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Our ref: DT/CL
Your ref:

Date: 14th August 2013

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be held in the **Council Chamber**, on **Thursday, 22 August 2013 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Watson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Mrs. Brown, Ford, Mrs. Hall, Mrs. Patten and Stanton.

Labour Group

Councillors Chahal, Frost, Mulgrew, Stuart, Taylor and Tilley.



AGENDA

Open to Public and Press

- 1** Apologies.
- 2** To confirm the Open Minutes of the Meeting of the Committee held on 6th June 2013
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** Reports of Overview and Scrutiny Committee
- 7** Corporate Plan 2009 - 14: Performance Mangement Report (1st April - 30th June 2013) **5 - 14**
- 8** Kerbside Recycling Scheme Implementaion **15 - 23**
- 9** Charges for Environmental Information **24 - 25**
- 10** Community Infrastructure Levy **26 - 30**
- 11** Draft Local Plan Part 1 Committee Report **31 - 39**
- 12** Melbourne Conservation Area **40 - 44**
- 13** Work Programme **45 - 47**

Exclusion of the Public and Press:

14 The Chairman may therefore move:-

That in accordance with Section 100 (A) of the Local Government Act 1972 the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

15 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.



REPORT TO:	Environmental & Development Services Committee	AGENDA ITEM: 7
DATE OF MEETING:	22 August 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Community & Planning Services / Director of Housing & Environmental Services / Chief Executive	OPEN
MEMBERS' CONTACT POINT:	Stuart Batchelor (ext. 5820) Bob Ledger (ext. 5775) Frank McArdle (ext 5700)	DOC:
SUBJECT:	Corporate Plan 2009-14: Performance Management Report (1 April – 30 June 2013)	REF:
WARD (S) AFFECTED:	All	TERMS OF REFERENCE: EDS

1.0 Recommendations

1.1 That Members:

- (a) Note the progress and achievements during the period 1 April to 30 June 2013, in relation to the Council's Corporate Plan 2009/14.
- (b) Review where progress has failed to achieve the specified target and consider the adequacy of the remedial action taken.

2.0 Purpose of Report

- 2.1 To report details of progress and achievements during the period 1 April to 30 June 2013, in relation to the Council's Corporate Plan 2009 –2014.
- 2.2 Details are provided in the respective appendices outlined below, which are attached to this report.
 - Progress against Corporate Plan 'Key Projects' as attached at Appendix A; and,
 - Progress against Corporate Plan 'Performance Measures' as attached at Appendix B.

3.0 Detail

Executive Summary

It is important that Members scrutinise the performance of the Council as part of the democratic process. This report reflects the first quarter's performance on the key targets the Council has set and approved.

Corporate Plan 2009/14

- 3.1 To provide context the Council's Corporate Plan 2009-14 Action Plan consists of four main 'themes' or 'priorities' (*Sustainable Growth & Opportunity: Safe & Secure: Lifestyle Choices: and Value For Money*).
- 3.2 In March 2013, the Corporate Plan was refreshed along the current themes, with an emphasis being placed on 'how our actions' will make a difference to our residents and stakeholders. In order to focus our actions, performance will be measured against a reduced number of actions or 'key projects' and performance measures.
- 3.3 Each 'theme' contains a number of 'outcomes' that help explain what the 'theme' is about. In order that the Council and its stakeholders are able to tell whether the 'outcomes' are being delivered, a number of 'key projects' (with a series of 'tasks/ milestones') and performance measures have been allocated to each 'outcome' that will be monitored either on a quarterly or annual basis.
- 3.4 This Committee is responsible for the delivery of 3 'outcomes' [*Developing economic and employment opportunities within the District; increasing recycling resulting in less waste being sent to landfill; and, sustainable planning*] within the '**Sustainable Growth & Opportunity**' theme.

Progress to 30 June 2013

'Key Projects'

- 3.5 Table 1 below; summarises the progress made against 'key projects.' It shows that 4 (100.0%) tasks for the quarter have been completed.

Table 1: Progress against Corporate Plan Projects (as at 30 June 2013)

Theme	'Completed' Tasks	'Failed' Tasks	'Not Applicable'	Total
Sustainable Growth & Opportunity	6 (85.7%)	1 (14.4%)	0	74 (100%)

- 3.6 Those tasks that have not been completed and the remedial action taken are summarised in Table 2 below.

Table 2: Corporate Plan – Key Projects– 'Failed' Tasks (as at 30 June 2013)

Project	Task 'not completed'	Remedial Action
GP 05 - Revise and progress the delivery of the Contaminated Land Inspection Strategy	GP 05.1 - Open revised Strategy for consultation, prior to seeking Committee endorsement	Draft Strategy produced accounting for the revised statutory guidance. Consultations have commenced with other local authorities about a comprehensive change in the format of the strategy.

- 3.6 Table 3 below, provides a summary of performance against targets for both the current quarter and projected out turn for the year. It shows that one (33.3%) quarterly target has been 'achieved'. No targets have been set for any of the proxy' measures. It is also predicted that 2 (50%) targets are 'on track' for the year end.

Table 3: Performance Measures – performance against targets (as at 30 June 2013)

Theme	Quarter Target			Total	Projected Annual Target		
	'Achieved'	'Failed'	'N/a' / Proxy ^{Note 1}		'On Track'	'At Risk'	'Proxy' ^{Note 1}
Sustainable Growth & Opportunity	1 (33.3%)	2 (66.7%)	8	11 (100%)	2 (50.0%)	2 (50.0%)	6

Note 1 Proxy Measures are outside the Council's direct control but provide an indication of the 'overall health of the district' For instance: A Council Strategy to 'improve employment opportunities in the area' may have an impact on the local unemployment rate

- 3.7 Table 4 below, summarises both the quarterly targets that have 'not been met' and where the projected annual target maybe 'at risk' of failure. Brief comments and remedial action taken is also provided.

Table 4: Performance Measures - targets 'at risk' of failure (as at 30 June 2013)

Description	Qtr 1 Target	Qtr 1 Actual	Comments and Planned Remedial Action
GM 05 – Residual waste per household (kgs)	125	137.94	Positive changes anticipated following the commencement of the new kerbside scheme
GM 06 – Proportion of household waste recycled and composted	51.22%	48.00%	As above.

Managing Risks

- 3.8 The Council has a comprehensive risk register, which details all known service risks, control mechanisms and review dates. Table 4 overleaf outlines the main risks across the Sustainable Growth & Opportunity theme of the Corporate Plan.

Table 4: Managing Risks

Risk Description	Likelihood	Impact	Mitigating Action
Judicial review & appeals against Planning decisions - criticism, time and cost of having to defend our position, possible costs awarded against the Council.	Treat the Risk	Medium	Quarterly review of procedures to provide early identification of high-risk cases, counsel opinion sought when necessary. Ongoing review of new statutory procedures, continued advice from counsel when required.
Failure of Sharpe's Pottery Museum - closure of facility (including the T.I.C.).	Tolerate the Risk	Low	Councillor representation on Board. Attendance at Board meetings by Officers.
Failure of tourism partnership - loss of service to potential visitors to the area. Adverse impact on businesses in local visitor economy. Adverse publicity and loss of standing with partners. Grants may need to be repaid.	Treat the Risk	Low	Regular review of activities and agreements. Ongoing monitoring of agreements.
Suitability of house waste for composting	Treat the risk	Low	Keep abreast of ongoing national discussions and maintain relations with partner contractors.
Increase in fuel costs resulting in budget overspend	Tolerate the risk	Low	Ensure routes are fully optimised Monthly monitoring and reporting of actual spend against budget.

Service Area Commentary

- 3.9 To assist Members in their assessment of progress made, the Lead Officer for each of the performance measures has provided some supplementary information on how the performance measures are supporting the delivery of the outcomes.
- 3.10 Within Community and Planning, Town Centre and National Forest wide events have been staged with great success and popularity.
- 3.11 The first quarter targets for both household waste recycled and residual waste per household were not hit. This was largely due to the cold weather and late spring affecting both the growth rates and the tonnage collected through the compost scheme.
- 3.12 The arrangements for the implementation of the new kerbside recycling scheme are progressing well. The Direct Services team is working closely with the contractor. The revised recycling and composting scheme is scheduled to commence in October 2013.

4.0 Financial Implications

- 4.1 There are no specific financial implications relating to this report. The need to continually improve whilst delivering the ambitions of the *Corporate Plan* will require a sustained efficiency programme, including the shifting of resources to the priority areas.

5.0 Corporate Implications

- 5.1 The Council aspires to be an “excellent” Council in order to deliver the service expectations of our communities.
- 5.2 This performance report evidences an improvement in how we are meeting those demands and expectations.
- 5.3 This report has no implications in respect of meeting the Public Sector Equality Duty of the Equalities Act 2010.

6.0 Conclusions

- 6.1 A high level of performance and improvements has delivered a range of outcomes for local communities.
- 6.2 This performance report evidences significant improvement in how the Council is meeting demands and expectations.

