that the Psychoactive Substances Act 2016, should remain as the appropriate drug legislation. The justification for their position can be found in the review, which I am happy to share outside of this meeting. This review was sent to the Government who have chosen to continue with the proposed classification change of Nitrous Oxide to a class C drug under the Misuse of Drugs Act 1971.

If approved, the enforcement of this law change would be down to South Yorkshire Police. As there is no proposed legislation on how to regulate the proper sale of Nitrous Oxide, I suspect the proposed law change may be difficult to enforce in its current state.

Nitrous Oxide will still be available to purchase online for legitimate reasons such as medicine, dentistry and food production. Unless there is significant legal pressure applied to online retail platforms and social media sites, the sale and distribution of Nitrous Oxide for recreational use will likely continue.

I certainly want to see an end to the canisters being littered, which are a blight to our parks and green spaces. However, to actually be able to enforce this will be very difficult."

B. Questions Without Notice

In accordance with Council Procedure Rule 15.2, the Chair of Council sought questions from Elected Members during Question Time.

A. Questions to the Mayor of Doncaster, Ros Jones

Q. Councillor David Nevett asked the following question:-

“I would like to ask the Mayor about the bus service we used to get and the shambles it has become recently in Kirk Sandall, Edenthorpe and elsewhere. Several residents are asking questions of me and the Council about bus travel on First buses. A resident contacted me. Their child could not get on the bus to School as it was full. Two days in four, this resident had to drive their child to School. I am sure this is not just a problem in my Ward Edenthorpe and Kirk Sandall. The frequency and availability have reduced, and the timetable is not available, I am told. Together with road closures in my area, a bad situation has substantially led to reduced availability. Why are these cuts to services so severe. How has it happened and who can make improvements to give our residents a service to get them to where they need to be when they need to be there. Councillors used to hold these companies to account on the Transport Authority, but that avenue has disappeared. How can we get back to a service, not a few buses occasionally?”

A. The Mayor of Doncaster, Ros Jones, gave the following response:-

“Thank you for your question, Councillor Nevett. I would suggest you direct your queries and constituents to Oliver Coppard, the Mayor of South Yorkshire and the Passenger Transport Executive. I am aware that Mayor Coppard is holding meetings throughout South Yorkshire and also here in Doncaster.

It is however up to bus companies to decide on bus routes, frequency and fare prices.

South Yorkshire Mayoral Combined Authority is providing significant subsidies in order to protect some of the bus routes that faced the axe. This public subsidy is not sustainable.

Government needs to provide significant investment for the bus network in South Yorkshire. Boris Johnson, as Prime Minister, promised to ‘Bus Back Better’ and to bring about London-style bus networks across the country as part of his ‘Levelling-Up’ agenda. We are still waiting for this investment. But monies put into public transport can only do good and get people out of the cars, using good, clean, public transport.”

Q. Councillor Jane Cox asked the following question:-

“On Bank Holiday Monday, I went to a new bar in Doncaster City Centre with some friends and family. We were there from 4.00pm in

the afternoon to about 6.00pm in the evening. In this time, we saw drug dealing, drug taking, what we believe was fencing of stolen goods and begging. People entered the bar asking us for money and cigarettes. We saw no one in authority enter the City Centre; neither the Police nor an Officer from Doncaster Council. Does the Mayor think this is acceptable and why do we expect people to go into the Town when this is what they are subjected to?"

A. The Mayor of Doncaster, Ros Jones, gave the following response:-

"We will continue to work with the Police and have been informed that the Police will have additional resources in October. None of this is acceptable, but we continue to work and ensure that we have a service that wraps around with people with chaotic lives. We all want to see this removed, but this is not only in Doncaster City Centre, you see the same issues throughout the country. We will continue to strive to avoid this happening when people go out and get people from their chaotic lives into a better life."

In accordance with Council Procedure Rule 15.7, Councillor Jane Cox asked the following supplementary question:-

Q. "I completely understand that it is a nationwide problem, but I live in Doncaster and I want to support businesses in Doncaster. The bar we went to was opened by a neighbour who we were supporting, and he has invested a lot of money in our Town Centre. It is not fair what they are up against?"

A. The Mayor of Doncaster, Ros Jones, gave the following response:-

"I live in Doncaster. As I have said, we will seek to ensure that we get the additional Police and undertake proper patrols. Because it is in partnership that we will overcome this. But let's be honest, this will not go away overnight. We will have to continue to work and strive to get people out of their chaotic lifestyle into proper modes of working."

