

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

31st May 2018

PRESENT:-

Conservative Group

Councillor MacPherson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Billings, Mrs Brown, Mrs Coe, Harrison (substituting for Councillor Mrs Patten), Ford (substituting for Councillor Mrs Hall) and Wheeler

Labour Group

Councillors Chahal, Southerd (substituting for Councillor Dunn), Taylor and Tilley

EDS/1 **APOLOGIES**

Apologies for absence from the meeting were received from Councillors Coe Mrs Hall, Mrs Patten, (Conservative Group) and Councillor Dunn (Labour Group)

EDS/2 **MINUTES**

The Open Minutes of the Meeting held on 19th April 2018 were noted, approved as a true record and signed by the Chairman.

EDS/3 **DECLARATIONS OF INTEREST**

Councillor Ford declared a personal interest in Item 16 of the Agenda by virtue of an acquaintance of his owning the Screw Mill. He advised that he would vacate the Chamber whilst the item is discussed.

EDS/4 **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from Members of the Public had been received.

EDS/5 **QUESTIONS BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

EDS/6 **REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE**

As Chairman of the Overview and Scrutiny Committee, Councillor Swann informed Members that following their initial review of the Waste Collection Street Scene and Grounds Maintenance budget, a further report by the Direct

Services Manager would be submitted to this Committee at a future date. The update was duly noted.

Councillor Swann left the Meeting at 6.10pm

MATTERS DELEGATED TO COMMITTEE

EDS/7 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT 2017/18**

The Strategic Director (Service Delivery) presented the report to Committee highlighting performance, key actions and areas identified in the risk register.

Councillor Taylor queried whether the removal of some of the Council's bring-sites across the District had impacted the reported statistics on recycling. The Director advised that any impact on the removal of such sites would be difficult to measure as data was not collected in this way. Other factors such as manufacturers introducing more light-weight packaging and a reduction in the number of newspapers being bought have an impact on recycling rates. The Director updated Members that re-procurement of the recycling contract could provide an opportunity to consider the impact of removing a bring-site.

RESOLVED:

Members noted progress against performance targets.

EDS/8 **SERVICE PLANS 2018/19**

The Strategic Director (Service Delivery) presented the report to Committee.

RESOLVED:

That the Service Plans for Service Delivery and the Chief Executive's Directorate be approved as the basis for overall service delivery over the period 1 April 2018 to 31 March 2019.

EDS/9 **KEY PERFORMANCE INDICATORS – LICENSING DEPARTMENT**

The Senior Licensing Officer presented the report to Committee.

RESOLVED:

Members noted the performance of the Licensing Department in relation to the Key Performance Indicators.

EDS/10 **CHARITABLE COLLECTIONS POLICY – REQUEST FOR EXCEPTION**

The Senior Licensing Officer presented the report to Committee.

Councillor Taylor queried the association between the Charity in question and its request to allow Shetland ponies to accompany its collectors. The Senior Licensing Officer clarified that the Charity raises money for disadvantaged children, and no direct link could be established.

Members raised concerns in relation to public safety, animal welfare and potential risks. Some commented that although the work of the Charity is recognised, it was felt that Shetland ponies accompanying collectors was not appropriate and therefore the recommendation could not be supported.

A proposal to overturn the Officer's recommendation was supported by the Committee.

RESOLVED:

Members considered a request for an exception to the Charitable Collections Policy (attached at Appendix 1) and refused to allow Phoenix Children's Foundation to have Shetland ponies accompanying their collectors during a street collection.

Abstentions: Councillors Mrs Brown and Harrison

EDS/11 **ADOPTION OF SECTION 27 OF THE POLICING AND CRIME ACT 2009 - LICENSING OF SEXUAL ENTERTAINMENT VENUES**

The Senior Licensing Officer presented the report to Committee informing Members that no representations had been received during the initial consultation period.

Clarification was sought on estimated costs and the location of such establishments. The Senior Licensing Officer responded explaining that costs had been calculated to cover the amount of Officer time that would be required in processing the application and taking it through the committee process. The Officer highlighted that adoption as recommended would allow consideration of locality when reviewing such applications.

RESOLVED:

1.1 Members resolved to adopt section 27 of the Policing and Crime Act 2009 (the '2009 Act') and reaffirmed adoption of the Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the '1982 Act') to come into effect from 1st August 2018.

1.2 Members authorised Officers to take the necessary steps to confirm the resolution to adopt the 2009 Act and reaffirmation of the 1982 Act.

1.3 Members approved that the Sex Establishments and Sexual Entertainment Venue Policy comes into effect from 1st August 2018.