GP 01 - Enhance the vitality of the district's town centres			
Quarter	Task	Progress	Status
1	GP 01.1 - 3 Events Supported	Three Farmers' Markets staged, plus Farmers' Market marquee at Festival of Leisure. 'Love Your Market' initiative supported to encourage new traders. Swadlincote Festival of Transport held in the town centre attracting thousands.	Achieved
2	GP 01.2 - 3 Events Supported		
3	GP 01.3 - 3 Events Supported		
4	GP 01.4 - 3 Events Supported		

GP 02 - Deliver The National Forest Tourism Partnership Action Plan			
Quarter	Task	Progress	Status
1	GP 02.1- 1 Event Supported, 1 Edition 'What's On'	National Forest Walking Festival 2013 staged with record number of participants. Promotion of the area at events, including the Derbyshire Food & Drink Fair at Elvaston and South Derbyshire Day at Pride Park. What's On Summer & Autumn 2013 published. 20,154 enquiries handled by Tourist Information Centre.	Achieved
2	GP 02.2- 1 Event Supported		
3	GP 02.3 - 1 Edition 'What's On', 1 Visitor Guide Published		
4	GP 02.4 - 1 Edition 'What's On'		

GP 03 - Promote inward investment and business development			
Quarter	Task	Progress	Status
1	GP 03.1 - 1 Event Supported, 1 Publication Prepared	Youth Training Fair staged at Town Hall/on The Delph attracted around 100 young people seeking employment or training. Preparation of Vacant Commercial Property Bulletin underway.	Achieved
2	GP 03.2 - 1 Publication Prepared		
3	GP 03.3 - 1 Event Supported, 1 Publication Prepared		
4	GP 03.4 - 1 Publication Prepared		

GP 04 - Develop the opportunities for increasing the range of materials recycled through the re-tendering exercise			
Quarter	Task	Progress	Status
1	GP 04.1 - Prepare new process	Tendering process complete. Contract awarded to include increased range of materials for recycling	Achieved
2	GP 04.2 -Prepare new arrangement		
3	GP 04.3 -Introduce new arrangement		
4	GP 04.4 -Monitor arrangement		

GP 05 - Revise and progress the delivery of the Contaminated Land Inspection Strategy			
Quarter	Task	Progress	Status
1	GP 05.1 - Open revised Strategy for consultation, prior to seeking Committee endorsement	Draft Strategy produced accounting for the revised statutory guidance. Consultations have commenced with other local authorities about a comprehensive change in the format of the strategy.	Fail
2	GP 05.2 - Progress GIS development work. Prioritization data update and verification		
3	GP 05.3- Progress GIS development work. Build / Develop Part 2A GIS layer via capital investment in FME software to enable effective delivery of determination process		
4	GP 05.4 - Establish performance reporting framework based on remediation process via Part 2A layer		

GP 06 - Progress the Planning Core Strategy as part of the District's Local Development Framework (LDF)			
Quarter	Task	Progress	Status
1	GP 06.1 - Review the comments from the Preferred Growth Strategy and update Housing requirement	Consultation feedback completed. Initial housing numbers confirmed. Further Census figure release updated housing numbers but yet to be confirmed.	Achieved
2	GP 06.2 - Publish the Draft Local Plan		
3	GP 06.3 - Local Plan Examination in public by Planning Inspectorate		
4	GP 06.4 - Adoption of Local Plan		

GP 07 - Support communities in neighbourhood planning,			
Quarter	Task	Progress	Status
1	GP 07.1 - Establish funding and capacity support for Neighbourhood areas.	Government funding identified as being available for the support of Plans	Achieved
2	GP 07.2 - Approve process for providing support for Neighbourhood Plans.		
3	GP 07.3 - Promote process to Parishes and Neighbourhoods.		
4	GP 07.4 - Support Interested Communities.		

Outcome	Measure	Actual / Out turn 2012/13	Target Quarter 1 2013/14	Actual Quarter 1 2013/14	Quarter Status	Annual Target 2013/14	Predicted Out turn 2013/14	Predicted Status	Comments/ Remedial Action
GO 1 - Developing economic and employment opportunities	GM 01- Total Visitor Spend (£ million) (Proxy measure)	£163	n/a	n/a	Proxy	£163	n/a	Proxy	
	GM 02 -Total Number of Visitors (million) (Proxy measure)	4.0	n/a	n/a	Proxy	4.0	n/a	Proxy	
	GM 03 -Total Rateable Value of business premises (£ million) (Proxy measure)	£56	n/a	n/a	Proxy	n/a	n/a	Proxy	
	GM 04 -Unemployment Rate (Proxy measure)	2.30%	n/a	1.80%	Proxy	n/a	n/a	Proxy	
GO 2 - Increasing recycling resulting in less waste being land filled	GM 05 -Residual waste per household (Kgs)	527.00	125.00	137.94	Red	510.00	527.00	Red	Positive changes anticipated following the commencement of the new kerbside scheme.
	GM 06 - Proportion of household waste recycled and composted	45.00%	51.22%	48.00%	Red	50.00%	48.00%	Red	As above
GO 3 - Sustainable Planning	GM 07 - Net additional commercial / employment floor space created (Proxy measure)	4,555.00	n/a	n/a	Proxy	n/a	n/a	Proxy	
	GM 08 - Net additional homes provided (Proxy measure)	281	n/a	n/a	Proxy	n/a	n/a	Proxy	
	GM 09 - Speed of Planning applications	86.80%	85.00%	87.67%	Green	85.00%	85.00%	Green	

Outcome	Measure	Actual / Out turn 2012/13	Target Quarter 1 2013/14	Actual Quarter 1 2013/14	Quarter Status	Annual Target 2013/14	Predicted Out turn 2013/14	Predicted Status	Comments/ Remedial Action
	GM 10 - Proportion of 'Quality' development schemes delivered	100.00%	n/a	n/a	Grey	90.00%	90.0%	Green	
	GM 11 - Satisfaction with the planning application process	96.00%	n/a	n/a	Grey	80.00%	n/a	Grey	

DRAFT

REPORT TO:	Environmental and Development Services Committee	AGENDA ITEM: 8
DATE OF MEETING:	22nd August 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Housing & Environmental Services	OPEN
MEMBERS' CONTACT POINT:	Adrian Lowery, Direct Services Manager, 01283 595764, adrian.lowery@south-derbys.gov.uk	DOC:
SUBJECT:	Kerbside Recycling Scheme Implementation	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 08

1.0 Recommendation

- 1.1 That Committee approves the progress and actions to be taken on the implementation of the new kerbside recycling scheme, which is to be known as the 'easy green recycling scheme'.

2.0 Purpose of Report

- 2.1 To inform and seek approval from the Committee of the programme for implementing the new kerbside recycling scheme and the progress made to date.

3.0 Detail

- 3.1 Members agreed at previous EDS and F&M Committees (held 20th December 2012) to award the new kerbside recycling contract to Palm Recycling Limited. The contract collections are now scheduled to begin on the 7th October 2013 with a contract end date of 6th October 2021.
- 3.2 Project Management – the Council and Palm have each identified three key individuals who have formed a Mobilisation Team. Fortnightly meetings of the team have been diarised for the pre and post implementation period. This team has agreed the project implementation plan. Other employees are being utilised as necessary.
- 3.3 Implementation Schedule – An overview and directions meeting of more senior officers is taking place fortnightly between SDDC and Palm Recycling to ensure that the implementation runs smoothly. Meetings with

the bin supplier and delivery company have also taken place. The following covers the key milestones of the implementation schedule.

- Pre Bin delivery publicity – a leaflet was delivered to every household from week commencing 8th August 2013.
- Publicity Roadshows – 11 roadshows are scheduled to be held across the district, between 12th August and the 23rd August giving residents the opportunity to find out about the ‘easy green recycling scheme’.
- The new bins will be delivered to households week commencing 26th August over a four week period.
- Collections for the new scheme will commence on 7th October.
- A review of ‘recycling centres/bring-to’ sites will be undertaken in January 2014, with a view to making budget savings, as identified in the reports to both EDS and F&M Committees on 20th December 2012

- 3.4 Containers – Bins, Caddies and Sacks - In order to undertake the collections SDDC have procured 42,000 green, 240 litre wheeled bins and inner caddies at a cost of over £1,000,000. Derbyshire County Council has agreed to contribute £200,000 towards this cost. Householders have now received a leaflet advising them that they will shortly be receiving a new bin and caddy. There will be a further information leaflet delivered with the bin which will include a collection calendar. Whilst there are no operational changes for textile collections (as this will continue to be a sack collection) new red sacks will be delivered with the bins to every household.
- 3.5 Vehicles – The service will be undertaken utilising 4 x 26 tonne split body refuse wagons. Whilst these look almost identical to normal refuse wagons they will have specific livery. The vehicles are being procured by the collection contractor and may not be available for the commencement of the contract. Assurances have been secured from the contractor that sufficient hire vehicles will be in place to allow for collections to commence on the 7th October. If the permanent vehicles are not available at the commencement date it will only be a few weeks before they are ready.
- 3.6 Human Resources – There are no internal human resource issues. Council officers have gained assurances from the contractor that all the local individuals employed on the current collection scheme will be retained for the new collection contract. There will be a need to train these employees on the new vehicles and systems; this will take place during September. In order to ensure the contractor’s workforce is aware of the important role they will be playing in the delivery of a major Council project, the Direct Services Manager will be undertaking a presentation to contractor staff.
- 3.7 Transfer Station – The contractor will continue to use the Ensor site at Woodville as a transfer station; the daily loads will be delivered here and

bulked up for transportation onto reprocessing facilities. There are some layout changes and adaptations needed at the site and an extension to the current Environmental permit, this process is on schedule to be completed in September. Should there be any delay in the site being ready for October the contractor will utilise their Coventry plant on a temporary basis.