Q. Councillor Nick Allen asked the following question:-

"Could the charges that are levelled on certain Lakeside residents for the administration and maintenance of the Lake, be amended in the future to include an itemised breakdown of costs. It has been brought to my attention that a resident has received 3 years of bills recently, at the same time. They have disputed it and it is being investigated. It seems that there are two areas of the Lakeside where it is not clear how they are being administered by the Council. It could be made clearer?"

A. The Mayor of Doncaster, Ros Jones, gave the following response:-

"I support that people should know what they are paying for and itemised bills will be provided where we have that information."

B. Questions to the Deputy Mayor, Councillor Glyn Jones, Cabinet Member for Housing and Business

Q. Councillor Nick Allen asked the following question:-

“I know that we have all become aware of correspondence, either copied into or received directly, or have been privy to as Members, from a certain individual who emails the Council frequently about his experiences of racism in Doncaster. I did ask his permission before asking this question and I do not intend to name him. I have not been copied into any answers to any of his emails and therefore, assume that his correspondence remains ignored. Given the nature of certain aspects of the disclosures and certain allegations he has made, would you be willing to look at them in a more detailed way, respond and investigate certain allegations particularly regarding Doncaster’s recruitment policies and practices. I feel that if you were to investigate them, maybe his allegations would bring to light certain aspects of what he is saying and therefore, he might not see the need to email as frequently?”

A. The Deputy Mayor, Councillor Glyn Jones, gave the following response:-

“We always tackle issues around racism, because that is not acceptable. If that is found to be part of our recruitment processes and practices, which I am sure it is not because we have looked at this before, it will be tackled at the right time, at the right Committee and by the right people. I am sure that does not happen currently with our procedures. I would need more information from you Councillor Allen, in relation to the issues that you are raising, but it is something that I personally find abhorrent. There is nobody probably done more, over the last 20 years, to fight for the equalities agenda to move that agenda forward. I do find it alarming that these allegations are made and that they are not followed up at the right time; I am sure that they are.

I think I know the individual you are talking about and believe that individual has regular meetings with the Chief Executive and has a Specific Point of Contact (SPOC). Other than that, I do not really know where we can take it further, but I find it personally abhorrent. It is one of those issues that we have to tackle and face, and that goes across all issues whether it is race, gender, sexuality, disability, age, sexual orientation, gender re-assignment, religion, pregnancy and maternity. It cuts the entire spectrum.”

In accordance with Council Procedure Rule 15.7, Councillor Nick Allen asked the following supplementary question:-

Q. “Do you believe then that the SPOC Policy is being applied appropriately in relation to this type of issue or if you are not willing to comment, obviously, you do not have to. I personally do not feel that the SPOC Policy is an appropriate route to go down and I advocate that on behalf of the individual.”

A. The Chief Executive, Damian Allen, gave the following response:-

“In terms of whether we think that it is an appropriate route, there is a long history involving the individual in question. With regards to the substance and the nature of the points raised, they are all taken into account and there is regular correspondence and engagement; where new issues are raised, they are responded to. The rationale behind the SPOC is very clear and with regard to the application of it, and the purpose for its use, I am confident and comfortable that it is applied in the right way. There is a review process and that will take place in November on the annual anniversary.”

C. Questions to Councillor Lani-Mae Ball, Cabinet Member for Early Help, Education, Skills and Young People

There were no questions put to Councillor Lani-Mae Ball, Cabinet Member for Early Help, Education, Skills and Young People.

D. Questions to Councillor Nigel Ball, Cabinet Member for Public Health, Communities, Leisure and Culture

Q. Councillor Cynthia Ransome asked the following question:-

“Could the Cabinet Member please say why Doncaster was one of the few Authorities that did not sign up to the national reading challenge this year. Is this going to be future policy and will the Public be informed?”

A. Councillor Nigel Ball gave the following response:-

“There are a number of opportunities and initiatives that Local Authorities can sign up to and the National Reading Challenge is one of them. Doncaster Council, over the last 2 or 3 years through its Heritage Services and its Libraries, have signed up to a different type of initiative. It is similar, but it is different in the sense that it is aimed to widen literacy and reading in other areas. I am happy to send you the details of the initiative; we have got a reading challenge, but it is not the same as the national one.”

In accordance with Council Procedure Rule 15.7, Councillor Cynthia Ransome asked the following supplementary question:-

Q. “Regarding the Libraries, which is my concern, the residents who have tried to access the National Reading Challenge were told that this Authority was not taking part. Will the Libraries be informed that the Council is not taking part in this and what new initiative is it taking part in?”

A. Councillor Nigel Ball gave the following response:-

“There is an initiative in place and it is run through our Community and Branch Libraries, and the main Library, DGLAM. It is a different initiative to the National Reading Challenge. What I can do is send you

the details about it. It is aimed at improving literacy particularly with young people and children. If you are telling me that individuals visiting the library are not aware of that, that is clearly a problem and I will feed that back to the Library Service.”