1.4 Members approved the proposed fees for sex establishments.

EDS/12 **ENFORCEMENT AND COMPLIANCE REPORT**

The Environmental Health Manager presented the report to Committee, highlighted details of the Council's use of its powers to take appropriate enforcement action.

Councillor Taylor commented that considering the growth in the District, the number of Neighbourhood Wardens employed by the Council. This had not increased in line with this and he raised concern regarding staffing resource particularly in view of police cuts and increase in anti-social behaviour. The

Environmental Health Manager responded that the role of the wardens has widened and resources are being reviewed.

Clarification was sought on the type of noise complaints reported and action that can be taken. The Environmental Health Manager responded that noise is quantified through data gathered on its nature, decibels, frequency, and duration.

Councillor Billings welcomed the report thanking those involved in resolving the recent issues in Hilton.

RESOLVED:

1.1 The Committee noted the contents of the report, that the Council is using its regulatory powers in a way proportionate to the demands for all regulatory services it provides.

1.2 It was approved that the Committee receives an annual report summarising the use of the Councils regulatory powers.

EDS/13 **REPTON NEIGHBOURHOOD DEVELOPMENT PLAN**

The Community Partnership Officer presented the report to Committee.

Councillor Ford, as the local County Councillor, welcomed the report and its recommendations acknowledging the work of the Repton Parish Council.

RESOLVED:

1.1 Members considered the Repton Neighbourhood Development Plan together with the Examiners Report and recommended changes.

1.2 Members agreed to the recommended changes identified by the independent Examiner.

1.3 Members agreed to the amended Repton Neighbourhood Development plan proceeding to Full Council to consider taking to the plan to referendum.

EDS/14 **REVISED LOCAL DEVELOPMENT SCHEME**

The Planning Policy Officer presented the report to Committee.

RESOLVED:

Members endorsed the Local Development Scheme (at Appendix 1) for publication.

EDS/15 **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT FOR CONSULTATION**

The Planning Policy Officer presented the report to Committee.

RESOLVED:

Members approved the Draft Statement of Community Involvement (at Appendix 1) for public consultation.

Councillor Ford left the Chamber at 7.00pm.

EDS/16 **HARTSHORNE CONSERVATION AREA AND AREA OF SPECIAL LOCAL CHARACTER**

The Conservation Officer presented the report to Committee which was welcomed by Members.

RESOLVED:

The Committee agreed not to designate the Screw Mill area of Hartshorne as a Conservation Area due to its lack of architectural and historic merit.

The Committee agreed not to designate the Upper Town Area as an Area of Special Local Character due to the degree of change and alteration in this area.

Councillor Ford returned to the Chamber at 7.05pm.

EDS/17 **EAST MIDLANDS AIRPORT DRAFT NOISE ACTION PLAN**

The Planning Policy Officer presented the report to Committee. Clarification was sought and provided on the membership of the Working Panel.

Councillor Southerd accepted the invitation and advised that a Member from the Labour Group would be nominated for this Panel in due course.

RESOLVED:

Members approved that a cross-party Member Working Panel be established with authority for determining a Committee resolution in response to the forthcoming East Midlands Airport Draft Noise Action Plan. This response would then be presented to a future meeting of this Committee for information.

EDS/18 **DEVELOPMENT FRAMEWORK DOCUMENT FOR INFINITY GARDEN VILLAGE**

The Planning Policy Officer presented the report to Committee advising that the document had been drafted collaboratively by this Council with Derbyshire County Council, Derby City Council, the site's developers and the Infinity Garden Village Liaison Group. Members were informed that at its Meeting on 8th March 2018, the Infinity Garden Village Liaison Group had been shown the document and were integral in shaping it.

Councillor Ford commented that the complexities of the matter required this pro-active approach in order to progress.

RESOLVED:

- 1.1 Members endorsed the draft Development Framework Document (DFD) for Infinity Garden Village and grant delegated authority to the Planning Services Manager and Chairman of this Committee to agree the final version following continued dialogue with Derby City Council and Derbyshire County Council.**
- 1.2 Members granted delegated authority to the Planning Services Manager and Chairman of this Committee to agree any future revisions to the document which fall within the scope of adopted planning policies as set out in the Local Plan Part 1 (LP1) and Local Plan Part 2 (LP2).**

EDS/19 **COMMITTEE WORK PROGRAMME**

RESOLVED:

Members considered and approved the updated work programme.

EDS/20 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be 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 paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on the 19th April 2018 were received.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee was informed that no exempt questions from Members of the Council had been received.

PLANNING SERVICES REVIEW (Paragraph 1)

Members approved the recommendations contained in the report.

The meeting terminated at 7.30pm.

COUNCILLOR A MACPHERSON

CHAIRMAN