- 3.8 Health & Safety – The main health & safety issue is the need to have route specific risk assessments; this is considered by the Health & Safety Executive to be good practice. The contractor has submitted provisional routes to the Council for initial comment. Once routes have been finalised then route risk assessments can be completed. The contractor has been advised that these must be in place prior to commencement of collections. Separately it has been identified by the in-house team that our brown bin rounds need to be reviewed as analysis has showed they can be structured more efficiently. The aim is to restructure the brown bin collections so that both the brown bin and green bin will be collected on the same day and week as each other.
- 3.9 Frequently Asked Questions – with the introduction of a new scheme there are always a number of issues and questions which are frequently raised by the public. Officers have developed a list of these questions with the appropriate standard answers, see appendix A. Questions 1 - 13 along with the answers will be reproduced on our website. The remaining questions and answers will form the script for customer services staff who deal with specific issue related individual circumstances.

4.0 Financial Implications

- 4.1 Financial implications for the scheme were considered by the F&M and EDS committees in 20th December 2012. The total investment by SDDC for the eight year contract will be over £7m. This is a significant investment in recycling services.
- 4.2 It has always been envisaged that some of the additional costs of the increased recycling offer would be offset by a significant reduction in the number of 'bring-to' sites. See section 6 below for further detail.

5.0 Corporate Implications

- 5.1 The new scheme will deliver on the Corporate theme of Sustainable Growth & Opportunity; G 1 Strengthen South Derbyshire's economic position within a 'clean' and 'sustainable' environment. The long term outcome will deliver GO 2 by increasing recycling resulting in less waste being sent to land fill.

- 5.2 The key project; GP 04 Develop the opportunities for increasing the range of materials recycled through the re-tendering exercise, has been met by the inclusion of plastics and cardboard in the new scheme.
- 5.3 The success of the scheme will be measured through the following two corporate performance indicators.
- GM 05 Residual household waste per head of population.
 - GM 06 Proportion of Household waste recycled and composted.
- 5.4 Legal implications – The contract documentation has been agreed and is awaiting formal signature and sealing. This will be completed prior to the official contract start date of the 7th October 2013.
- 5.5 Employment Implications – There are no direct employment issues to consider. However, officers have been given assurances that locally employed people on the current contract will be retained by the contractor for the new scheme.
- 5.6 Communication Issues – Waste & Cleansing team are in close liaison with the Policy and Communications team and the following communication tools will be utilised.
- Press – The Policy and Communications team have been informed of the key milestones of the project to allow press releases to be planned in. An initial press release to raise awareness of scheme was issued on the 19th July. The Policy and Communications team will send out releases approximately twice a month in the run up to the implementation. Arrangements will be made for two photo calls – one for when the bins are delivered in late August and one on the go live date in October.
 - Social Media – Regular tweets will be sent out by the Policy and Communications team based around the key milestones. A single contact point in Waste and Cleansing Services will deal with any queries.
 - Web – A specific page as been developed for the website, which will contain general information and frequently asked questions and answers, see appendix A. Video – A video for use on You Tube and other visual media is being developed in conjunction with Derbyshire County Council.
 - Radio Campaign – a separate £10k budget has been provided by Derbyshire CC to fund a radio campaign.

6.0 Community Implications

- 6.1 Residents will be able to play a more active and direct role in recycling across the whole district.

- 6.2 A further implication is the commitment to review the number of 'bring to recycling centres' across the district. This will be undertaken following full implementation of the new service. All sites will be reviewed in the context of tonnage drop from the implementation date and compared with the same period last year. It is expected that a significant number will see tonnages fall to a level below which they are both economical and or environmentally beneficial. Consultation with Councillors and the public will be undertaken prior to any Committee report recommending the removal of any sites. However, a significant reduction in the number of sites is envisaged as the increased costs of the door to door collection need to be offset by savings from the removal of bring to sites.
- 6.3 It is anticipated that the decision to remove sites will be made prior to the start of the 2014/15 financial year.

Appendix A. Frequently Asked Questions

easy 😊😊
green 😊
recycling scheme

FREQUENTLY ASKED QUESTIONS

Q1. What can I put in the green bin, inner caddy and red sacks?

GREEN BIN	INNER CADDY
<ul style="list-style-type: none"> Aerosols Cans / Tins Foil and foil trays Glass Bottles & Jars Plastic Bottles Plastic Tubs and Trays 	<ul style="list-style-type: none"> Brochures Flattened Cardboard Junk Mail Magazines Newspapers Paper (If possible please wrap/bag shredded paper so that it does not spill out and create litter!)
All items must be clean and plastics squashed!	
RED SACK	NOT RECYCLABLE IN THIS SCHEME
<ul style="list-style-type: none"> Belts Clothes Handbags Household Textiles Shoes 	<ul style="list-style-type: none"> <i>Plastic carrier bags and film</i> <i>Tetra Pak / Drinks cartons</i> <i>Foil Pouches e.g. pet food</i> <i>Polystyrene packaging</i>

Q2. When will my new Easy Green Recycling bin and caddy be delivered?

We have four distribution teams out delivering all the containers and it will take around one month to deliver to the 41,000+ homes in the District.

Deliveries commenced in the last week of August and will carry on until the end of September 2013.

Each property will receive a new green bin, an inner caddy and red sack.

A sticker showing where recyclables go will be placed on the lid of your new green bin.

A full information leaflet and calendar will be posted through the letterbox of each household.

Q3. When are the first collections?

First collections for the new recycling scheme take place in early to mid October 2013 and will take place fortnightly from then onwards.

Please see the calendar which is delivered with your bin for your new collection day.

Q4. How do I take part in the new Easy Green Recycling collections?

The caddy rests inside your green bin on the left hand side. Paper and flattened card go inside this. Bottles cans jars and trays etc. should be dropped down the outside of the caddy to go inside the main bin.

On collection day wheel your bin, with the caddy inside, out to the edge of your property nearest the highway.

Place your red textile sack out alongside the green bin.

Please put your green bin out by 7.00am.

Q5. I don't think I've got room for another bin, what can I do?

Please think about where you keep your current green box and blue paper bags.

Also where you have to store your cardboard and plastics ready to go to the recycling centre!

The new green bin replaces all these items so you can recycle neatly in one place it takes no more floorspace than the current set of containers.

Why not try the new easy green recycling scheme for a month and see how you get on?

If you don't get on with it by mid November we'll come and discuss the problem with you. Just call or email us.

Q6. I live in an apartment and have a communal bin - how do I participate?

We will arrange to visit yours and your neighbours properties in the new few weeks to work out how best to provide the new Easy Green Recycling Scheme for you.

Q7. I recycle a lot, what happens if I run out of room? - can I have two bins?

Please make sure you flatten all your card and squash plastic bottles flat to minimise the amount of space they take up in your green bin.

If your bin is getting full you can remove the inner caddy to gain extra space and place it outside your bin on collection day.

If you still need additional recycling please use your current green box to put out extra recyclables neatly alongside your green bin.

Q8. I have large cardboard boxes that will not fit in the caddy - what do I do?

Please flatten any large cardboard boxes and stack the flattened card neatly alongside your green bin. It will be taken by the crew on collection day.

Q9. What do I do with my old green box?

Please continue to use it for recycling until the last collection before the new easy green recycling scheme starts.

You may use your green box to contain any extra recyclables you may have at the start of the new recycling service and at busy times such as Christmas and public holidays.

The Council is not planning to make a routine collection of the green boxes. The cost of collecting 42,000 boxes would be very high, so please feel free to find an alternative use for it.

If you cannot find any alternative use and do not need it for extra recyclables, then contact us and we will make arrangements to collect it.

Q10. What happens if I put the wrong items in the green bin or caddy?

The crew will not be able to take any items that cannot be recycled in this scheme and will leave the green bin and / or caddy unemptied.

Please check your information leaflet or the website for details of the recyclables that can be taken. Remove any non recyclable items and present your bin at the next scheduled collection.

Q11. Can I recycle shredded paper in the Easy Green Recycling Scheme?

Yes, however we would prefer it if it was securely bagged or wrapped in newspaper 'fish and chips' style.

If shredded paper is left loose or open it could cause problems at collection times, especially when windy due to spillages and litter.

Q12. Is it possible to get assistance to put out my new green bin and caddy?

If you have problems with mobility or infirmity and there is nobody else in your property that could put the bin out, the Council offers an Assisted Collection service.

Residents on the Assisted Collection Service have their bin and caddy collected from and returned to an agreed point on their property on collection day.

If you already have an assisted collection for your black and brown bins we will automatically put you on Assisted Collection for the Easy Green Recycling Scheme.

Q13. Where will all the recycling go?