E. Questions to Councillor Joe Blackham, Cabinet Member for Highways, Infrastructure and Enforcement

In the absence of Councillor Joe Blackham, Cabinet Member for Highways, Infrastructure and Enforcement, Members were asked to submit their questions in writing to the Executive Office and a written response would be provided.

F. Questions to Councillor Rachael Blake, Cabinet Member for Children’s Social Care and Equalities

In the absence of Councillor Rachael Blake, Cabinet Member for Children’s Social Care and Equalities, Members were asked to submit their questions in writing to the Executive Office and a written response would be provided.

G. Questions to Councillor Phil Cole, Cabinet Member for Finance, Traded Services and Planning

Q. Councillor Glen Bluff asked the following question:-

“Some time ago, planning was passed for a development at Harlington, in the Parish of Barnburgh and Harlington. Councillor Cynthia Ransome and I, and the Parish Council, have expressed anger towards not being consulted on the Section 106 funding being spent within the Parish; they are being spent within Denaby Ings, which is not within the Parish of Harlington or Barnburgh, and not even within our Ward. The Parish Council has made repeated requests for details of who and why it was decided the funding was to be spent on Denaby Ings, with a loss of amenity being in Harlington! Can you reassure us and the Parish Council, that we will receive a reply?”

A. Councillor Phil Cole gave the following response:-

“I am not familiar with the situation you are describing. The decisions relating to any Planning Permission are taken by the Planning Committee in its quasi-judicial role, independent of any wider policies that the Council has. If you let me know the specific Application, I will check the details of the Application and provide you with a written reply.”

H. Questions to Councillor Mark Houlbrook, Cabinet Member for Sustainability and Waste

There were no questions put to Councillor Mark Houlbrook, Cabinet Member for Sustainability and Waste.

I. Questions to Councillor Jane Nightingale, Cabinet Member for Corporate Resources

There were no questions put to Councillor Jane Nightingale, Cabinet Member for Corporate Resources.

J. Questions to Councillor Sarah Smith, Cabinet Member for Adult Social Care

There were no questions put to Councillor Sarah Smith, Cabinet Member for Adult Social Care.

K. Questions to Councillor Austen White, Chair of the Audit Committee

There were no questions put to Councillor Austen White, Chair of the Audit Committee.

L. Questions to Councillor Julie Grace, Chair of the Elections and Democratic Structures Committee

There were no questions put to Councillor Julie Grace, Chair of the Elections and Democratic Structures Committee.

M. Questions to Councillor Rachael Blake, Chair of the Health and Wellbeing Board

In the absence of Councillor Rachael Blake, Chair of the Health and Wellbeing Board, Members were asked to submit their questions in writing to the Executive Office and a written response would be provided.

N. Questions to Councillor Jane Kidd, Chair of the Overview and Scrutiny Management Committee

There were no questions put to Councillor Jane Kidd, Chair of the Overview and Scrutiny Management Committee.

36 Approval of Councillor Absence

The Council considered a report which requested Members to note the action taken by the Monitoring Officer, acting under delegated authority, in approving the request from Councillor Rob Reid for an extension of absence from attendance at meetings due to ill health.

Members noted that Section 85 of the Local Government Act 1972, provided that if a Member of a Local Authority failed to attend any meeting of the Authority throughout a period of six consecutive months, they would cease to be a Member of the Council, unless the failure was due to some reason approved by the Authority before the expiry of that period. At its meeting on 27th November, 2014, Council granted the Monitoring Officer delegated authority to approve extended periods of absence for Members.

The report outlined that due to ill health resulting in surgery in May 2023 and a period of recuperation, Councillor Rob Reid had been unable to attend meetings.

RESOLVED that the action taken by the Monitoring Officer in accordance with Section 85 of the Local Government Act 1972, in approving an extension of absence from attendance at meetings due to ill health, for Councillor Rob Reid, be noted.

37 To receive the minutes of the following Joint Authorities

RESOLVED that the minutes of the following Joint Authorities meetings be noted:-

- A. South Yorkshire Mayoral Combined Authority Board held on 31st July, 2023.
- B. South Yorkshire Mayoral Combined Authority Local Enterprise Partnership Board held on 13th July, 2023.
- C. South Yorkshire Fire and Rescue Authority held on 19th June (Annual) 19th June (Ordinary) and 24th July, 2023.
- D. South Yorkshire Pensions Authority held on 8th June, 2023.
- E. South Yorkshire Police and Crime Panel held on 12th June (Annual) and 17th July, 2023.
- F. Team Doncaster Strategic Partnership held on 14th March, 2023.

CHAIR: _____

DATE: _____