The collection crew take the green bin to the vehicle which is split into two separate compartments. Card and paper go in one side and recyclable containers in the other.

After it is collected the recycling vehicles go to tip off at the transfer station in Woodville

The recyclables are bulked up here and then transported to our contractors' materials recycling facility (MRF) in Coventry.

At the MRF the mixed recyclables are sorted into separate streams and sent off to various reprocessors to be made into new materials.

The Council audits the reprocessor trail to ensure that all materials you present are properly recycled

Secondary Questions for particular instances

Q.14 What happens with homes that have sack collections ?

A small minority of properties in the District do not have room for any bins and instead have a sack collection for refuse and compost. These properties will be issued with two sacks each fortnight to allow for the separate collection of paper/card and recyclable containers.

Q.15 What happens if the property really can't have a third bin?

Wherever possible we need properties to have the standard 240 litre bin and caddy. If the resident insists that they have no room take the details and we will arrange for a home visit to determine what collection service we can provide. This may mean the resident stays with the current box and bag system or goes onto sack collection as above. If we find room for a 240litre then we will try to persuade the resident to trial it.

Q.16 Can residents have a larger or smaller bin than the standard 240 litre?

The caddies are made to fit a standard 240 litre bin and do not fit larger or smaller bins.

If residents want a larger bin please ask them to use their existing green box to contain any overspill and to squash plastic bottles to maximise room. If residents are still struggling after the first few collections and are consistently presenting lots of extra recycle we will issue an additional bin and caddy.

If residents are really struggling to cope with a standard bin please take details and we will make a home visit to determine a suitable service to suit individual circumstances.

Q.17 What if the resident refuses to have the new bin?

Please try to encourage them to take a bin for a one month trial as above.

Ask them what recycling they do at the moment and remind them how convenient the new recycling service will be.

If they say that they will continue to use recycling centres please let them know that we expect recycling centre usage to drop dramatically after the introduction of the new scheme and that we are likely to be withdrawing most of the mini recycling centres across the District. Those that remain will be for cardboard and textiles which means there will no recycling banks for glass, cans and plastics.

If the resident is adamant that they do not require a bin please take the name and address details and add to the kerbside enquiries spreadsheet. Please say that they are free to change their mind and request a green bin and caddy at any future point.

Q.18 I don't want my green box - what can I do with it?

Ask the resident to hold on to their green box to contain any extra recycle.

If they say that they will not have any extra recycle ask if there is anything else they could use the box for such as storage, toolbox, planting flowers or growing potatoes!

If they insist that they have no use for the box please arrange for it to be collected in and raise a collection ticket on CRM system to take place at the end of October.

REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	22 AUGUST 2013	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY & PLANNING	OPEN
MEMBERS' CONTACT POINT:	TONY SYLVESTER (EXT. 5743)	DOC:
SUBJECT:	CHARGES FOR ENVIRONMENTAL INFORMATION	REF:
WARD (S) AFFECTED:	All	TERMS OF REFERENCE: G

1.0 Recommendations

- 1.1 That the fees for the provision of photocopies of environmental information held by the Council be reduced to 10 pence per A4 sheet with immediate effect. Should other printed information be required which requires larger formats then an additional charge will be made which recovers these costs.

2.0 Purpose of Report

- 2.1 To approve a reduction in the level of charges made for the provision of photocopies of environmental information held by the District Council.

3.0 Detail

- 3.1 The Freedom of Information Act 2000 (FOIA) came into force fully on the 1 January 2005. The Act allows any member of the general public to request from the Council any information that it may hold. With notably few exceptions, the Council will have to provide that information
- 3.2 The Environmental Information Regulations 2004 allow public authorities to charge for making environmental information available, but any such charge must be reasonable.
- 3.3 A public authority must have a published schedule of charges in order to be able to charge applicants for environmental information.
- 3.4 Environmental Information is available for inspection at the Council's office free of charge, (in accordance with paragraph 8(2)(b) of the Environmental Information Regulations 2004), each of the charges made by the Council for the provision of copies of the information fails to satisfy the requirements of Regulation 8(3).
- 3.5 In determining the actual costs of photocopying, relevant considerations will include the number and size of the sheets to be copied and the lease charge on the photocopying machine. In David Markinson v Information Commissioner (EA/2005/0014; 28 March

2006) the Tribunal ordered the public authority to adopt the guide price of 10p per A4 sheet as the cost of photocopying. This gives an indication of the level of charge to adopt and an authority would have to demonstrate a good reason for exceeding it. However, an authority would still have to consider the actual costs incurred in any particular case as the cost of reprographics will change over time. This case has only recently come to light.

- 3.6 Subsequently the Council will need to address the charges it levies for the provision of photocopies of information it holds.

4.0 Financial Implications

- 4.1 At present the Council is using the fees set out in the current fees and charges for the purpose of dealing with requests for photocopies of information. If the fee is reduced then obviously this would have an impact on revenue. As an approximate estimate the annual loss could amount to around £5,000.
- 4.2 The Information Tribunal's decision distinctly states that in considering the level of charges the Council should disregard any staff costs and any factors such as the Council's revenue or its staff workload.
- 4.3 Members will be aware that a lot of information, including planning applications is now available on the South Derbyshire website which is free to view and free to download which reduces the requirement for copies to be supplied.

5.0 Equalities Implications

- 5.1 This report has no implications in respect of meeting the Public Sector Equality Duty of the Equalities Act 2010.

6.0 Corporate Implications

- 6.1 If the fee is reduced this would have an impact on revenue collected by the Council.

7.0 Conclusions

- 7.1 Although the decision may have an impact on Council revenue derived from the provision of photocopied information, in order to comply with the Environmental Information Regulations 2004 the Council is required to reduce its copying charges to 10 pence per A4 sheet. Should other printed information be required which requires larger formats then an additional charge will be made which recovers these costs. The recovery of any postage costs would be unaffected.

REPORT TO:	Environmental & Development Services Committee	AGENDA ITEM: 10
DATE OF MEETING:	22 August 2013	CATEGORY: RECOMMENDED
REPORT FROM:	Director of Community & Planning	OPEN
MEMBERS' CONTACT POINT:	David Hackforth, 01283 595821 david.hackforth@south-derbys.gov.uk	DOC:
SUBJECT:	Community Infrastructure Levy	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS17

1.0 Recommendations

1.1 That the Finance & Management Committee be recommended to authorise the Director of Community & Planning to begin the process of implementing a Community Infrastructure Levy Charging Schedule for South Derbyshire, including the production of an in-house infrastructure delivery plan and to explore the joint commissioning of consultants to produce infrastructure funding gap analyses and CIL viability assessments for Amber Valley, Derby City and South Derbyshire.

2.0 Purpose of Report

2.1 To inform the Committee about the Community Infrastructure Levy (CIL) and to seek authority to begin the process of implementing a CIL scheme for South Derbyshire, including the production of an infrastructure needs assessment, funding gap analysis and viability assessment.

3.0 Executive Summary

3.1 CIL is a levy that local authorities in England & Wales can choose to charge on new developments in their area to help fund infrastructure improvements. It was first introduced by the previous Government in 2010 but is now a significant element of the current Government's localism agenda.

3.2 Money raised by CIL can be used to support new development by funding necessary infrastructure such as new road schemes, improvements to the capacity of local schools and open space and recreation provision. A "meaningful proportion" of CIL funds must be used for local priorities. The system is intended to be relatively simple and, provided it would not make the development financially unviable, it can be applied to most new building proposals. It will be for the Council to determine and publish how it intends to use CIL.

3.3 The CIL Regulations 2010 currently mean that after 6 April 2014, CIL will be the only effective means by which local planning authorities can secure pooled contributions

from developments to address infrastructure needs. Those Regulations also limit the extent to which the Council can secure such contributions through planning obligations (S106 agreements). The Department of Communities and Local Government (DCLG) has recently consulted on proposed changes to the CIL Regulations which would, amongst other things, defer the pooled contributions deadline to April 2015. It is therefore likely to be in the Council's interests to progress with a CIL scheme as soon as possible.

- 3.4 Derbyshire County Council began a consultation on a refresh of the Derbyshire Infrastructure Plan on 7 August 2013. The document is available on the County Council website and comments are invited on the Plan until the close of the consultation at 5pm on Friday 15 September 2013.

4.0 Detail

- 4.1 CIL is a charge that can be levied on developments to help pay for the infrastructure that is required to mitigate the impacts of development and to support the delivery of growth. CIL was introduced by the Planning Act 2008 and subsequent Regulations. The Coalition Government is committed to continuing with CIL as a fairer and more open way of raising finance for infrastructure necessitated by new development.
- 4.2 Although CIL is intended to contribute to the delivery of infrastructure that local authorities and communities consider to be a priority, it will not generally be sufficient to pay the full costs. CIL will usually be one ingredient in a complex "cocktail" of funding sources needed to cover the cost of infrastructure. A "meaningful proportion" of the money raised by CIL must be passed to the relevant town or parish council (or in un-parished areas, held by the district council for spending on locally determined priorities). Where a neighbourhood plan or a neighbourhood development order is in place, the proportion is 25%. In other areas the proportion is 15%.
- 4.3 This Council currently operates an informal "tariff" approach to planning obligations intended to deal with the cumulative impacts of development. Although the Council's approach is based on a set of formulae and related charges, we can only require developer contributions where the impacts arise as a result of the proposed development. Unlike CIL, the tariff is not a standard fee or "tax" that applies to all development proposals and this limits the Council's ability to secure contributions.
- 4.4 In addition, one consequence of the CIL Regulations 2010 is to strictly limit councils' ability to use existing tariff approaches. After 6 April 2014 (or April 2015 if the DCLG's proposed amendment to the CIL Regulations takes place), pooling planning obligation contributions to fund off-site infrastructure will be limited to contributions from no more than five separate planning obligations and S106 agreements will otherwise be restricted to local, on-site infrastructure, making tariffs largely unworkable. This is deliberate – Ministers and Civil Servants have identified "killing off" tariffs as an explicit intent of the Regulations. It is clear that in the near future CIL will become the only effective tool available to local authorities to secure strategic infrastructure contributions from developers.
- 4.5 The CIL process will be completely separate from the negotiation of planning obligations via S106 agreements. S106 agreements will however still be needed to secure affordable housing and to deal with any on-site mitigation measures.
- 4.6 Officers are not yet able to predict what funds might be raised by a South Derbyshire CIL but the range of developments for which CIL would be payable can be

considerably wider than under the existing tariff arrangements so a generalised levy may produce higher overall contributions.

4.7 The Charging Schedule is the public document that sets out the CIL rates (on a £x per sq. m basis) that the Council intends to apply to different types of development in its area. However, before it can produce a CIL Charging Schedule the Council will need a satisfactory evidence base. Evidence on the following issues will be particularly important:

- The infrastructure funding gap
- The viability of development

4.8 The infrastructure funding gap is the gap between the cost of infrastructure that has committed funds and the cost of infrastructure that does not and it is the existence of a funding gap that justifies the introduction of CIL. CIL is intended to pay (in part) for the provision of identified, necessary infrastructure that would otherwise not be affordable, thus the supporting the delivery of the sustainable growth strategy in the Council's Local Plan.

4.9 An infrastructure needs assessment and/or infrastructure delivery plan are key to determining the infrastructure funding gap. They identify: the long-term infrastructure needed to accommodate the planned growth in South Derbyshire; the indicative costs of that infrastructure; and actual or potential funding sources and delivery mechanisms. Although some local authorities have used external consultants to produce their infrastructure needs assessment, this is not essential. Within Derbyshire, Chesterfield Borough Council, which is at the CIL preliminary draft Charging Schedule stage and Amber Valley Borough Council, which is currently consulting on the pre-publication version of its Local Plan, have both produced infrastructure delivery plans in-house. It may however, be advisable to seek expert assistance in demonstrating the existence of a funding gap, as Chesterfield has done.

4.10 Derbyshire County Council began a consultation on a refresh of the Derbyshire Infrastructure Plan on 7 August 2013. The Plan sets out the County Council's views on current and future needs and spending priorities for infrastructure and service delivery. Local planning authorities should use the Derbyshire Infrastructure Plan to inform their CIL Charging Schedules and associated list of spending priorities. The document is available on the County Council website and comments are invited on the Plan until the close of the consultation at 5pm on Friday 15 September 2013.

4.11 The viability of development is a key consideration in setting the CIL rates in the Charging Schedule. CIL rates must not be set so high that they make development unviable. The Council will have to strike a realistic balance between the desirability of maximising funding from CIL for the infrastructure needed to support the growth of the area (taking into account other potential funding sources) and the potential effect of the imposition of CIL on the economic viability of development across the district.

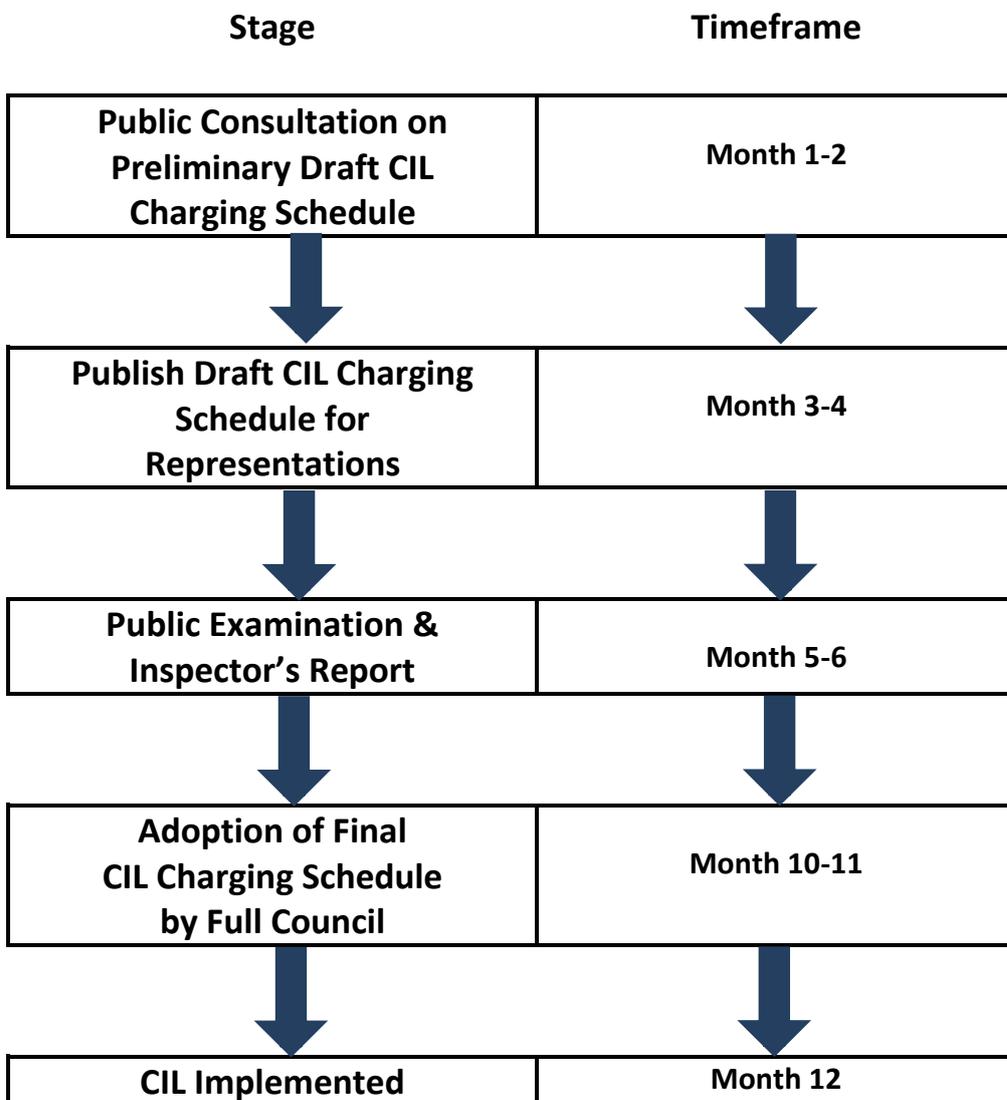
4.12 The reasonableness of the Charging Schedule will be tested via an independent examination. The examiner (normally a PINS Inspector) will have to be convinced that the Council has struck a realistic balance, as described above, so the Council will need to demonstrate that it has taken account of economic viability in setting its CIL rates. This evidence must take account of building costs, land values and property sales prices in different parts of the district and for different uses. This

requires specialist expertise and is likely to require the engagement of a consultancy with a proven track-record in viability assessments.

4.13 The Derby Housing Market Area (HMA) covers Derby City, Amber Valley and South Derbyshire and there is a history of co-operative working by the county, city and district councils, including the joint commissioning of an HMA-wide Strategic Viability Assessment. It would be sensible to explore the possibility of jointly commissioning further consultancy support for the funding gap analysis and carrying out the CIL viability assessment. A joint approach is likely to be cheaper than the three councils proceeding individually.

4.14 The CIL Regulations prescribe the process that local authorities must follow in order to adopt a CIL Charging Schedule. The following flowchart identifies the main stages in adopting CIL, together with estimated timescales. The Final Charging Schedule must be approved by the full Council before it comes into effect.

Implementing the Community Infrastructure Levy



5.0 Financial Implications

5.1 Much of the process for implementing a CIL Charging Schedule for South Derbyshire can be carried out by the Council's officers without additional cost, including the production of an in-house Infrastructure Delivery Plan. However, the necessary infrastructure funding gap analysis and CIL viability assessment will require external consultancy support. Officers will pursue the possibility of commissioning this work jointly with Derby City Council, Amber Valley Borough Council and Derbyshire County Council, if possible using funding from the Derby HMA budget. In the event that joint commissioning is not possible or the HMA budget is insufficient, a further report will be brought to the Committee. It is anticipated that the cost of the PINS Inspector to examine the draft Charging Schedule can be met from the Planning Policy Professional Services budget head.

6.0 Corporate Implications

6.1 Funding from CIL will help to secure the infrastructure needed to achieve sustainable growth and strengthen South Derbyshire's economic position within a 'clean' and 'sustainable' environment.

7.0 Community Implications

7.1 Funding from CIL will help to secure the infrastructure needed to achieve sustainable development.

9.0 Conclusions

9.1 After April 2014, CIL will be the only effective means by which the Council will be able to secure pooled contributions from developers to address infrastructure needs. The CIL Regulations also limit the extent to which the Council can secure such contributions through planning obligations (S106 agreements). It is therefore in the Council's interests to progress with a CIL scheme as soon as possible.

10.0 Background Papers

- 10.1 "Section 106 Obligations & the Community Infrastructure Levy" Planning Officers Society Advice Note April 2011
- 10.2 "CIL & Infrastructure Planning" Planning Officers Society Advice Note October 2011
- 10.3 "Community Infrastructure Levy: Guidance" Department for Communities & Local Government April 2013
- 10.4 "Applying the Community Infrastructure Levy" Planning Advisory Service August 2012

REPORT TO:	Environmental and Development Services	AGENDA ITEM: 11
DATE OF MEETING:	22 nd August 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Community and Planning Services	OPEN:
MEMBERS' CONTACT POINT:	Nicola Sworowski 01283 595983 nicola.sworowski@south-derbys.gov.uk	DOC:
SUBJECT:	Draft South Derbyshire Local Plan Part 1	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS02

1.0 Recommendations

That:

- (i) Members endorse publication of the Draft Local Plan Part 1, for the purposes of public consultation.
- (ii) Authority be delegated to the Director of Community and Planning and Chair of this Committee in consultation with the Member Working Group to approve a public consultation version of the Draft Local Plan Part 1.
- (iii) Wide ranging public consultation to be undertaken from September to November 2013 in accordance with arrangements to be agreed by the Chair of this Committee.

2.0 Purpose of Report

2.1 To endorse the publication of the Draft Local Plan Part 1 including a Sustainability Appraisal for the purposes of undertaking public consultation.

3.0 Executive Summary

3.1 The report explains the background to the Local Plan, including the consequences of recent legislative changes and the abolition of the East Midlands Plan, and sets out a locally derived housing requirement for South Derbyshire for the period 2008-2028. This results in the need to identify new sites for at least 6,402 dwellings in order to meet the housing target. The report recommends the location of additional housing sites to meet the requirement, plus alternative locations for a strategic reserve site to provide resilience should one of the strategic sites not proceed.

3.2 Locations for two strategic employment sites are identified and the report explains the background to the Sustainability Appraisal, which will accompany the draft Local Plan.

4.0 Detail

Background

4.1 Members will recall that the Local Plan, formerly known as the Local Development

Framework (“LDF”) Core Strategy is intended to be the principal means of deciding South Derbyshire’s long-term development strategy.

- 4.2 This Council has continued to work closely with the Derby Housing Market Area authorities, Derby City and Amber Valley in pulling together joint evidence bases and aligned Local Plans. Amber Valley has already published its consultation document, and that consultation will finish at the end of August 2013. This has not affected the joint working that has been in place since 2009.
- 4.3 As Members are aware, following the abolition of regionally set housing targets, the National Planning Policy Framework (NPPF) requires Local Planning Authorities to “objectively assess the needs for market and affordable housing...including identifying key sites which are critical to the delivery of the housing strategy over the plan period”. This work was done through the Housing Requirements Study, which has since been updated with the release of relevant pieces of the 2011 census data, and also an inclusion of the shortfall in house building from the period 2008 - 2011. This update is included in the recently published Strategic Housing Market Assessment and has changed the Derby HMA total housing requirement from 33,700 to 35,354.
- 4.4 This increase has required the three Derby HMA Authorities to agree the distribution of the additional requirement between the authorities, and to identify the additional suitable sites required.
- 4.5 The next step of the Local Plan was previously intended to be the Publication Draft but due to the increase in the housing number, the need for additional housing sites, the lack of previous consultation on the Sustainability Appraisal, and a desire to consult on the policies to be included in the Local Plan, it is necessary to undertake a further ‘Regulation 18’ consultation with the formal Publication Draft consultation to follow. Regulation 18 means notifying all relevant bodies and people, and giving them the opportunity to comment on the Local Plan. This differs from the next Regulation 19 consultation which is a formal submission to the Secretary of State.
- 4.6 It is still intended that the Local Plan will be split into two parts, with Part 1 covering the overall vision and strategy, strategic sites and general policies. The Part 2 will contain smaller non-strategic site allocations across the District (villages and the urban area), and will assess all of the existing settlement boundaries. Part 2 will also include the Gypsy and Traveller requirements for sites as required through the NPPF, following the publication of the Gypsy and Traveller Accommodation Assessment expected towards the end of this year.

Housing

- 4.7 The HMA authorities commissioned consultants to undertake a Housing Requirements Study in 2012 that fully assessed the housing needs across the three Local Authorities that make up the Derby HMA.
- 4.8 The report concluded that 33,700 additional dwellings would be required across the Derby HMA in the period 2008 – 2028. This has since been updated to take account of the Census 2011 data, and the inclusion of the shortfall in house building over the period 2008 – 2011. This update established that a further 1,654 dwellings would be required and therefore resulted in a revised housing target of 35,354. This target was agreed by the Joint Advisory Board (JAB) on the 10th June 2013 with the assumption that no further revision work would be undertaken.

4.9 This figure, whilst an increase, is still considerably under what is suggested by the national household projections of nearly 50,000 dwellings. It has been suggested by a consortium of developers during previous consultations, that we should be using this higher figure as our target. However, based on the housing requirements study, and initial (whilst informal) feedback from a senior Planning Inspector, the HMA Authorities are satisfied that the revised target will meet our objectively assessed need within the plan period.

4.10 Officers have considered how to distribute the revised housing target and the following distribution has been recommended (with approval given at JAB already for Amber Valley's proportion):

Local Authority	Previous Target	Target 2008 – 2028	Extensions to Derby Urban Area(in plan period)
Amber Valley	9,000	9,400	530
Derby City	12,000	12,500	NA
South Derbyshire	12,700	13,454	6,085
TOTAL	33,700	35,354	6,615

4.11 This distribution reflects the constrained nature of Derby City to offer any more flexibility on the maximum number of dwellings that can be accommodated within the City's boundary. It also continues to reflect the fact that the least constrained development opportunities lie outside of the City, predominantly in South Derbyshire.

4.12 It should be noted that the 13,454 dwellings required in South Derbyshire covers the period 2008 to 2028 and therefore the following numbers need to be subtracted from the total:

1. Dwellings which have been completed since the 1st April 2008 to the 31st March 2013 – **1,756 dwellings**
2. Planning Permissions implemented but not yet completed – **1,039 dwellings**
3. Unimplemented planning permissions for dwellings - **4,159 dwellings**

4.13 This means that, in South Derbyshire, new sites need to be found for at least 6,402 dwellings in order to meet the housing target.

4.14 The previous consultation, the Preferred Growth Strategy, identified preferred housing sites, which followed a strategy of concentration around the Derby and Swadlincote areas, with an additional preferred site in the village of Hatton. It is proposed to broadly continue with this strategy, but in order that we are able to demonstrate a more balanced strategy, and to allow for a greater delivery of short term sites, the following sites are now proposed:

Site	Total dwelling number	Dwellings within plan period
Boulton Moor Phase 2	700	700
Boulton Moor Phase 3	190	190
Chellaston Fields	450	450
Wragley Way	1950	1180
Primula Way	366	366
Stenson Fields	98	98
Land off Holmleigh Way	150	150
Hackwood Farm	290	290
Broomy Farm	400	400
Land to the NE of Hatton	400	400
Land north of William Nadin Way	400	400

west of Depot		
Land in the vicinity of Church Street/ Bridge Street & Gresley FC site	400	400
Land off The Mease, Hilton	375	375
Land off Longlands, Repton	100	100
Willington Road, Etwall	100	100
Aston Hall Hospital, Aston	100	100
TOTAL	6,469	5,699
Lowes Farm or Newhouse Farm	RESERVE(1,000 – 1,200)	RESERVE(1,000 – 1,200)

4.15 The delivery of the short term sites is particularly important in ensuring that we have a rolling five year housing land supply. Members will be aware that currently South Derbyshire cannot demonstrate a five year housing land supply, and is therefore open to the 'presumption in favour of sustainable development' guidance in the NPPF due to also not having an up to date Local Plan.

4.16 The housing target is intended to be met in the following way:

	Total	Cumulative Total
Completed Dwellings	1,756	1,756
Implemented planning permissions started but not completed	1,039	2,795
Unimplemented planning permissions	4,159	6,954
Suggested Allocations	5,699	12,643
Windfall allowance	400	13,043
Part 2 Local Plan	600	13,653

4.17 The changes to the strategy include four sites within village locations, and also a site adjacent to Derby City to the north west of Mickleover, at Hackwood Farm. There has also been some revision to the dwelling numbers expected from some of the sites, as further information has been received.

4.18 The amendments to the housing sites link into the Settlement Hierarchy policy and the identified Key Service Villages within that. There are 10 settlements identified as having a regular bus service and sufficient other services to fall within this category. The table showing all of the Settlement Hierarchy categories can be seen at Appendix 1.

4.19 There are three sites proposed for around 100 dwellings each in Repton, Aston and Etwall. The site in Repton is off Longlands and will be a small extension of the village to the south east. The site in Aston is on remaining land of the former Aston Hall Hospital site, which will help to make the site more viable in terms of still bringing forward a care village, and helping to address the issues that local residents have with the site being left derelict. The site in Etwall is off Willington Road to the south east of the village. These are all sites that would have been considered through Part 2 of the Local Plan.

4.20 The largest addition is the site in Hilton for around 375 dwellings which is a substantial increase to the village of Hilton, but the scale of development would allow for a new primary school to be built which is much needed within the village. The site does represent a loss of some employment land, but the suggested use of the remaining employment land would increase the number of jobs from the current position. The new school and increased job opportunities would help to make Hilton a more balanced community.

- 4.21 The cross boundary site on the edge of Derby City for 290 dwellings is an extension to a site within the City that currently has a planning application on the site (for 370 dwellings). The extension of the site into South Derbyshire would allow for a primary school to be built on site.
- 4.22 Two potential reserve sites have been identified on the edge of Derby City, at Newhouse Farm adjacent to Mickleover, and Lowes Farm which is close to Chellaston. These sites have not been included in the housing numbers, and it is anticipated that they would only come forward should other suggested sites not be developed in the anticipated timescale within the plan period to 2028.

Strategic Employment Sites

- 4.23 The employment requirement for the HMA was calculated using the Derby HMA Employment Land Review: Forecast Update, which has calculated a need of 276 hectares for the HMA across the plan period to meet B1, B2 and B8 employment uses. This has been split across the HMA as follows: Amber Valley: 69 hectares, Derby City: 154 hectares and South Derbyshire: 53 hectares.
- 4.24 The requirement for South Derbyshire has already predominantly been found with 13.09 hectares having been completed from 2008 to 2013 and existing commitments of sites of 41.16 hectares allowing us to meet the requirement. However, with the expected loss of some employment land at Hilton, it is necessary to allocate some new land for employment.
- 4.25 It is proposed that 8 hectares of land at Tetron Point/Cadley Hill is allocated, and that 7 hectares of land at Hilton Business Park (which is not included in the current employment allocation of the 1998 Local Plan) is allocated.
- 4.26 It is proposed that an extension to Dove Valley Park is classed as an 'exceptional employment site' which would be developed if the need arose for an exceptionally large single occupier which cannot be accommodated on one of the suggested strategic sites. It is also proposed that the Global Technology Cluster extension will form a strategic location for the long term aspiration of helping to grow the Global Technology Cluster. The site is therefore not included in the employment totals as an allocation.
- 4.27 Members will be aware that a development partnership has been formed to promote a major rail freight interchange on land south of the A50 at Etwall, and it has been indicated that they are advancing towards an application for a Nationally Significant Infrastructure Project next year. A criteria based policy will be included within the Local Plan to provide a basis for the Council's comments to the Planning Inspectorate, should such a development come forward on land south of the A50 at Etwall or elsewhere in the District. A decision as to the precise location and the regional/national requirement of a rail freight interchange will be made by the Secretary of State.

Policies

- 4.28 The policies in the Local Plan will address the strategic elements of the Local Plan, but will also be used to guide Development Management on making decisions on planning applications. A list of the areas to be covered by the policies can be seen at Appendix 2.
- 4.29 One of the policies included that will need further detail is the Design Policy which will set out the broad principles, but will have further detail in a follow up Design Supplementary Planning Document. This will update and replace the Better Design for South Derbyshire document that is currently used.

Sustainability Appraisal

- 4.30 The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a Strategic Environmental Assessment (SEA) to be completed at the same time as preparing the Local Plan.
- 4.31 The purpose of SEA is to *“provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development”*. Planning legislation in England further requires that additional assessments of economic and social impacts of the Plan are undertaken in preparing Local Plans. Consequently, a combined assessment known as a ‘sustainability appraisal’ consistent with government guidance, has been prepared to accompany the draft Part 1 Local Plan
- 4.32 Unfortunately there is currently a mismatch between the SEA Directive and the Local Planning Regulations and the Local Planning Regulations, creating a potential procedural (and hence legal) pitfall. The Local Planning Regulations require that the SA Report (which meets the requirements of an Environmental Report under the SEA Directive) is presented alongside the *proposed submission, submission and adopted plan documents*. However, if the Authority were to progress immediately to submission, the Environmental Report cannot fulfil its purpose under the SEA Directive , given that alternatives are no longer ‘on the table’ and cannot be taken into account during the preparation of the plan before its submission. In order to prevent the identified pitfall, the Authority is advised to republish its draft plan alongside a draft of the SA report.

5.0 Financial Implications

- 5.1 The cost of preparing the Local Plan and the associated consultation and external support has been taken into account in the setting of the Planning Policy revenue budget.

6.0 Corporate Implications

- 6.1 The adoption of a South Derbyshire Local Plan is a key function of the District Council and an action within the Economic Growth priority in the Corporate Plan. The successful adoption has benefits throughout the work of the Council, and will enable control to be maintained on the spatial planning of the District.

7.0 Community Implications

- 7.1 South Derbyshire will remain as one of the fastest growing areas in the country, and an adopted Local Plan will ensure this is achieved in a sustainable way that provides an infrastructure of community facilities for both the new residents but also existing residents.

8.0 Conclusions

- 8.1 This process of producing the Local Plan has continued to be based around the Derby Housing Market Area, and growth figures and allocations assessed on the basis of empirical and sustainable principles. Once again the community will be encouraged to put forward their views through a widely promoted consultation process, in a similar way as was undertaken in the Preferred Growth Strategy consultation including drop in events.

9.0 Background Papers

- 10.1 Derby HMA Housing Requirements Study 2012
- 10.2 Strategic Housing Market Assessment July 2013
- 10.2 Sustainability Appraisal 2013
- 10.3 Preferred Growth Strategy consultation document 2012
- 10.4 Five Year Housing Land Supply Paper July 2013
- 10.5 Derby HMA Employment Land Review: Forecasts update

Appendix 1

	Extensions to Large Urban Areas	Growth Town	Key Service Villages	Local Service Villages	Rural Villages		Rural Areas
Settlements	Burton upon Trent	Swadlincote	Etwall	Aston on Trent	Ambaston	Lees	Other Rural Areas
	Derby	Incl. Woodville	Findern	Hartshorne	Barrow upon Trent	Long Lane	
			Hatton	Linton	Boundary	Lullington	
			Hilton	Mount Pleasant (Castle Gresley)	Bretby	Marston on Dove	
			Melbourne	Netherseal	Burnaston	Milton	
			Overseal	Newton Solney	Cauldwell	Osleston	
			Repton	Ticknall	Church Broughton	Radbourne	
			Rosliston ¹	Weston on Trent	Coton in the Elms	Scropton	
			Shardlow		Coton Park	Smisby	
			Willington		Dalbury	Stanton by Bridge	
					Drakelow Village	Stenson	
					Egginton	Sutton on the Hill	
					Elvaston	Swarkestone	
					Former Pastures Hospital	Thulston	
					Foston	Thulvaston and Trusley	
				Great Wilne	Twyford		
				Ingleby	Walton on Trent		
				Kings Newton	Woodhouses		
Qualifying Criteria	Wide range of higher order facilities and services	Wide range of higher order facilities and services	Bus Service ² and convenience store ³ plus at least five other services ⁴ .	Bus service ² and/or convenience store ³ and up to two other services ⁴ .	Limited or no services and facilities.		Limited or no services and facilities

¹ Whilst Rosliston does not meet the qualifying 'Key Service Village' criteria, it does serve as a key settlement to a wider rural area

² Bus Service is assessed by the frequency of the routes through each village throughout the day and into the evening

³ Convenience store to be defined as being capable of fulfilling day to day requirements.

⁴ Services include: primary school, library, indoor sports, GP surgery, dentist, railway station, employment site. Refer to Settlement Hierarchy paper for full details.

- Sustainable Growth and Regeneration
- Housing
- Settlement Hierarchy
- Employment Development
- Transport
- Leisure, Recreation and Tourism
- Retail
- Design
- Heritage
- Water and Flood Risk
- Green Infrastructure
- Climate Change
- Gypsy and Travellers
- Green Belt

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 12
DATE OF MEETING:	August 22 nd , 2013	CATEGORY: *see below DELEGATED
REPORT FROM:	Head of Community and Planning	
MEMBERS' CONTACT POINT:	David Hackforth, 01283 595821 david.hackforth@south-derbys.gov.uk	DOC:
SUBJECT:	Melbourne Conservation Area	REF:
WARD(S) AFFECTED:	Melbourne	TERMS OF REFERENCE: EDS04

1.0 Recommendations

- 1.1 That the Melbourne Conservation Area be extended to include the properties 60-92 (even and inclusive) Ashby Road, and the land lying between them and the present conservation area boundary to the east.
- 1.2 That the designation be documented in the required way by notification to the Secretary of State and English Heritage and by notices published in the London Gazette and a local newspaper, and additionally by notification to all owners and tenants.

2.0 Purpose of Report

- 2.1 To consider the results of the public consultation exercise carried out between 7th June and 19th July 2013.

3.0 Detail

- 3.1 The committee agreed, by a resolution at the meeting on 6th June 2013, to carry out a public consultation concerning the proposed extension of the Melbourne Conservation Area. The consultation was advertised in the local press, by a webpage on the Council website, by consultation material sent to all affected owners and tenants, and by the same consultation material sent to the Parish Council and Civic Society.
- 3.2 Responses to the consultation included representations from a majority of the landowners concerned, the Parish Council and the Civic Society. These responses are summarised in Appendix 1, along with a summary of replies to the salient points raised. There were two objections, which argued that the conservation area should not be extended to safeguard a building that has been de-listed by English Heritage and that land belonging to the Melbourne Estate should not be included because it was just "... *two isolated, sloping fields with some trees*".

4.0 Financial Implications

4.1 The costs of statutory notifications and notification to owners can be drawn from existing budgets.

5.0 Corporate Implications

5.1 The District's conservation areas are a key component of its vibrant communities. The effective protection of conservation areas, through analysis and good management, enhances quality of life for all and safeguards the environment. Protecting important buildings contributes to the Corporate Plan theme of Sustainable Development.

6.0 Community Implications

6.1 The District's Conservation Areas are a key component of its attractive rural environment.

6.2 It is the District Council's normal practice, in line with best practice guidance, to consult the public and affected residents on alterations to conservation area boundaries. The Parish Council and Civic Society support the proposal, and a majority of representations from owners also support the proposal.

6.3 Buildings that are protected for their high amenity and historic value enhance the environment and character of an area and therefore are of community benefit for existing and future residents.

7.0 Conclusions

7.1 As the summary of the responses in Appendix 1 shows, officers are of the opinion that there is no valid challenge to the assertion that the area possesses the special architectural or historic interest which is the necessary precursor to conservation area designation. The majority of the responses were supportive and some even suggested that the extension might be larger. The Parish Council and Civic Society both support the proposal. No convincing reasons for not proceeding with the designation were included in the responses.

7.2 The area meets the requirements for designation and was generally supported by the consultation.

8.0 Background Papers

8.1 Consultation letter and supporting document.
Consultation responses (as summarised in Appendix 1) and replies to them.
"Understanding Place: Conservation Area Designation, Appraisal and Management"
(English Heritage, 2011)

APPENDIX 1

SUMMARY OF RESPONSES TO MELBOURNE CONSERVATION AREA EXTENSION CONSULTATION, JUNE AND JULY 2013

Single asterisks denote consultees who objected / expressed concern about the proposal.

Double asterisks denote consultees who supported the proposal.

In other cases, no reply was received.

Owners / Occupiers notified:

- The owners or occupiers of numbers 60 Ashby Road **, 78 Ashby Road, 80 Ashby Road, 82 Ashby Road **, 84 Ashby Road **, Lambert House, 92 Ashby Road (Melbourne Arms) *
- The Melbourne Estate *
- The tenant of Pool Farm, Melbourne

Organisations notified:

- Melbourne Civic Society **
- Melbourne Parish Council **

Other responses received:

- The prospective purchasers of no. 60 Ashby Road **
- A Melbourne resident **

The consultation resulted in seven representations supporting the proposed extension to the Melbourne conservation area and two opposing the proposal. The objections are summarised below, together with officer responses to the points raised.

Summary of points of objection:

Extension of the Conservation Area is a disproportionate response to the de-listing of the Melbourne Arms in a bid to retain the streetscape. Whilst the building is a prominent feature of the approach to the town, it has not been acknowledged as such by English Heritage. The quality of the building and its associated structures is poor and do not compliment the entrance to the town. Although the owner is not currently planning to demolish the Melbourne Arms, a new development could produce a far better approach to the town and existing planning controls are sufficient to achieve this. There is no need to extend the conservation area.

Officer response: If the owner sold the site with an unexecuted planning permission, a future owner could still demolish the historic building. Local feeling was strongly in favour of measures to retain the building. English Heritage, in de-listing it, said that "The Melbourne Arms remains an important local landmark, its front elevation a reminder of its date and original form. The well-balanced main elevation with its gently arched lintels and neat, brick, dog-toothed eaves cornice is a major feature in

the local streetscape.” There is a distinction between buildings of landscape merit and character, and buildings that qualify for statutory listing.

Extension of the conservation area should not be used as a tool to serve a political agenda by preventing future development of a building that has been de-listed by English Heritage.

Officer response: The removal of the statutory protection of the Melbourne Arms was a catalyst for the Conservation Area extension proposal, in line with English’s Heritage’s guidance that boundaries should be reviewed from time to time, and threats and opportunities identified. However, the underlying and most material consideration is whether the area possesses the special architectural or historic interest required for designation. The District Council considers that it does, for the reasons set out in the consultation papers.

Conservation area designation is not intended to prevent development on the Melbourne Arms site, but to help make sure that development is of a density, scale, design and quality that is appropriate to the special character of the area.

The Melbourne Estate land should not be included in the proposed conservation area extension simply to give it a critical mass. There is no gain to the Melbourne conservation area by including two isolated sloping fields with trees, which do not merit being described as “quasi parkland”. If they did, vast tranches of England would need to be included in conservation areas.

Officer response: The Melbourne Arms and the Melbourne Estate land opposite are complementary parts of the proposed Conservation Area extension, and the special architectural or historic interest attaches to both parts. The Estate land proposed for inclusion is a deliberately landscaped outlier of the Estate’s landscaped heartland, with the clumps and plantations of trees that are characteristic of estate parklands.

The description of the extent of public access to the Melbourne Estate land was misleading, suggesting that the public was openly invited to roam freely and stray from the footpaths. The land is private agricultural land with some public rights of way and a permissive right of way.

Officer response: This objection is accepted. The description of the land was immediately changed and circulated to all of the original consultees, and amended on the website and an apology was sent to the Melbourne Estate.

As the owner of the largest area of land concerned, the Melbourne Estate should have been consulted informally before the official consultation.

Officer response: Although the Melbourne Estate owns the largest area of land in the proposed extension, in reality it is the least affected by the proposal, which is of most relevance to standing buildings, domestic curtilages and new development. The Melbourne Estate land is only materially affected by the inclusion of a stand of seven trees and is not land where development may reasonably be expected. The rights of the other owners are more affected and it would therefore have been inappropriate to consult the Melbourne Estate before anyone else.

Summary of points of support:

The thorough research and reasoning behind the proposal are commended.

Officer response: Noted

The proposed extension is supported but is not large enough and should cover the fields recently planted with trees on both sides of Robinson's Hill.

Officer response: Although these are a public amenity, the area lacks the special architectural or historic interest required for conservation area designation.

(Regarding the Melbourne Arms) The loss of such a prominent and historic building, gracing the approach to Melbourne from Ashby and Ticknall, would be distressing.

Officer response: Noted

Conservation Area status for this new area would give SDDC greater powers to protect the look of the existing buildings and land/landscape. Being part of the Conservation area would also benefit any subsequent developments in this beautiful area of Melbourne.

Officer response: Noted

Other comments:

Would a roof extension of no 82, as recently done at no. 80, be made unacceptable if the conservation area were to be extended?

Officer response: The volume and design would need to be determined by consideration of an application. But not necessarily; use of an appropriate roof material, and installation of rooflights in the rear slope instead of the front would provide a more acceptable appearance.

The proposed erection of another house on the site of 78, Ashby Road, behind the three already approved, would defy the strong and historic building line which forms the suggested boundary of the extended conservation area.

Officer response: These objections were put on the file for the planning application in question.

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	22nd August 2013	CATEGORY: DELEGATED
REPORT FROM:	Director of Community & Planning Services / Director of Housing & Environmental Services Stuart Batchelor (Ext. 5820) Bob Ledger (Ext. 5775)	OPEN
MEMBERS' CONTACT POINT:		DOC:
SUBJECT:	WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Environmental & Development Services Committee – 22nd August, 2013
Work Programme 2013/14

Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Dry recycling contract Progress update on new arrangements	22 nd August 2013			Adrian Lowery Direct Services Manager 01283 595764
Draft Local Plan	22 nd August 2013			Nicola Sworowski Planning Policy Manager 01283 595983
Community Infrastructure Levy	22 nd August 2013			Nicola Sworowski Planning Policy Manager 01283 595983
Melbourne Conservation Area Extension	22 nd August 2013			Nicola Sworowski Planning Policy Manager 01283 595983
Quarterly performance	22 nd August 2013			
HS2 phase 2 consultation	3 rd October 2013			Richard Groves Planning Policy Officer 01283 595738
East Midlands Airport Draft Master Plan consultation	3 rd October 2013			Richard Groves Planning Policy Officer 01283 595738

Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Responses to Draft Local Plan consultation, Submission Local Plan	21 st November 2013			Local Plans Manager (01283 595821)
Derbyshire Minerals and Waste Local plan consultation	21 st November 2013			Kevin Exley Planning Policy Officer (01283 228717)
Repton Air Quality assessment	21 st November 2013			Mathew Holford Environmental Health Manager 01283 595976
Quarterly performance	21 st November 2013			